



The Sizewell C Project

9.11 Responses to the ExA's First Written Questions (ExQ1) Volume 1 - SZC Co. Responses

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CONTENTS

CHAPTER 1 INTRODUCTION

PART 1 WRITTEN RESPONSES:

CHAPTER 2 GENERAL AND CROSS-TOPIC QUESTIONS

CHAPTER 3 AGRICULTURE AND SOILS

CHAPTER 4 AIR QUALITY

CHAPTER 5 ALTERNATIVES

CHAPTER 6 AMENITY AND RECREATION

PART 2 WRITTEN RESPONSES:

CHAPTER 7 BIODIVERSITY AND ECOLOGY, TERRESTRIAL AND MARINE

CHAPTER 8 HABITATS REGULATIONS ASSESSMENT

PART 3 WRITTEN RESPONSES:

CHAPTER 9 CLIMATE CHANGE

CHAPTER 10 COASTAL GEOMORPHOLOGY

CHAPTER 11 COMPULSORY ACQUISITION

CHAPTER 12 COMMUNITY ISSUES

CHAPTER 13 CUMULATIVE IMPACT AND TRANSBOUNDARY EFFECTS

CONTENTS

PART 4 WRITTEN RESPONSES:

CHAPTER 14 DRAFT DCO

CHAPTER 15 FLOOD RISK, GROUNDWATER AND SURFACE WATER

CHAPTER 16 HEALTH AND WELLBEING

CHAPTER 17 HISTORIC ENVIRONMENT (TERRESTRIAL AND MARINE)

CHAPTER 18 LANDSCAPE IMPACT, VISUAL EFFECTS AND DESIGN

PART 5 WRITTEN RESPONSES:

CHAPTER 19 MARINE WATER QUALITY AND SEDIMENTS

CHAPTER 20 MARINE NAVIGATION

CHAPTER 21 NOISE AND VIBRATION

CHAPTER 22 RADIOLOGICAL CONSIDERATIONS

PART 6 WRITTEN RESPONSES:

CHAPTER 23 SOCIO-ECONOMIC

CHAPTER 24 TRAFFIC AND TRANSPORT

CHAPTER 25 WASTE (CONVENTIONAL) AND MATERIAL RESOURCE

ANNEX:

CHAPTER 26 SECTION 106 AGREEMENTS

1 INTRODUCTION

1.1.1 This report provides SZC Co.'s response to the Examining Authority's first Written Questions and requests for information (ExQ1) issued on 21st April 2021 [PD-016 to PD-022] and the Rule 17 letter issued 6th May 2021 [\[PD-025\]](#).

1.1.2 A total of 1,548 written questions and requests for information were issued on 21st April in six parts [PD-017 to PD-022], as set out below.

- Part 1:
 - 59 general and cross-topic questions;
 - 39 questions on Agriculture and Soils;
 - 79 questions on Air Quality;
 - 37 questions on Alternatives;
 - 40 questions on Amenity and Recreation;
- Part 2:
 - 273 questions on Biodiversity and Ecology;
 - 10 questions on Habitats Regulation Assessment;
- Part 3:
 - 20 questions on Climate Change;
 - 33 questions on Coastal Geomorphology;
 - 84 questions on Compulsory Acquisition;
 - 17 questions on Community Issues;
 - 51 questions on Cumulative and Transboundary;
- Part 4:
 - 170 questions on Draft Development Consent Order (DCO);
 - 75 questions on Flood Risk and Water;

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- 30 questions on Health and Wellbeing;
 - 59 questions on Historic Environment;
 - 128 questions on Landscape and Visual Impact Assessment and Design;
 - Part 5:
 - 12 questions on Marine Water Quality;
 - 4 questions on Marine Navigation;
 - 101 questions on Noise and Vibration;
 - 32 questions on Radiological Consideration;
 - Part 6:
 - 48 questions on Socio-economics;
 - 134 questions on Transport; and
 - 13 questions on Waste and Materials.
- 1.1.3 In addition, the Examining Authority raised a further 72 questions in the Rule 17 letter, dated 6th May 2021 [[PD-025](#)], on the draft Section 106 agreement.
- 1.1.4 Whilst some of the above written questions were not directly addressed to the Applicant, a response has been provided where SZC Co. has considered it may be appropriate and helpful to do so.
- 1.1.5 This report contains 25 individual topic chapters and follows the same question referencing format, as provided by the Examining Authority.
- 1.1.6 This report contains Examination Library References in square brackets (e.g. [[APP-001](#)]).



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 1 OF 6

Chapter 2 G. 1	General and Cross-topic Questions
Chapter 3 Ag.1	Agriculture and soils
Chapter 4 AQ.1	Air Quality
Chapter 5 Al.1	Alternatives
Chapter 6 AR.1	Amenity and recreation

ExQ1	Question to:	Question:
Chapter 2 - 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	<p>The depth of excavations at the main development site, where relevant, is described within the Description of Construction chapter of the Environmental Statement (ES) (e.g. refer to Volume 3, Appendix 2.2.B of the ES Addendum, paragraphs 3.4.30, 3.4.176, 3.4.184 [AS-202]).</p> <p>Requirement 8 of the draft Development Consent Order (DCO) (Doc Ref. 3.1(C)) sets out the requirement for the construction works to be undertaken in general compliance with the Construction Method Statement (which comprises the Volume 2, Chapter 3 (Description of Construction) of the ES (refer to Volume 3, Appendix 2.2.B of the ES Addendum (Doc Ref. 6.14(A) for the latest version). Any material exceedence of the depths of excavations described would therefore be a breach of Requirement 8. The DCO as drafted does therefore effectively limit the depth to which works could be undertaken. The ES has assessed the works as described within the Description of Construction chapter of the ES.</p>
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	<p>Please refer to Figures 2.1 and 2.2 appended to Part 1.</p> <p>Please also refer to the response to Question G.1.10 in Part 1.</p>

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

ExQ1	Question to:	Question:
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	Please refer to Figure 2.3 appended to Part 1 .
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 geographical boundaries of County, District, Town and Parish Councils that have made Relevant Representations.</p>
	Response	Please refer to Figure 2.4 appended to Part 1 .
G.1.4	The Applicant	<p>Policy approach</p> <p>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.</p>
	Response	<p>The Planning Statement Update (Doc Ref 8.4Ad) provides an update of the planning policy position set out in the Planning Statement [APP-590]. It presents a review of relevant changes and developments in national policy and law which have arisen since the submission of the application in May 2020 and how they may affect the approach to decision making presented in the Planning Statement.</p> <p>This includes a review and assessment of the implications of the following:</p> <ul style="list-style-type: none"> • Updated Energy and Emissions Projections 2019 (October 2020)¹

¹ DBEIS (2020) Updated Energy and Emissions Projections 2019 (October 2020) Available at: <https://www.gov.uk/government/collections/energy-and-emissions-projections>

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

ExQ1	Question to:	Question:
		<ul style="list-style-type: none">• Government response to CCC progress report (October 2020)²• The Ten Point Plan for a Green Industrial Revolution (November 2020)³• National Infrastructure Strategy (November 2020)⁴• Response to the National Infrastructure Assessment (November 2020)⁵• The Sixth Carbon Budget: The UK's path to Net Zero (December 2020)⁶• Energy White Paper – Powering our Net Zero Future (December 2020)⁷ <p>The Planning Statement Update also addresses the outcome of challenges in the Courts to the DCO decision on the proposals for two gas-fired generating units at the Drax Power Station, which have arisen since the preparation of the Planning Statement as well as a review of the recommendation report of the ExA on the Wylfa Newydd Power Station Project published after the withdrawal of the application.</p> <p>The Planning Statement Update considers the implications of the above for the application of the NPS policy to the Sizewell C Project.</p> <p>The changes made to the application do not affect the approach and interpretation of legislation or policy set out in the Planning Statement as updated by the Planning Statement Update.</p>

² DBEIS (2020) Government response to CCC progress report (October 2020). Available at:

<https://www.gov.uk/government/collections/government-responses-to-the-committee-on-climate-change-ccc-annual-progress-reports>

³ HM Government (2020) The Ten Point Plan for a Green Industrial Revolution (November 2020). Available at:

<https://www.gov.uk/government/publications/the-ten-point-plan-for-a-green-industrial-revolution>

⁴ HM Treasury (2020) National Infrastructure Strategy (November 2020). Available at: <https://www.gov.uk/government/publications/national-infrastructure-strategy>

⁵ HM Treasury (2020) Response to the National Infrastructure Assessment (November 2020). Available at:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/937949/Response_to_the_NIA_final.pdf

⁶ CCC (2020) The Sixth Carbon Budget: The UK's path to Net Zero (December 2020) Available at: <https://www.theccc.org.uk/wp-content/uploads/2020/12/The-Sixth-Carbon-Budget-The-UKs-path-to-Net-Zero.pdf>

⁷ DBEIS (2020) Energy White Paper – Powering our Net Zero Future (December 2020). Available at:

<https://www.gov.uk/government/publications/energy-white-paper-powering-our-net-zero-future>

ExQ1	Question to:	Question:
G.1.5	The Applicant	<p>Policy approach</p> <p>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?</p>
	Response	<p>The individual matters identified in paragraph 3.9.11 of the Planning Statement [APP-590] are addressed in turn below.</p> <p>The need for the NSIP (NPS EN-1 paragraph 3.1.3)⁸</p> <p>The national need for energy NSIPs, including new nuclear power stations, is a matter for consideration by Government through the process of National Policy Statement (“NPS”) policy-making and review under the Planning Act 2008 (“PA 2008”)⁹. The terms of the policy and its implications for the consideration of need in this case are clear. Recent decisions of the court have emphasised that it is not the role of an examination into an individual application for development consent to consider the merits of that policy or whether it is up to date.</p> <p>As the Supreme Court has explained in <i>R (Friends of the Earth Ltd.) v. Heathrow Airport Ltd.</i>¹⁰, and as reflected in the Judgments of the High Court¹¹ and Court of Appeal¹² in <i>R (ClientEarth) v. Secretary of State for Business, Energy and Industrial Strategy</i>, the objective of the separate statutory system for decision-making on NSIPs under the PA 2008 was for policies on matters such as the need for infrastructure to be formulated and tested through the process leading up the decision to adopt a NPS, and to</p>

⁸ Department of Energy and Climate Change, Overarching National Policy Statement for Energy (EN-1). (London: The Stationary Office, 2011)

⁹ Parliament of the United Kingdom. Planning Act 2008. (London, 2008)

¹⁰ [2020] EWCA Civ 214, paragraphs 20 to 28. Available at: <https://www.judiciary.uk/wp-content/uploads/2020/02/Heathrow-judgment-on-planning-issues-27-February-2020.pdf>

¹¹ [2020] EWHC 1303 (Admin), paragraphs 26 to 3. Available at: <https://www.judiciary.uk/wp-content/uploads/2020/02/Heathrow-judgment-on-planning-issues-27-February-2020.pdf>

¹² [2021] EWCA Civ 43, paragraph 105. Available at: <https://www.judiciary.uk/wp-content/uploads/2020/02/Heathrow-judgment-on-planning-issues-27-February-2020.pdf>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>that extent would not be open to challenge through subsequent consenting procedures¹³. As Holgate J explained, one of the underlying principles reflected in the PA 2008 was that:</p> <p><i>“New evidence, such as a change in circumstances since the policy was adopted, would be addressed by the Secretary of State making a revision to the policy, in so far as he or she judged that to be appropriate” ([31]).</i></p> <p>Section 6 of the PA 2008 is of central importance in this respect. Holgate J summarised the implications of section 6 within the overall statutory framework as follows:</p> <p><i>“Thus the 2008 Act proceeds on the legal principle that significant changes in circumstances affecting the basis for, or content of, a policy may only be taken into account through the statutory process of review under s.6 (Spurrier at [108]).” ([38])</i></p> <p>The role of section 6 as an exclusive means of considering these matters is reflected in the restrictions to be found in sections 87(3), 94(8) and 106(1) of the PA 2008. The effect of this was summarised by Holgate J at paragraphs 106 to 108 as follows:</p> <p><i>“The merits of policy set out in a NPS are not open to challenge in the examination process or in the determination of an application for a DCO. That is the object of ss.87(3), 94(8) and 106(1).</i></p> <p><i>Furthermore, section 104(7) cannot be used to circumvent s.104(3), so, for example, where a particular NPS stated that there was a need for a particular project and ruled out alternatives, it was not permissible for that subject to be considered under s.104(7), even where a change of circumstances has occurred or material has come into existence after the designation of the NPS (see <u>Thames Blue Green Economy Limited</u> [2015] EWHC (Admin) at [8] to [9] and [37] to [43] and [2016] JPL 157 at [11] to [16]; <u>Spurrier</u> at [103] to [105] and [107]).</i></p> <p><i>This inability to use s.104(7) to challenge the merits of policy in a NPS also precludes an argument that there has been a change in circumstance since the policy was designated so that reduced, or even no, weight should be given to it. Although that is a conventional planning argument in development control under the TCPA 1990, it “relates to the merits of policy” for the purposes of the PA and</i></p>

¹³ See also paragraph 3.2.2 of the Planning Statement and the reference to what was said about this issue in the contemporaneous Nuclear White Paper in 2008.

ExQ1	Question to:	Question:
		<p><i>therefore is to be disregarded. The appropriate procedure for dealing with a contention that a policy, or the basis for a policy, has been overtaken by events, or has become out of date, is the review mechanism in s. 6 (Spurrier at [107] to [108])."</i></p> <p>That approach was subsequently upheld by the Court of Appeal¹⁴.</p> <p>Whilst the ClientEarth case was concerned with an application determined under section 104, that does not affect the application of the legal principle identified by Holgate J at paragraph 38. Sections 6, 87(3), 94(8) and 106(1) apply equally to applications dealt with under section 105.</p> <p>As the Planning Statement Update (Doc Ref 8.4Ad) explains, in this case the issue of need has been determined in NPS EN-1, which remains extant Government policy unless and until replaced. Insofar as any issue arises as to whether the assessment of need in the NPS is up to date, that is a matter exclusively for the Government to consider through the process of NPS review pursuant to section 6 of the PA 2008. It is not a matter that can or should be determined on a case-by-case basis in response to individual applications for development consent.</p> <p>The identification of a need for a particular type of development in a NPS which remains extant does not disappear (or change in any material way) simply because an individual application is being considered pursuant to section 105 rather than section 104. The existence of the need is settled by extant Government policy, and the statutory provisions identified above makes clear that the Secretary of State may disregard representations which go to the merits of policy set out in a NPS.</p> <p>The availability of alternatives to the proposed development – either in terms of alternative technologies or alternative sites. In particular, the NPSs are clear that they do not create any requirement to consider alternatives; that there are no alternatives to the sites listed and that these sites are not to be regarded as alternatives to one another (NPS EN-1 paragraph 4.4.1 and EN-6 paragraphs 2.4.3 and 2.5.4).</p>

¹⁴ See paragraphs 100, 103 and 105.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>Where there is a legal obligation to consider alternatives in this case, the relevant obligation has been identified in response to AI.1.0 and an explanation provided as to how it has been complied with.</p> <p>The NPS does not contain any policy obligation to consider alternatives to the proposed development. That policy position remains unchanged whether an individual application falls to be considered pursuant to section 104 or section 105. It is a matter determined by what the policy says (the interpretation of which is a matter of law), and the meaning of policy cannot change from one application to another.</p> <p>In this case, there are three particular factors which mean that the availability of alternatives would not otherwise be "<i>important and relevant</i>" for the purposes of section 105(2)(c)¹⁵ in this case.</p> <p>The first is the fact that the Government has considered the issue of alternatives (both alternatives to new nuclear generating capacity and alternative sites for new nuclear power stations) in the policy-making process (see e.g. NPS EN-1 sections 2 and 3, and EN-6 sections 2.4 and 2.5). The examination of an individual application for development consent cannot properly be used as a vehicle for questioning the merits of the policy which has emerged through that process¹⁶. The failure to appreciate the latter point, and its legal consequences, led the Examining Authority in the ClientEarth (Drax) case into forbidden territory and thus legal error¹⁷.</p> <p>The second and related factor is that the Government is now actively engaged in the process of considering alternatives through its review of the NPS and preparation of a new NPS for nuclear power. As a consequence, if the ExA and the Secretary of State sought to consider those matters themselves in determining an individual application for development consent,</p>

¹⁵ And thus an obligatory consideration under section 105(2).

¹⁶ As the Supreme Court noted in the **Heathrow** case at paragraphs 27 to 28, the PA 2008 imposed for the first time a transparent procedure for the public and other consultees to be involved in the formulation of national infrastructure policy in advance of any consideration of an application for a DCO. The draft NPS must go through an appraisal of sustainability, public consultation and publicity, Parliamentary scrutiny and Strategic Environmental Assessment before it can be designated. The rigour, transparency and democratic accountability involved in that process is an important factor in understanding why it is inappropriate and unlawful for the ExA or an individual Secretary of State to seek to use an examination into a particular proposal to bypass those statutory processes and undertake a non-statutory review the merits of such a policy.

¹⁷ See per Holgate J at paragraphs 129 to 136.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>they would necessarily be trespassing on – and duplicating - that process¹⁸. In the meantime, the Government has provided a clear statement of its position in the Energy White Paper:</p> <p><i>“This white paper shows that the need for the energy infrastructure set out in energy NPS remains, except in the case of coal-fired generation. While the review is undertaken, the current suite of NPS remain relevant government policy and have effect for the purposes of the Planning Act 2008. They will, therefore, continue to provide a proper basis on which the Planning Inspectorate can examine, and the Secretary of State can make decisions on, applications for development consent.”¹⁹</i></p> <p>Not only would any duplication of the NPS review and preparation process be inappropriate as a matter of legal principle (see paragraphs 3 to 6 above) and incompatible with the clear statement made in the Energy White Paper, it would also be something for which the process for examining an individual proposal is manifestly unsuited. The ExA could not, for example, properly be asked to review all of the myriad factors involved in forecasting energy demand, balancing issues of energy-security, deliverability, comparative environmental and economic impact etc. required to determine what types of energy generation are required across the United Kingdom over future decades, and at what scale. Nor could it properly be asked to undertake its own review of the comparative merits, impacts and deliverability of the individual sites being considered by the Government in the process of formulating a new NPS for nuclear power. These obvious difficulties were intended to be – and were - overcome by the PA 2008 (see, for example, what was said by the Supreme Court in the Heathrow case at paragraph 21).</p> <p>The third factor is that, even if the ExA was persuaded that for some reason it was subject to a legal obligation to consider alternatives beyond those identified in response to EXAQ Al.1.0, the principles identified in paragraph 4.4.3 of EN-1 would still fall to be applied having</p>

¹⁸ The Government’s Response to consultation on siting criteria and process for a new NPS for nuclear power (July 2018) explained at paragraph 2.10 that “Government considers that the need for nuclear remains and that the overarching process to assess the potential suitability of sites at a national strategic level prior to statutory licensing and permitting continues to be appropriate”. It also explains that the new NPS will identify the sites which are potentially suitable for the deployment of a new nuclear power station between 2026-2035 (p. 10).

¹⁹ p. 55

ExQ1	Question to:	Question:
		<p>regard to the established level and urgency of the need for new nuclear generating. These principles include, amongst other things, the following:</p> <p><i>"Where, as in the case of nuclear, there is reason to suppose that the number of sites suitable for deployment on the scale and within the period of time envisaged by the relevant NPSs is constrained, the [ExA] should not reject an application for development of one site simply because fewer adverse impacts would result from developing similar infrastructure on another suitable site, and it should have regard as appropriate to the possibility that all suitable sites for energy infrastructure of the type proposed may be needed for future proposals."</i></p> <p>In the case of new nuclear the conclusion reached by Government and set out in NPS EN-6 at paragraph 2.5.4 was that it does not believe that there are any alternative sites to those listed that meet the requirements of the NPS. Subject to any contrary legal requirements, the decision-maker should judge an application on a listed site on its own merits and a comparison with any other listed site is unlikely to be important to its decision (paragraph 2.5.5).</p> <p>If the ExA wished to depart from that settled policy approach, it would first need to undertake its own assessment of how many new nuclear power stations are needed and the degree of urgency with which they are needed. It would then have to undertake its own review of the comparative merits of the potentially available sites. That is quite clearly a matter that is exclusively for the Government to consider through the section 6 policy review process, and not one that is suitable of appropriate for this examination (see above).</p> <p>The Government has made clear in the 2020 Energy White Paper that, having regard amongst other things to the associated energy security and climate change benefits, its policy is to bring at least one large scale new nuclear power station to the point of a Final Investment Decision by the end of the current Parliament²⁰. As the Updated Planning Statement (Doc Ref 8.4Ad) explains, only Sizewell C is capable of meeting that objective. No Interested Party has identified an alternative site which is capable of doing so.</p> <p>In the meantime, the Government has made clear that sites listed in EN-6 on which a new nuclear power station is anticipated to deploy after 2025 will continue to be considered</p>

ExQ1	Question to:	Question:
		<p>appropriate sites and retain strong Government support during the designation of the new NPS²¹.</p> <p>The effects of any necessary Grid connection which can be promoted and assessed separately where this makes sense in terms of timescale and the delivery of the Sizewell C Project (EN-1 paragraph 4.9.2)</p> <p>The approach to Grid connection set out in section 4.9 of NPS EN-1 is of general application and there is no basis on which a different approach could properly be said to be warranted depending on whether a particular application for a generating station fell to be determined under section 104 or section 105. None of the considerations identified in section 4.9 would be any different in either case.</p> <p>Although the Planning Statement makes reference to the effects of any necessary Grid connection being promoted and assessed separately, that is of course subject to the acknowledged need to provide sufficient information to comply with the requirements of the EIA Directive including undertaking an assessment of the indirect, secondary and cumulative effects, which will encompass information on grid connections. Similarly, SZC Co. recognises that it must satisfy the decision-maker that there are no obvious reasons why the necessary approvals for the grid connection are likely to be refused (EN-1, paragraph 4.9.3).</p> <p>The Applicant has provided a Grid Connection Statement (Document 7.1) which addresses these matters. Further information is provided in response to Question Cu.1.20 and in the Statement of Common Ground with National Grid.</p> <p>In due course the necessary Grid connection will be subject to its own assessment in the usual way²².</p> <p>Matters covered by other regimes including pollution control (EN-1 paragraph 4.10.3)</p> <p>The approach set out in paragraph 4.10.3 of EN-1 to the relationship between the planning process and the control of processes, emissions or discharges is clear and unambiguous. The approach applies equally to all energy NSIPs. It is also reflective of both the legal and policy position in the determination of applications for planning permission under the TCPA</p>

²¹ Government Response to Consultation on Siting Criteria and process for a new NPS for nuclear power, paragraph 3.10.

²² As is reflected in the final part of paragraph 4.9.3 of EN-1.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>1990, which has been held to apply to applications for development consent made pursuant to the PA 2008 (see <i>R (An Taisce (The National Trust for Ireland)) v. Secretary of State for Energy and Climate Change</i>²³. The reasons behind that approach are set out by the Government in paragraph 4.10.1 and 4.10.2, and the merits of the Government's policy position are not for debate in this examination (see above).</p> <p>The focus of attention in examining an application for development consent is on whether the development itself is an acceptable use of land, and on the impacts of that use, rather than the control of processes, emissions or discharges themselves. The ExA should, therefore, work on the assumption that the relevant pollution control regime and other environmental regulatory regimes, including those on land drainage, water abstraction and biodiversity, will be properly applied and enforced by the relevant regulator. It should act to complement but not seek to duplicate these parallel consenting regimes.</p> <p>The same approach is reflected in paragraph 183 of the NPPF, and the essential principle was summarised by Lindblom LJ in <i>Gladman Developments Ltd. v. SSCLG</i>²⁴ as being that '<i>the planning system should not duplicate those other regulatory controls, but should generally assume they will operate effectively</i>'. He went on to explain that the policy in the NPPF to that effect '<i>was directed to situations where some proposed process or operation ... is subject to control under another regulatory regime ... its purpose was to avoid needless duplication between the two systems of statutory control</i>'²⁵.</p> <p>The legal principle does not depend on whether the application is being determined pursuant to section 104 or section 105. It is a matter of general approach, applicable in all cases.</p> <p>Paragraph 4.10.7 of NPS EN-1 provides that the decision-maker should be satisfied that development consent can be granted taking full account of environmental impacts. The impacts on air quality, water quality, land quality etc. are fully assessed in the ES and ES Addendum, and taken into account in the planning assessment contained in the Planning Statement. Paragraph 4.10.7 also identifies the limited extent to which it is appropriate for the decision-maker to consider matters regulated by the relevant pollution control network, and how it should approach this task in close co-operation with the relevant bodies.</p>

²³ [2013] EWHC 4161 at paragraphs 177 to 193

²⁴ [2020] Env. L.R. 15 at paragraph 43

²⁵ Paragraph 45

ExQ1	Question to:	Question:
		<p>Paragraph 4.10.8 of the NPS provides that consent should not be refused on the basis of pollution impacts unless the decision-maker has good reason to believe that any relevant necessary operational pollution control permits or licences or other consents will not subsequently be granted. There are no good reasons to reach such a conclusion in this case.</p> <p>Safety matters which are subject to other regimes (EN-1 paragraph 4.11.3)</p> <p>Paragraph 4.11.3 provides that the same principles apply here as for those set out in section 4.10 on pollution control and other environmental permitting regimes. The same explanation therefore applies here but is not repeated.</p> <p>Health issues, in respect of which NPS EN-1 advises: “Generally those aspects of energy infrastructure which are most likely to have a significantly detrimental impact on health are subject to separate regulation which will constitute effective mitigation of them, so that it is unlikely that health concerns will either constitute a reason to refuse consents or require specific mitigation under the Planning Act 2008. However the IPC will want to take account of health concerns when setting requirements relating to a range of impacts such as noise” (EN-1 paragraph 4.13.5)</p> <p>Again, the same essential principle is engaged. To the extent that health issues are not subject to separate regulation, these are fully assessed in the ES and ES Addendum²⁶, taken into account in the planning assessment contained in the Planning Statement, and reflected in the suite of controls and mitigation that the Applicant has proposed.</p> <p>The question of whether effective arrangements exist to manage and dispose of nuclear waste, because this has been addressed by the Government and the Secretary of State should not consider it further (EN-6, paragraph 2.11.4).</p> <p>Annex B of NPS EN-6 sets out how the Government has satisfied itself that effective arrangements will exist for the management and disposal of the wastes produced by new nuclear power stations. The reasoning is summarised in section 2.11 of the NPS, leading to the conclusion in paragraph 2.11.4 that the decision-maker should not consider this matter further.</p> <p>The merits of that decision are not for consideration in this examination (see above).</p>

²⁶ See in particular ES Vol. 2, Chapter 28

ExQ1	Question to:	Question:
		<p>Furthermore, whether the Government is or is not satisfied that effective arrangements will exist is a matter of fact. The Government made its position on this point clear in the July 2018 Response to consultation on siting criteria and process for a new NPS for nuclear power:</p> <p><i>“Government policy is that before development consents for new nuclear power stations are granted, the Government will need to be satisfied that effective arrangements exist or will exist to manage and dispose of the waste they will produce. In 2011, the Government set out in the national Policy Statement for Nuclear Power Generation why it was satisfied that such arrangements will exist. The Government considered these conclusions in the production of the 2014 Implementing Geological Disposal White Paper and the draft National Policy Statement for Geological Disposal Infrastructure and continues to be satisfied that they apply.”²⁷</i></p> <p>Security – where the Centre for the Protection of National Infrastructure, the Office for Civil Nuclear Security (now the Office for Nuclear Regulation) or the Department for Energy and Climate Change (now the Department for Business, Energy & Industrial Strategy) are satisfied that security issues have been adequately addressed in the Sizewell C Project when the application is submitted to the Secretary of State and have confirmed this to the Secretary of State (EN-1 paragraph 4.15.3).</p> <p>Paragraph 4.15.3 of NPS EN-1 both explains and justifies the approach to be taken to security considerations when examining applications for development consent for new energy NSIPs. The merits of that approach are not for consideration through this examination (see above).</p> <p>The application is subject to the requirements of the Nuclear Industries Security Regulations (2003) Ionising Radiation Regulations and Security Assessment Principles (SyAPS), 2017 and will be assessed by the Office for Nuclear Regulation Civil Nuclear Security and Safeguards. SZC will need to satisfy the requirements of the SyAPS to allow construction, operation and decommissioning.</p>

²⁷ Paragraph 3.27

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>In accordance with paragraph 4.15.3, the ExA should not need to give any further consideration to the details of the security measures in its examination.</p> <p>Emergency Planning (EN-6, paragraph 3.5.3)</p> <p>Paragraph 3.5.3 contains a list of 'Flags for Local Consideration' for the Office for Nuclear Regulation ("ONR"), and paragraph 3.5.4 makes clear that because these are for the ONR rather than the ExA to consider, they are not covered by detailed policy in the NPS. The list includes emergency planning, in respect of which the ONR will work together with the local authority or other Emergency Planning Authority.</p> <p>This should be considered together with section 2.7 of the NPS which explains the relationship between the regulatory framework for nuclear power stations and the planning regime. Paragraph 2.7.3 explains that when considering an application for development the ExA should act on the basis that the relevant licensing and permitting regimes will be properly applied and enforced, that it should not duplicate the consideration of matters that are within the remit of the nuclear regulators, and that it should not delay a decision as to whether to grant consent until completion of the licensing or permitting process. The Nuclear Regulators are responsible for, amongst other things, those matters listed in paragraph 3.5.3 (see paragraph 2.7.4).</p>
G.1.6	The Applicant	<p>Policy approach</p> <p>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?</p>
	Response	<p>Section 4 of the Planning Statement Update (Doc Ref 8.4Ad) addresses the implications of the updates in policy and law since the submission of the application (as listed in response to G.1.4) for the application of NPS policy. The assessment set out there explains that the Government has confirmed the continued weight and importance of the matters set out in the NPSs.</p>
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</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>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>
G.1.8	<p>The Applicant</p>	<p>In respect of the question of the appropriateness of examining alternatives, please see the response to Question G.1.5.</p> <p>The Planning Statement Update (Doc Ref 8.4Ad) provides a review of the National Infrastructure Strategy (November 2020) and Response to the National Infrastructure Assessment (November 2020) along with other documents published since the application submission (most notably the Energy White Paper).</p> <p>Annex A of the Planning Statement Update explains the implications of the Government's latest published assessment of alternative energy sources.</p> <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> <p>The role of nuclear energy in electricity is a matter for Government to address through national policy.</p> <p>The Planning Statement Update (Doc Ref 8.4Ad) (Section 2) addresses the CCC's 6th Carbon Budget December 2020. The CCC report identifies a preferred scenario which would meet the objectives of the budget. This preferred scenario would see new nuclear projects restore nuclear generation to current levels by 2035 despite the retirement of older nuclear plants. That cannot be achieved without the deployment of Sizewell C.</p> <p>The Planning Statement Update identifies the consistency between the findings of the CCC report and the latest BEIS modelling which underpins the Energy White Paper (which commits to bringing one large scale new nuclear project to FID by 2024) and which projects the need for between 20-30GW of new nuclear new build capacity by 2050.</p>
	<p>Response</p>	

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
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	<p>The Planning Statement Update (Doc Ref 8.4Ad) provides a review of both the Government response to the CCC 2020 progress report to Parliament and the Ten Point Plan. Both strengthen and support the need for new large scale nuclear projects.</p> <p>The Government response to CCC in October 2020 recognises the challenges of increasing demand for electricity in meeting 2050 net zero targets and finds that renewable sources like wind and solar will need to be complemented by non intermittent sources of power to deliver a reliable system, and that this will need to come from low carbon sources, including nuclear. The report does not make any recommendations or targets in relation to large scale nuclear but informed Government publications and policy in November and December 2020 (including the Energy White Paper).</p> <p>The Ten Point Plan followed the response to CCC in November 2020 and set out actions for the next ten years necessary to accelerate the path to net zero and, by doing so, support the economic recovery from the impact of coronavirus. This includes ‘<i>Delivering New and Advanced Nuclear Power</i>’ as Point 3, which highlights the increasing need for low carbon electricity and that new nuclear power will both produce low carbon power and create jobs and growth across the UK. It confirms that Government is ‘<i>pursuing large-scale nuclear as well as future technologies through investment in SMRs and AMRs</i>’.</p>
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 to the site area/circumstances for the Sizewell C Project application compared to what was considered by EN-6.</p>
	Response	<p>This response is concerned directly with the matters covered by Section 3.8 of the Planning Statement [APP-590] (i.e. matters related to the site boundary).</p>

ExQ1	Question to:	Question:
		<p>Plate 3.2 of the Planning Statement identifies the boundary of the site that was nominated into the SSA process by EDF Energy in March 2009 and contained within NPS EN-6 Volume II (at page 261).</p> <p>Figure 2.1 shows the comparative extent of the nominated site area and the application site boundary for the main development site. This shows that the main development site application boundary extends beyond the nomination site boundary to accommodate the whole of the temporary construction area (although this is in part within the nomination boundary), the Land east of Eastlands Industrial Estate, the Offshore Works Area and the Sizewell B Relocated Facilities and National Grid land (although again this is in part included within the nomination site boundary).</p> <p>Figure 2.2 overlays the extent of the Permanent Development Site Boundary (as shown on the Main Development Site Main Platform Proposed General Arrangement (Operations) drawing [APP-017]). This shows that the main platform is almost entirely contained within the original nomination site boundary - including the Nuclear Island, Conventional Island, Ancillary buildings, Cooling water pumphouses and associated infrastructure.</p> <p>The only exceptions are minor differences where the main platform extends beyond the nomination boundary:</p> <ol style="list-style-type: none"> 1. to the south of the main platform where its boundary marginally extends beyond the nomination site boundary; and 2. to the south west of the main platform. The nomination boundary was drawn to follow the line of the eastern bank of the Sizewell Drain which would be realigned. The application boundary, therefore, follows the straight western boundary of the platform. <p>The majority of the other permanent development within the main development site is also contained within the extent of the nomination site boundary, including:</p> <ol style="list-style-type: none"> 1. Power Infrastructure (including Sizewell C pylons, Sizewell C monopoles, National Grid gantries and the National Grid substation) 2. the Operational and ancillary car parks (and Off-site delivery checkpoint). 3. Some of the Sizewell B relocated facilities (namely the Sizewell B outage car park at Pillbox Field)

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>The exceptions to this are the marine works, the remainder of the Sizewell B relocated facilities and peripheral buildings (the Emergency equipment store, Back-up generator and Ancillary substation).</p> <p>The majority of land within the application site boundary for the main development site, but outside the nomination site boundary, is required for construction. The description of construction activities is provided within Volume 3, Appendix 2.2.B of the ES Addendum (Doc Ref. 6.14(A)) which at Figure 2.2.33 [AS-191] provides an illustrative construction masterplan. This shows the locations of the Site Entrance Hub, the Accommodation Campus, borrow pits, stockpile areas, contractor compounds, water management areas etc.</p> <p>The boundary of the nominated site in 2009 included (as described in EDF Energy's nomination report):</p> <p><i>"land in the Goose and Kenton Hills to provide for an access road and other facilities which may be located outside the nuclear power station boundary" as well as "a secondary area to the south of Sizewell A and B power stations, between Sizewell Wents and the hamlet of Sizewell. This area has been identified because it may be needed to accommodate ancillary facilities to meet operational requirements".</i> The nomination also noted that other operational infrastructure would be required outside the boundary but could not yet be defined, stating <i>"It will be necessary to construct cooling water intake and outfall structures and possibly also coastal defences and marine off-loading facilities beyond this boundary. It is not possible to define these features in any detail at this time and their requirement, siting and design would be subject to detailed investigations at the local level. The appropriate measures to mitigate potential adverse environmental effects associated with these facilities would be considered during these detailed investigations".</i></p> <p>Figure 2.1 shows that some of the land identified in the nominated site boundary is not included within the application site boundary. This includes land at Kenton Hills which reflected the potential alignment of a site access road. The exclusion of this land from the application site boundary reflects the relocation of the access road north of Kenton Hills (to avoid increased land take within the SSSI) and relocation of the junction to a more favourable location. This change was reflected in EDF Energy's response to the nomination process in November 2018 which included a revised nomination site area (for a new nuclear NPS). This also identified other amendments since the 2009 nomination as a result of operational requirements including the increase in size of the foreshore area to</p>

ExQ1	Question to:	Question:
		<p>tie into Sizewell B sea defence. The amended boundary also addressed the minor discrepancies between the extent of the main platform and the original 2009 nomination boundary to the south and south west (as noted above).</p> <p>Neither the nomination site submitted in 2009, nor the revised boundary in 2018 identify the full extent of the land required for construction activities.</p> <p>NPS EN-6 is clear that differences between the nomination site and the application site boundary are likely. Paragraph 2.3.3 advises:</p> <p><i>"The boundary of the nominated area may...vary from the site boundary that is proposed for development consent. It was not considered reasonable to expect nominators to have established, at the time of requesting nominations, detailed lay-outs for the whole of their proposed developments, including for example any additional land needed for construction or decommissioning."</i> Paragraph 2.3.4 goes on to state that: <i>"The SSA has therefore been carried out on the basis that applications for development consent may also include land additional to the boundary of the listed site for other elements of the power station, such as car parks, access roads or marine landing facilities, or for the construction and/or decommissioning of the nuclear power station"</i>.</p> <p>Paragraph C.8.117 then states, specifically in relation to Sizewell, that <i>'the SSA has not assessed in detail proposals for associated works such as access roads. Such details could change without affecting the overall strategic suitability of the site. The Government believes that this type of proposal is more appropriately considered by the IPC'</i>.</p> <p>In summary, in considering and comparing the nomination site boundary with the application site boundary for the main development site, it is important to note that:</p> <ul style="list-style-type: none"> • The nomination site boundary was indicative at the time of that nomination. • The extent of the main platform as proposed is entirely within the nomination site boundary (with the exception of some minor boundary alignment). • Most other permanent development as proposed in the application is also within the nomination site boundary. • The NPS recognises that the application boundary may include additional land for other elements of the power station including for construction activities. • The majority of additional land within the main development site boundary is to accommodate construction activities.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> The NPS confirms that details relating to construction were not assessed through the SSA process and such details could change without affecting the overall suitability of the site. <p>The response to Question AI.1.5 addresses the relationship of the nomination site boundary and the application site boundary further.</p>
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>
	Response	<p>Section 3 of the Planning Statement Update (Doc Ref 8.4Ad) addresses the implications of the Drax Court of Appeal judgement.</p> <p>The implications of what this means for the weight to be given to considerations of need are then set out at Section 4.</p> <p>In summary, the NPS must continue to be treated as an up to date and authoritative statement of Government policy on the need for new nuclear. This is now further bolstered by recent clear and unequivocal Government policy statements explaining that the need assessments that the NPS are based on themselves remain up to date. The Planning Statement Update provides a review of the more recent analysis which has informed the Energy White Paper which confirms the scale and urgency of the need and at Section 4(b) provides a summary of the contribution of the Sizewell C Project in meeting the need for new nuclear generation.</p> <p>Consistent with NPS EN-1 paragraph 3.2.3, substantial weight should be given to considerations of need in this particular case.</p>

ExQ1	Question to:	Question:
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> <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>
	Response	<p>S105(2)(c) requires the Secretary of State to have regard to any other matters which the Secretary of State thinks are both important and relevant. It does not deal with the question of primacy.</p> <p>NPS EN-1 paragraphs 4.1.5 and 4.1.6 deal with primacy and provide not only that the NPS prevails for the purposes of (DCO) decision making but also explain the reason why that is the case that the NPS prevails ‘<i>given the national significance of the infrastructure</i>’.</p> <p>That is a statement of policy, giving a clear public interest reason for the approach. It is not a statement purporting to explain the application of s104(3). The NPS prevails as a matter of public policy, whether the decision falls to be made under s104 or s105.</p> <p>The reasons for this policy approach do not fall to be questioned in decision-making on individual applications but they are apparent. Paragraph 4.1.5 makes clear that the NPSs are, for the most part, intended to make existing policy and practice of the Secretary of State in consenting nationally significant energy infrastructure clearer and more transparent. The clear intention is that they provide the primary basis for decision making and they are designed for that purpose.</p> <p>The NPSs are prepared in order to address the issues specifically associated with NSIPs. They are based on assessments of the need for such developments, the benefits and</p>

ExQ1	Question to:	Question:
		<p>impacts of the proposed policy for assessing proposals which seek to meet that need, and they set out to make clear what would be the right policy approach in the public interest balancing those needs, benefits and impacts. The proposed policies are subject to strategic environmental impact assessment and other formal assessments as part of that process. The proposed policies are then examined and voted on by democratically accountable MPs in Parliament based on their suitability for that specific purpose. Paragraph 4.1.5 makes clear that, in doing so, they take account of other policy considerations. Other policy documents are prepared for different purposes – their perspective is partial and none address – or seek to address - the balance that must be struck in considering nationally important infrastructure. That is reflected in the process for the preparation and testing of such policies, which does not include consideration of the need for, benefits and impacts of, and alternatives to nationally significant infrastructure projects of any type.</p> <p>Other policy documents may therefore be relevant, but unlike national policy statements they are not prepared or assessed on the basis that they will set policies for determining the acceptability of NSIPs. That hierarchy of policy is reflected in paragraph 5 of the NPPF, which makes clear that the Framework does not contain specific policies for NSIPs, which are determined in accordance with the decision-making framework of the PA 2008 and relevant national policy statements, as well as other matters that are relevant (which may include the NPPF). That clear statement of national planning policy applies directly also to policies within local plans, which are required by paragraph 35 of the NPPF to be consistent with the policies in the NPPF.</p> <p>That position is also reflected in relation to the Local Plan in this case, as explained at paragraph 3.10.7 of the Planning Statement. The Local Plan recognises the primacy of the NPSs. The Applicant’s response to Question G.1.15 records that this was recognised by the Inspector conducting the local plan examination.</p> <p>The Energy White Paper (at page 55) confirms that the current NPSs will ‘<i>continue to provide a proper basis on which the Planning Inspectorate can examine, and the Secretary of State make decisions on, applications for development consent</i>’. Accordingly:</p> <ul style="list-style-type: none"> (i) The Planning Statement correctly reflects the position where an application falls to be determined under s105; (ii) NPS policies have primacy and do not simply sit alongside other policies for this purpose;

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>(iii) Inherent in the policy position that the NPSs have primacy over other policy documents is the fact that significant weight attaches to the policies of the NPSs. These matters are addressed in the Updated Planning Statement (Doc Ref 8.4Ad), particularly in sections 3 and 4. The balancing of all important and relevant matters is a matter for the decision maker but, in balancing the relative weight to be applied to policy documents, primacy must be given to the policies of the NPSs.</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>
	Response	<p>Section 3.10 of the Planning Statement [APP-590] summarises the regional and local planning policies of relevance to the Sizewell C Project. This is also reflected in the Volume 1 Chapter 3 (Legislation and Policy Context) of the ES [APP-174].</p> <p>Paragraph 3.10.13 of the Planning Statement presents a non-exhaustive list of other regional or other policy documents that have been considered within the technical assessments within the ES.</p> <p>Each ES topic chapter contains an appendix setting out the assessment methodology. These are contained at Appendices 6D-6Y of the ES [APP-171]. Each of these appendices (section 1.2 of each appendix) identifies and describes legislation, policy and guidance of relevance to that particular technical discipline.</p> <p>This includes ‘regional or other’ policy and guidance. These are not repeated in the Planning Statement.</p> <p>Where any other existing policy or guidance is not listed in either the Planning Statement or the ES it would not add to or affect the clear policy approach established in the NPS. It is understood that a full list of policy documents is to be set out in the Councils’ joint Local Impact Report.</p> <p>Please see also the response to Question AI.1.0.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
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>
	Response	No response from SZC Co. is required.
G.1.15	The Applicant, SCC, ESC	<p>Policy Approach</p> <p>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.</p>
	Response	<p>Paragraph 3.10.5 of the Planning Statement [APP-590] identified the development plan at the time of submission. This comprised:</p> <ul style="list-style-type: none"> • The Suffolk Coastal Local Plan remaining Saved Policies – July 2018; • The Suffolk Coastal District Local Plan Core Strategy & Development Management Policies (July 2013); • The Site Allocations and Area Specific Policies Development Plan Document (January 2017); • The Area Action Plan for the Felixstowe Peninsula (January 2017); and • The Leiston Neighbourhood Plan 2015-2029. <p>The adopted East Suffolk Council Suffolk Coastal Local Plan (SCLP) now supersedes the Suffolk Coastal Local Plan remaining Saved Policies, Core Strategy & Development Management Policies, the Site Allocations and Area Specific Policies Development Plan Document and the Felixstowe Area Action Plan.</p> <p>Paragraphs 3.10.9 – 3.10.12 of the Planning Statement also refers to the Suffolk Coastal Final Draft Local Plan, which was the version of the SCLP submitted for Examination. These are now also superseded by the adopted versions of the policies (although a number remained materially unchanged).</p> <p>Appendix B of the Planning Statement Update (Doc Ref 8.4Ad) provides a review of modifications that were made to the draft policies prior to adoption. This includes:</p> <ul style="list-style-type: none"> • Policy SCLP3.4 – Major proposals for energy infrastructure

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> • Policy SCLP10.4 – Landscape character • Policy SCLP12.35 – Land at Innocence Farm • Policy SCLP7,1 – Sustainable Transport • Policy SCLP10.1 – Biodiversity and Geodiversity <p>Appendix B of the Planning Statement Update explains the implications of these changes for the assessment of policy as presented in the Planning Statement. It also notes that the Planning Statement makes reference to other policies as they existed in draft form in the Final Draft Local Plan. This includes some which have been amended in a non-material way (to correct typographical errors for example) and other draft policies which have not been altered in their adopted form.</p> <p>The review of these matters in Appendix B of the Planning Statement Update concludes that:</p> <ul style="list-style-type: none"> • The extent of amendments to these policies was relatively minor and it is considered that the Sizewell C Project continues to be consistent with relevant local planning policy. • Even where policies have been subject to significant alterations (i.e. SCLP3.4 and SCLP10.4), the revised text tends to enhance the consistency of the policy with that set out in the NPS and does not affect the assessments carried out within the Sizewell C DCO application or raise any new matters which are not already identified and addressed within the Planning Statement [APP-590]. <p>The final Local Plan policies are in accordance with National Policy and are, therefore, not materially different from the policy framework that was relied upon in the Planning Statement. The assessments made within the Planning Statement [APP-590] continue to be appropriate.</p>
G.1.16	The Applicant, ESC	<p>Policy approach</p> <p>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 the Council believes that major infrastructure proposals should be considered, the NPSs would prevail in the event of any conflict with local and national</p>

ExQ1	Question to:	Question:
		<p>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?</p>
	<p>Response</p>	<p>Matters relevant to this question are also set out in response to Question G.1.12 and in the Planning Statement Update (Doc Ref 8.4Ad). The Applicant's response to Question G.1.15 also addresses this issue. Paragraph 3.54 of the adopted Local Plan confirms that decisions on NSIPs are taken at a national level taking into consideration relevant National Policy Statements. Policy SCLP3.4 is clear that it sets out matters which the Council will take into consideration in its role as consultee. The Local Plan does not set policy tests for the NSIP, and nor would it be appropriate for it to do so. The Planning Statement Update identifies that this approach was recognised by the Inspector conducting the Local Plan examination, who reported: <i>"Proposals for Nationally Significant Infrastructure Projects (NSIP) are considered against the designated National Policy Statements in a specific consenting process, rather than through the Town and Country Planning process. To be effective, the Policy and text should be amended so that it is clear as to how the Policy would be applied in the NSIP process."</i> As explained above in response to Question G.1.12, this approach is consistent with the NPPF (paragraph 5) which confirms that the Framework 'does not contain policies' for NSIPs. Policies in the Framework and in Local Plans prepared under the Framework are not policies prepared or tested for use in the determination of DCO applications. The reasons for this are explained in response to Question G.1.12. (i) There is no disagreement between the Applicant and ESC. The Planning Statement Update has been shared with ESC and there is no disagreement about the position which it sets out on these issues. SZC Co. understands that this will be directly confirmed in ESC's response to this question.</p>

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

ExQ1	Question to:	Question:
G.1.17	The Applicant, MMO	<p>Policy approach</p> <p>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, 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?</p>
	Response	<p>The Marine Policy Statement is unchanged since the drafting of the Planning Statement [APP-590]²⁸, whilst the Energy White Paper has confirmed the continuing appropriateness of the Energy NPSs for the purposes of this examination.</p> <p>The Applicant’s response to Question G.1.12 addresses the relationship of the NPS to applications determined under s104 or s105 of the Planning Act 2008.</p> <p>Accordingly, the position set out in the Planning Statement remains appropriate and up to date.</p>
G.1.18	The Applicant	<p>Policy approach</p> <p>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</p>

²⁸ Guidance to the UK Marine Policy Statement from 1 January 2021 was published in September 2020 but its purpose was to explain how references to EU law in the MPS should be interpreted following the UK’s withdrawal from the EU. It does not affect the substance of the MPS or its relationship with the NPSs.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		Applicant's position on NPS compliance demonstrated by submissions during the Examination.
	Response	A separate NPS tracker has been prepared for the purposes of responding to this question (Doc Ref. 9.14) and in response to the requirements set out in the Rule 8 letter [PD-015].
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], Swiland 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	<p>The Planning Statement Update (Doc Ref 8.4Ad) addresses this question. In summary, it records that the Energy White Paper helpfully establishes that the current NPS 'will continue to provide a proper basis on which the Planning Inspectorate can examine and the Secretary of State can make decisions on applications for development consent'. (Energy White Paper page 55).</p> <p>The White Paper (also on page 55) also establishes that 'the need for the energy infrastructure set out in energy NPS remains, except in the case of coal-fired generation'.</p>

ExQ1	Question to:	Question:
		<p>Appendix A of the Planning Statement Update (Doc Ref 8.4Ad) presents a summary of the up to date modelling which underpins the position set out in the Energy White Paper on the need for new large scale nuclear power stations.</p>
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	<p>The Parish Council’s Relevant Representation [RR-1257] is concerned that: <i>“The Government’s National Policy Statement for Nuclear Power Generation concluded that Sizewell is a potentially suitable site for new nuclear power stations before 2025. This potential suitability is no longer valid because of the following: o It was based on an ability to use a sea-based transport strategy. Once that was deemed unviable by EDF, the project should have been declared unsuitable because land based transport cannot be properly mitigated.”</i></p> <p>NPS EN-6 explains in sections 2.3 and 2.4 how potentially suitable sites for new nuclear power stations were identified for the purposes of the NPS. The process involved a Strategic Siting Assessment, an Alternative Sites Study and an Appraisal of Sustainability for the NPS policy itself and for individual sites.</p> <p>Transport issues were considered under the heading of <i>Communities: Supporting Infrastructure. The Appraisal of Sustainability: Site Report for Sizewell (October 2020)</i> recognised that the construction of Sizewell C could generate effects on the road network but reported: <i>“5.32... However, these issues are primarily localised and can likely be mitigated, provided the design includes transport management plans, green travel plans and consideration of alternatives to road for the transport of large loads (for example, transport by sea). Nevertheless, further studies should be undertaken by the developer.</i></p> <p><i>There is a strategic intent to improve capacity on the East Suffolk Rail Line in order to improve links between Ipswich and Lowestoft. East Suffolk Rail Line improvements would</i></p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p><i>be of strategic importance in developing increased nuclear capacity. A primary access to rail and sea transport routes is the local road and rail infrastructure."</i></p> <p>Access by sea, therefore, was not a pre-condition of the identification of Sizewell C. Similarly, Annex C of NPS EN-6 sets out 'why the sites have been found to be potentially suitable' (paragraph C.1.1). In relation to Sizewell, the Annex confirms (at paragraph C.8.123) that the Appraisal of Sustainability assessed there to be potential for some adverse impacts locally from additional traffic during construction and wider negative effects on regional transport infrastructure but does not state that it set out any requirement or conclusion that the transport solution must be sea-based. Instead, the Annex refers to the general policies on transport in NPS EN-1.</p> <p>Those policies are set out in NPS EN-1 at section 5.13. They apply to all of the potentially suitable sites and contain no pre-condition for sea-based transport at Sizewell. Paragraph 5.13.10 expresses a preference for rail or water-borne transport over road transport where cost-effective, but no specific requirement for either.</p>
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 "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". 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	<p>Volume 2, Chapter 26 of the ES [APP-342] stated that the Sizewell C Project would take 6 years to offset its construction emissions. This estimate was based on a comparison of Sizewell C output with long-term forecasts for the grid average carbon emissions (the grid average comparison approach). The approach used in the ES is consistent with the approach taken in a number of other Environmental Statements for nationally significant infrastructure projects (NSIPs) to contextualise potential offsets.</p> <p>Following the receipt of comments on the assessment, SZC Co. has considered the issue further and concluded that within the context of Sizewell C - and any other new low carbon generation project - the grid average comparison approach used in the ES is overly</p>

ExQ1	Question to:	Question:
		<p>conservative and has significant limitations as a means of assessing the carbon savings that new low carbon generators can provide. Some of the issues that give rise to this conclusion are explained further below.</p> <p>In summary, the grid average comparison approach involves comparing a new project (such as Sizewell C) with the carbon intensity of a hypothetical future electricity mix (in the years to 2050). It is assumed that any hypothetical future electricity mix will be delivered even without the new project under consideration. The hypothetical electricity mix is based on an assumption that large amounts of new low carbon generation electricity capacity throughout the period will have been delivered (up to a fourfold increase in low carbon electricity between today and 2050). This is because of the large amount of new low carbon electricity is needed in order to a) decarbonise the electricity grid and b) meet rising demand for electricity caused by electrification of other parts of the economy (e.g. heating and transport). However, most of the new low carbon generation electricity capacity which is assumed in the hypothetical energy mix is also hypothetical (i.e. is not represented by a project under construction). Therefore, a more appropriate comparison of Sizewell C (or any other new low carbon project) would be to evaluate the new project in the context of the currently unmet need for new low-carbon generation capacity.</p> <p>This does not affect the overall conclusion of the assessment presented within Volume 2, Chapter 26 of the ES [APP-342] namely that the Sizewell C Project will provide a significant contribution to reducing the greenhouse gas (GHG) emissions in the long term. In the short-term the GHG emissions associated with the construction of Sizewell C will not affect the ability of the Government to meet its relevant carbon budgets. These conclusions remain robust.</p> <p><i>The grid average comparison approach</i></p> <p>Under the grid average comparison approach, new generation projects are compared with a future projection for the electricity grid. The new project is assumed to displace carbon to an amount equal to the carbon intensity of the forecast grid. In turn, the projected grid intensity would be derived from a long-term forecast for the electricity sector (which would incorporate assumptions about changes in demand and rates of new build technologies and other key variables).</p> <p>To illustrate the grid average comparison approach: If the future grid was assumed to be 20% fossil fuelled, then 20% of the additional output from a new low carbon generator</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>would be assumed to displace fossil fuels. A consequence of this approach is that the lower the carbon intensity of the hypothetical future grid, the lower the carbon saving that any new low carbon project is forecast to have. For example, if the future grid was assumed to be only 10% fossil fuelled (rather than 20% as above), then only 10% of the additional output from a new low carbon generator would be assumed to displace fossil fuels.</p> <p>The grid average comparison approach implicitly assumes that the forecast grid carbon intensity would be achieved without the specific project in question. For example, if Sizewell C was being compared to a grid that was forecast to have decarbonised to a point where only 10% of the power was from fossil fuelled sources (for reference, the UK grid is currently around 40-50% fossil fuelled), then it is assumed that this level of decarbonisation would happen without Sizewell C. I.e. Sizewell C would not help the grid reach the level of decarbonisation where only 10% of the grid is fossil fuelled.</p> <p>It is important to note that this is not a Sizewell C (or new nuclear) specific issue. Any new low carbon generation project which was compared to a future grid projection would also be assumed to not be contributing to the level of decarbonisation achieved in the projection.</p> <p><i>UK power market forecasts are for a low carbon system. Under the grid average approach, this results in low implied carbon savings from new projects.</i></p> <p>Forecasts for the future UK grid are typically developed through a modelling exercise during which the party undertaking the modelling will set out assumptions and constraints on key parameters which influence the modelling outputs (outputs include generation technology capacities, power demand and the average carbon intensity of the electricity grid). These modelling exercises typically reflect the UK's decarbonisation requirements and objectives (including carbon budgets which require falling levels of UK carbon emissions and the 2050 net zero obligation). For example, the model will be set up so that the output is consistent with net zero in 2050 (in the most recent BEIS Energy and Emissions Projections there are two illustrative scenarios which specifically achieve net zero²⁹). More generally, as the modelling exercises that provide forecasts for the future</p>

²⁹ DBEIS (2020) Updated Energy and Emissions Projections 2019 (October 2020) Available at: <https://www.gov.uk/government/collections/energy-and-emissions-projections>

ExQ1	Question to:	Question:
		<p>electricity grid tend to take account of the UK’s decarbonisation objectives, it follows that as a result, prevailing electricity forecasts show very low levels of future carbon intensity. Consequently, the grid average comparison, when applied with prevailing forecasts for an electricity system which is mostly decarbonised, implies that any (and all) new low carbon generation projects (nuclear, wind, solar etc) would provide minimal carbon emissions savings. On this basis, new projects appear to take a long time to displace their construction emissions. This can be seen in the Sizewell C calculation in Volume 2, Chapter 26 of the ES [APP-342] and has been highlighted in the relevant representations, but a similar effect would apply if the new project in question was for any other low carbon technology.</p> <p><i>Power sector forecasts show a large amount of new build low carbon capacity</i></p> <p>In order to achieve the low grid average carbon intensities which are implied in the electricity sector forecasts used in the ES calculation (and other forecasts for the UK electricity sector), large increases in low carbon generation output will be required relative to today’s levels:</p> <ul style="list-style-type: none"> • Low carbon generation output would need to roughly double between today and the early 2030s; and • increase 3-4 times compared to today’s outputs by 2050 depending on which forecast is considered. <p>In other words, achieving the low future levels of grid carbon intensity assumed in forecasts for the electricity grid would require a significant build of new low carbon projects from today and continuing through to 2050.</p> <p>Importantly, this means continuing to build a large number of low carbon projects after the electricity grid has reached a very low (or even zero) carbon intensity in order to meet the continually increasing demand for low carbon electricity. This increasing demand for low carbon electricity occurs because other sectors within the economy (for example transport, heating, and industry) are anticipated to achieve decarbonisation by electrification (i.e. the energy sources of these sectors will switch from hydrocarbons to</p>

ExQ1	Question to:	Question:
		<p>low carbon electricity). This is considered extensively in the CCC net zero report and technical appendices and can be seen in the BEIS Energy and Emissions Projections³⁰.</p> <p><i>Carbon savings calculated using the grid average comparison approach in the context of the forecasts described above</i></p> <p>If enough low carbon generation is built to achieve the level of carbon intensity assumed in the Government’s forecasts, then the new capacity would serve to avoid carbon emissions by:</p> <ul style="list-style-type: none"> • reducing the amount of fossil fuelled generation required in the electricity sector to the extent reflected in the model, in effect, this is displacing carbon emissions in electricity production. Within the model, new low carbon generation will be mostly or entirely displacing fossil fuelled power generation; and • meeting increasing demand for low carbon electricity from e.g. heating, transport and industry, in effect new low carbon generation is displacing carbon emissions from other sectors. <p>In other words, the projected new capacity in power market models are effectively modelled to achieve carbon ‘savings’ via either (or both) effects (a) and (b) above.</p> <p>As the grid average comparison assumes that the projected future mix would occur without Sizewell C (or any other new low carbon project) being constructed and becoming operational, the consequence is that an appropriate proportion of the benefits of (a) or (b) is not ascribed to the new project being assessed. Instead, the only benefit implied by the grid average calculation is to remove a proportion of the residual grid emissions in the modelled outcome.</p> <p>This approach does not reflect the following important factors:</p> <ul style="list-style-type: none"> • the large amount of new build capacity that is required to achieve the future forecast (many times the output that Sizewell C would generate); • the fact that most of this forecast capacity is hypothetical (i.e. not yet operating or committed to be built); and

³⁰ DBEIS (2020) Updated Energy and Emissions Projections 2019 (October 2020) Available at: <https://www.gov.uk/government/collections/energy-and-emissions-projections>

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> the fact that a large amount of new build will be required to come online throughout the period to 2050 (including after Sizewell C comes online) for the future forecast to be achieved. <p>Sizewell C and other new build low carbon projects will contribute to achieving the large amount of low carbon generation required to decarbonise the electricity grid and other sectors embedded in power sector forecasts. Having regard to the factors listed above, decarbonisation of the grid (and the resultant carbon savings) can only occur if significant numbers of new low carbon generating stations are authorised and constructed.</p> <p>Therefore, the actual carbon savings delivered from the new low carbon projects are much greater than would be implied through comparison against grid average, as the electricity generated would be consumed instead of fossil fuelled power generation (for example a gas plant) and/ or provide low carbon electricity to replace fossil fuels in other sectors (e.g. through the electrification of motor vehicles). Government policy to achieve net zero requires the decarbonisation of these other sectors and cannot be achieved without projects like Sizewell C.</p> <p>To provide some context of how much need there is for new low carbon generation and how much Sizewell C will contribute to meeting that need, using the BEIS UEP net zero 'low demand' scenario, Sizewell C will provide 7% of the total projected 2035 low carbon power and 4% of the total 2050 total; while in the 'high demand' scenario the equivalent numbers are 6% (in 2035) and 4% (in 2050).</p> <p><i>Illustration of the potential carbon savings provided by Sizewell C's generation and the implied length of time to offset carbon emissions</i></p> <p>As described above, one of the benefits of new low carbon power generation is that it is expected to replace fossil fuelled power generation that would otherwise be operating. In the UK the fossil fuelled generator would likely be a combined cycle gas turbine (CCGT). If the full output from Sizewell C replaced a CCGT, the carbon emissions saved would be enough to offset the Sizewell C construction emissions in 4 to 5 months. As described above, low carbon power will also help reduce emissions in other sectors such as transport and heating. If the low carbon power were compared to the emissions from a petrol vehicle or gas boiler the carbon savings would be expected to be even greater than the CCGT comparison provided above.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
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	<p>The greenhouse gas assessment presented in Volume 2, Chapter 26 of the ES [APP-342] provides a lifecycle carbon intensity for Sizewell C of 4.5g CO₂e/kWh. This carbon intensity factor was calculated by combining all estimated emissions from the construction and operation of Sizewell C and dividing it by the electrical output.</p> <p>Since the preparation of the ES, SZC Co. has commissioned an updated Life Cycle Assessment to assess the carbon footprint of the project, with the aim of producing an Environmental Product Declaration (EPD) that considers other environmental impacts as well as the carbon footprint. A copy of the carbon focused life cycle assessment report, hereafter 'LCA' (which provides the assessment of Sizewell C's potential future carbon footprint) is provided within Appendix 9A of the written responses and the full EPD report, covering categories beyond carbon is expected to be generated and published in the coming months.</p> <p>The LCA was carried out by Ricardo Energy and Environment under the most relevant Product Category Rules (PCR) for electricity generation. PCRs specify how a LCA should be conducted and reported via an EPD for products that fulfil similar requirements. The PCR the LCA has been conducted under is that for '<i>Electricity, Steam and Hot Water Generation and Distribution PCR2007:08, version 4</i>'. This PCR was created by the International EPD® System (IES) in accordance with standards such as ISO 14025 and ISO 14044. The LCA has been independently reviewed and verified by a third-party (WSP), with the verification statement certificate attached to the report.</p> <p>The LCA provides a more detailed calculation of the GHG emissions from the Sizewell C Project over its lifetime than the carbon assessment provided in the ES, with updates to data (where available), and was performed using different software tools. The LCA includes the full '<i>cradle to grave</i>' lifecycle activities of Sizewell C including:</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> • all upstream activities required for the supply of nuclear fuel (including uranium mining, conversion, enrichment, and fuel fabrication); • construction materials and activities; • Sizewell C operational activities (in addition to the supply of nuclear fuel); • decommissioning and waste management infrastructure and activities. <p>Inventory data covering the activities described above were used to calculate the potential carbon footprint per kWh generated by Sizewell C. In addition, the PCR requires that a measure of carbon per kWh '<i>distributed to a potential consumer</i>' is provided with an assessment of the carbon impact of downstream infrastructure (the UK's transmission and distribution electricity grid). It should be noted that downstream impacts of a similar magnitude would be expected to apply to all large power generators.</p> <p>The updated assessment provides a carbon intensity of 6.10g CO₂e/kWh for electricity generated.</p> <p>A range of CO₂e intensities for other grid electricity generation modes including as gas, solar photovoltaics, onshore and offshore wind is also presented in the Volume 2, Chapter 26 of the ES [APP-342], paragraph 26.4.53. This data was sourced from BEIS (2019) 2018 UK greenhouse gas emissions, provisional figures (statistical release: national statistics)³¹ and CCC (2013) Reducing the UK's Carbon Footprint CCC (2013) Reducing the UK's Carbon Footprint³². The carbon intensity of offshore wind is presented as 7-24 gCO₂e/kWh while onshore wind is 7-20gCO₂e/kWh.</p> <p>Based on Government published data, the carbon intensity of Sizewell C for every kWh generated is similar or lower than the estimated carbon intensity of the other forms of low-carbon power generation considered here.</p>
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</p>

³¹ BEIS (2019) 2018 UK greenhouse gas emissions, provisional figures (statistical release: national statistics) <https://documents.theccc.org.uk/wpcontent/uploads/2013/04/Reducing-carbon-footprint-report.pdf>

³² CCC (2013) Reducing the UK's Carbon Footprint <https://oesg.org.uk/wpcontent/uploads/2014/12/CCC-Reducing-carbon-footprint-report.pdf>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>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 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?</p>
	Response	<p>As described above, since the preparation of the ES, SZC Co. has commissioned an updated LCA which is provided within Appendix 9A of the written responses.</p> <p>The updated assessment provides a carbon intensity of 6.10g CO₂e/kWh of electricity generated. Importantly with respect to this question, the LCA includes the impacts of the full value chain for the production of nuclear fuel including uranium mining, conversion, enrichment and fabrication. The carbon footprint associated with these upstream activities is estimated to be 2.75g CO₂e/kWh of electricity generated.</p> <p>As explained within response to G.1.22 above, the LCA indicates that the carbon intensity of Sizewell C is similar or lower than other forms of low carbon power generation.</p>
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) Evidence of strong home-based (HB) recruitment at Hinkley Point C means that the Sizewell C Project is confident of the reliability of its peak recruitment estimates.</p> <p>The assessment of local and regional socio-economic effects for the Sizewell C Project including assumptions on the number of home-based workers at peak and throughout the construction phase – set out and evidenced within Volume 2, Appendix 9A (Technical Note 1 – Workforce Profile) of the ES [APP-196] - draws on evidence from Hinkley Point C.</p>

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

ExQ1	Question to:	Question:
		<p>As reported to the Socio-economic Advisory Group for the Project³³, this shows there are currently (as at January 2021) 1,717 home-based (HB) workers out of a total workforce of 4,769. Many of these HB workers are in roles that will be available to local residents at Sizewell C, and which are not attractive to non-home-based (NHB) workers, because they do not have a subsistence allowance to support working away from home. Evidence from Hinkley Point C also suggests that higher skilled MEH roles are likely to be filled by local residents, supported by changes in work packages and local training to increase the HB number at peak.</p> <p>For clarity, the 2,000 workers referred to in the question does not include staff operating the Associated Development sites as these are outside of the Main Development Site security gate, or remote, and does not include pre-operational and commissioning staff who have the potential to be home-based.</p> <p>As also set out in response to Question SE.1.33, estimates of the total, HB and NHB employment for each year of construction, by phase/work package are set out in Table 1.9 of Volume 2, Appendix 9A (Technical Note 1 – Workforce Profile) of the ES [APP-196] with supporting text to evidence the assumptions.</p> <p>Volume 2, Chapter 9 (Socio-economics) of the ES [APP-195] uses a conservative assessment case for assumptions about HB and NHB workers - this is to ensure mitigation for the NHB component is sufficiently robust. Some of the additional workforce (resulting from changing assumptions about the scale of workforce required as presented through Stage 2 and Stage 3 Consultation) may be home-based, but the ES has taken a 'worst case' position with regards to knock-on effects on socio-economic factors.</p> <p>The scale of HB workforce was based on assumptions by broad contract package – though it may represent an underestimate given advances in higher-skilled operative recruitment for MEH roles. At Hinkley Point C, the proportion of HB workers is currently 36%, and has been above 50% in early years.</p> <p>SZC Co, ESC and SCC are working to develop iterative and responsive governance for the implementation of employment, skills and training interventions (set out in Schedule 7 of the Draft Deed of Obligation (Doc Ref. 8.17(C))) that take into account real data from</p>

³³ HPC Socio-economic Advisory Board (2021) Available at: https://www.sedgemoor.gov.uk/media/9721/SEAG-Dashboard-Accommodation/pdf/SEAG_Dashboard_-_Accommodation.pdf?m=637511338094670000

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>contractors for each Workforce Delivery Strategy at each phase of the Project, and review data to understand the effectiveness of such interventions, in order to maximise local labour market benefits and local recruitment. This is likely to be even more effective than similar measures applied at Hinkley Point C, having had the benefit of lessons learnt about the targeting of investment from Hinkley Point C.</p> <p>ii) Despite being temporary, the construction phase will:</p> <ul style="list-style-type: none">• Represents over 42,000 years of construction employment output, much of which is supported by the long-term gain in skills for individuals that will develop their sustainable careers in the industry well beyond the construction phase of this project;• Is equivalent to twice the median job tenure in the UK and far longer than the average job tenure on a construction site – as set out from paragraph 3.3.9 to 3.3.11 of the Economic Statement [APP-610]. <p>Whilst construction employment is often short-term and peripatetic, the length of this particular construction project provides valuable opportunities for people to cycle through different roles on the Project (using the SZC Jobs Service), gain long-term skills and develop genuine long-term sustainable careers.</p> <p>SZC Co. has worked with SCC, ESC, the New Anglia Local Enterprise Partnership (NALEP) and local skills and training providers to generate a suite of measures for the labour market and supply chain to not just deliver the workforce for the Project, but maximise the local opportunities for sustainable careers, transferrable skills, and particularly supporting breaking down barriers to employment and raising aspiration via an Outreach Fund, Sizewell C Bursary and Young Sizewell C. Other elements include long-term investment in revenue for the existing capital projects in the region, with the aim of supporting the legacy benefits for the region. Further detail is set out in response to question SE.1.17 and within Schedule 7 of the Draft Deed of Obligation (Doc Ref. 8.17(C)).</p> <p>The construction employment benefits are only one part of the benefits, with significant permanent benefits in the operational phase as well which represents a permanent uplift in employment, skills and supply chain benefits. Although they are temporary, they are relatively long-term, especially in the context of the typical duration of a construction job (typically only between 13% and 23% expect to be working on the same site for more</p>

ExQ1	Question to:	Question:
		<p>than a year, and up to half less than six months) and in the economy more generally, where the median job tenure is 5.6 years.</p> <p>There are also important qualitative elements in providing a pipeline into the industry, including the HPC-SZC skills conveyor, leaving behind a more skilled and productive workforce.</p> <p>Further information on the scale of the benefits generated by the Project is outlined in the Economic Statement [APP-610] and summarised in an appendix to this response (Appendix 2A), which also sets out how the Project will secure interventions and funding for regional skills infrastructure, and support the region to focus on long-term, legacy skill-sets to the benefit of sustainable economic growth forecast to be demanded by both the region and the Project.</p> <p>Substantial weight should be placed on the long-term, substantial economic benefits that this Project will bring to the region. Its scale – and the ways in which its benefits will be retained and enhanced – draw on the same successful measures for business and skills/employment as at Hinkley Point C, where to-date:</p> <ul style="list-style-type: none"> • £2.7bn has been spent on local businesses who have been supported into the project’s supply chain through engagement activities; • Currently 36% of the workforce is from within the 90-minute area, and for much of the construction period so far this has been higher, up to around 50%; • 9,494 people have registered for the Jobs Service, and 1,240 of them have been placed into work on the HPC Project; • 1,500 young people have benefitted from the Young HPC Programme; and • 734 apprentices have been employed on the Project. <p>Hinkley Point C is yet to reach its peak of construction activity, but the Project has already substantially outperformed its aspirations for local (economic) benefits, which the Secretary of State considered ‘<i>significantly outweighed</i>’ residual adverse impacts of the HPC Project (SoS HPC Decision Letter, Section 6.6).</p> <p>The Ten Point Plan for a Green Industrial Revolution identifies the importance of the benefits of construction employment associated with new nuclear projects, using Hinkley Point C (HPC) as its case study. Furthermore, regional supply chain benefits are also supported by the Energy White Paper (page 56), which sets out that ‘Developing the domestic supply chain for the sector has the potential to transform the prosperity of these</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		regions. It provides high-value and skilled employment opportunities, unlocking investment to support infrastructure projects and growing manufacturing and industrial capability'
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	<p>(i) The Economic Statement [APP-610] sets out the Applicant's assumptions regarding the scale of local and regional supply chain benefit at Section 3.4. This includes several assumptions about replication of the regional supply chain procurement experienced at Hinkley Point C to-date to estimate a proportion of the overall Sizewell C Project Value that would be retained in businesses in the region. Overall, reliance can be placed on upon the experience of development at Hinkley Point C by way of a comparator for such opportunities for the following reasons:</p> <p>a) Sizewell C is essentially a replication of Hinkley Point C (with the exception of some differences in ground conditions and site preparation) and as such will have the same spending profile on supply chain as Hinkley Point C, which has (so far) spent £2.7bn on goods and services procured from local and regional suppliers;</p> <p>b) Sizewell C will apply broadly the same measures as are in place for Hinkley Point C to engage, support local and regional firms to win work on the Project (and in fact has the benefit of lessons learned for effectiveness from Hinkley Point C, as well as a running start with a willing and informed Sizewell C Consortium already geared up for the Project and a Supply Chain Portal already in place);</p> <p>c) The fact that interventions to be secured by the Draft Deed of Obligation (Doc Ref. 8.17(C)) are focused on local and regional firms, and support is being</p>

ExQ1	Question to:	Question:
		<p>provided to local/regionally-focused bodies such as the Councils, NA LEP, and Suffolk Chamber of Commerce; and</p> <p>d) The regional economy in the East of England is not substantially different to the South West in terms of the relative scale of business, employment, output and sectoral representation. Tier 1 contractors will not have the resource capacity to deliver all of the work packages directly – they will need to draw on local firms at Tier 2 and Tier 3 in the supply chain across a range of construction and non-construction contracts. Local and regional firms have a competitive advantage in winning work (even without the proposed measures in the Draft Deed of Obligation (Doc Ref. 8.17(C)) – they have shorter travel times, smaller carbon footprints, and logistical benefits that translate into economic advantages.</p> <p>To expand on (b) – in terms of measures already underway:</p> <ul style="list-style-type: none"> • In developing the approach to delivery of supply chain benefits, SZC Co. has provided resourcing to the Suffolk Chamber of Commerce for several years, and currently supports a team of seven people who undertake supply chain engagement activities with local businesses. This activity includes the investigation of developing local consortia (similar to successful consortia at Hinkley Point C), and the running of 'meet the buyer' events (next event planned for July 2021). The activity has also included the development and maintenance of a Sizewell C Supply Chain Portal, which currently has 1,385 registered businesses, of which 747 are in Suffolk and 575 are outside of Suffolk, but within the region. The companies registered cross-cut a range of sectors relevant to the work packages that the Project will need – including 177 Suffolk-based professional/technical services companies, 89 transport/logistics companies, and 47 civil construction (on-site) firms. • Registration does not guarantee that a company will work at Sizewell C, but allows the Chamber of Commerce to 'Supplier Match' local and regional companies to specific work packages that will be necessary to deliver the Project. As such, local and regional companies are potentially in a stronger position to win work than they might ordinarily be. • To further improve the potential opportunities for local and regional companies to win work at Sizewell C, the Chamber of Commerce actively engages with those local and regional companies to support their business development and accreditation alignment in accordance with the requirements of the Project.

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

ExQ1	Question to:	Question:
		<ul style="list-style-type: none">• Suffolk Chamber of Commerce notes that statistical evidence from portal registrations suggest that the Local and Regional content pledged in the DCO can be delivered. There are a significant number of local and regional companies already registered and it is predicted, with reasonable certainty, that this will continue to grow. Further, there is a breadth of local and regional capability that would be able to deliver against a range of work packages necessary during the Sizewell C Project. <p>By undertaking similar interventions to those at Hinkley Point C, to be secured by the Draft Deed of Obligation (currently in draft at Doc Ref 8.17(C)), focused on local and regional firms, the approach to Sizewell C essentially replicates the successful approach to supply chain engagement currently being enacted for Hinkley Point C in the South West, which has:</p> <ul style="list-style-type: none">• Resulted in £2.7bn being spent with regional businesses on goods and services – exceeding the anticipated level for the whole project (£1.5bn) in just the first 5 years³⁴;• Delivered innovative consortia from local firms such as the Somerset Larder;• Enabled brokerage between Tier 1-2 contractors and local firms – in 2019 alone 1,657 South West companies were recommended for a total of 141 work packages³⁵. <p>The market is confident that this level of retention of spending in local and regional supply chains is realistic (and in fact represents a conservative estimate). This is demonstrated by an independent assessment of the potential local and regional supply chain benefits has been undertaken by the Sizewell C Consortium, a collection of more than 200 leading companies and organisations from across the country, leading to a Memorandum of Understanding (MoU) being signed between the group, MPs and regional stakeholders. The group estimates that the Sizewell C Project may exceed estimates for local/regional supply chain benefit estimated by the Applicant (estimated at c. £1.5bn within the Economic Statement [APP-610] at paragraph 3.4.13), estimating that £4.4bn may be retained in the East of England. This demonstrates market confidence in the supply chain</p>

³⁴ HPC Socio-economic Advisory Group. Available at: <https://www.sedgemoor.gov.uk/SEAG>

³⁵ EDF Energy (2020) HPC Socio-economic Brochure https://www.edfenergy.com/sites/default/files/hpc_socio-economics_brochure_2020.pdf

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>capacity available, and the fact that potential contractors are willing to sign up to the MoU proves that they are willing to make a commitment to local and regional investment.</p> <p>(ii) As set out in Part (i), there are several factors that result in confidence that a similar level of spending on the local and regional supply chain at Sizewell C as at Hinkley Point C is realistic.</p> <p>Specific levels of spending cannot of course be secured through the DCO - that depends on local businesses wanting and being able to take advantage of the opportunity. SZC Co.'s commitments to support the process, however, can and will be secured through the Deed of Obligation which (as set out at Schedule 7, Paragraph 3 of the Draft Deed of Obligation (Doc Ref. 8.17(C))) requires the Applicant to implement or procure measures described in the Supply Chain Strategy [APP-611].</p> <p>Further information regarding the detail, delivery and securing mechanism, governance and monitoring for supply chain activities is set out in response to question SE.1.27</p>
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	Please refer to G.1.24 .
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>

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

ExQ1	Question to:	Question:
	Response	<p>SZC Co. recognises the importance of the tourist economy within and around the Suffolk Coast, and has undertaken an assessment of the effects of the Sizewell C Project on tourism, in-line with the requirements of National Policy Statement EN-1, as part of Volume 2, Chapter 9 (Socio-economics) of the ES [APP-195]. This concludes that there is limited empirical evidence that the Sizewell C Project would lead to a quantifiable reduction in visitor numbers, a change in visitor behaviour, or a change in expenditure or business viability in the sector over and above normal variation. Nevertheless, based on stakeholder engagement, experience from Hinkley Point C, and in order to be precautionary, SZC Co. recognise that there would be benefit in the establishment of a Tourism Fund to market and promote the area so as to attract new potential and returning tourists. Such measures would be expected to pre-empt any adverse effects and reduce the likelihood of them occurring.</p> <p>There is a debate between SZC Co. and the local authorities about the messages to be drawn from surveys carried out in advance of Sizewell C about its potential impact on the area. A paper setting out further details of SZC Co.'s consideration of ex-ante stated preference surveys, and experiential evidence of the actual effectiveness of a Tourism Fund drawing on Hinkley Point C evidence is included within Appendix 2A to the written responses.</p> <p>(i) SZC Co. commissioned an ex-ante stated preference survey to identify potential sensitivities to change for existing and potential visitors, in order to identify measures that could effectively be implemented by a Tourism Fund to reduce the risk of stated intentions to change visiting behaviour from manifesting in practice. [The results of this survey are summarised within the Environmental Statement at Volume 2, Chapter 9, from paragraph 9.7.82 to 9.7.89 [APP-195] and set out in full at Volume 2, Chapter 9, Appendix 9F (Ipsos MORI Suffolk Coast Visitors Survey) [APP-196] The survey identified a link between people's certainty of intention and their level of knowledge – (i.e. the evidence that people who knew more about the Project and the area in general were less likely to be concerned about the effects and state their intention to change their behaviour). Therefore, SZC Co. and stakeholders recognise that a Tourism Fund is a reasonable and sensible way to be precautionary about these risks.</p>

ExQ1	Question to:	Question:
		<p>As such, use of a Tourism Fund for marketing, promotion, and other projects to benefit the image of tourism at the Suffolk coast is considered an effective way of providing precautionary mitigation for perceived risks as demonstrated by:</p> <ul style="list-style-type: none"> • Experience at Hinkley Point C – where similar concerns about potential adverse effects were raised by Interested Parties, but have not manifested into actual effects on tourism in Somerset – has provided evidence for the positive effect of a Tourism Fund used to promote and market the area and provide information to visitors and prospective visitors. Monitoring of business confidence through governance (via SEAG), as well as public datasets such as tourist-sector employment (via BRES, 2019) and tourism spend (via GBTS, 2018), has shown no adverse effect on the Somerset tourist economy from the construction activity at Hinkley Point C where a Tourism Fund has been applied; and • By Visit Britain (2019) who suggest that every £1 invested in promotional, marketing and research activity within the British Tourist Authority delivered up to £23 to the British economy through visitor spend. <p>The principle of a Tourism Fund is supported by East Suffolk Council [RR-0342] – paragraphs 1.185 to 1.187 – subject to agreement on the scale of the Fund.</p> <p>SZC Co. and regional stakeholders agree that a Tourism Fund is an appropriate way to ensure potential changes in visitor activity do not result in economic consequences. SZC Co. has shared with East Suffolk Council and Suffolk County Council a proposed approach to the Tourism Fund including its release, scope, implementation (including Tourism Programme Manager Role), and governance. These matters are detailed in the Draft Deed of Obligation (Doc Ref. 8.17(C)) and largely agreed with details of areas of disagreement set out within the Draft Statement of Common Ground between SZC Co, ESC and SCC (Socio-economics) (Doc Ref. 9.10.12).</p> <p>SZC Co. and stakeholders agree that the operational phase effects of the Project are not anticipated to lead to adverse effects on tourism.</p> <p>(ii) While the Environmental Statement at Volume 2, Chapter 9, from paragraph 9.7.92 [APP-195] summarises that, before mitigation, there is potential for very local effects on tourism businesses and activities where there is a combination of significant residual environmental effects, and perception-related effects as a result of sensitivities to different aspects of the Sizewell C Project, it does not explicitly identify these locations. Doing so would pre-empt the inherently uncertain nature</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>of effects, and would limit the ability of the Tourism Fund to be effective and wide-ranging. Local effects can be mitigated by promotional and marketing campaigns focused on wider areas. [A portion of the Tourism Fund will be allocated to monitoring and market research may be funded through the Tourism Fund in order to identify any such local effects. Where such local effects are identified, the Annual Tourism Fund Implementation Plans which are to be approved by the Tourism Working Group to direct the use of the Tourism Fund may identify specific attractions and events to be promoted and specific funding for initiatives which are focused on particularly sensitive attractions and/or locations within the Suffolk Coast and Heaths AONB.</p> <p>In some cases, where potential effects on sensitive receptors cross-cut socio-economic and environmental topic areas and would benefit from comprehensive and holistic mitigation, separate Resilience Funds are proposed to be agreed bilaterally with RSPB Minsmere and National Trust Dunwich Heath. This will ensure that the activities funded through those measures do not overlap but can complement the plans, programmes and projects supported by the proposed Tourism Fund (and other funds, where applicable). The Tourism Programme Manager will monitor such funds in order to identify opportunities for complementary activities. Details are included in the Draft Deed of Obligation (Doc Ref. 8.17(C))</p>
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	<p>The Implementation Plan (Doc Ref. 8.4I(A)) has been updated to include the assumed years and is included as Revision 2 as part of the Deadline 2 submissions.</p>
G.1.29	The Applicant	<p>Construction Phases</p> <p>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:</p> <p>(i) Information on other construction phases, given temporary access and haul roads are still in place in Phase 5; and</p>

ExQ1	Question to:	Question:
	<p>Response</p>	<p>(ii) Cross reference these documents so that the construction phases can be identified in the Implementation Plan.</p> <p>Figures 2.2.24 to 2.2.38 relate to the sequence of construction phases described within the Construction Method Statement (refer to Volume 3, Appendix 2.2.B of the ES Addendum (Doc Ref. 6.14(A)) for the latest version). The Implementation Plan (Doc Ref. 8.4I(A)) then relates entirely to the timing of delivery of the following environmental mitigation measures and sets the proposed sequence in which these mitigation measures would be delivered:</p> <ul style="list-style-type: none"> • Accommodation Campus (Work No. 3). • Ecological Compensation Sites (Work No.s 6, 7 and 8). • Highways Improvements and particularly: <ul style="list-style-type: none"> ○ Sizewell Link Road (Work No.s 12A to 12D). ○ Two Village Bypass (Work No.s 11A to 11C). ○ Yoxford Roundabout and other highway improvements (Work No.s 14 to 17). <p>Requirement 8 of the Draft DCO (Doc Ref. 3.1(C)) obliges the construction works to be undertaken in general accordance with the sequence set out in the Construction Method Statement. This ensures that the primary mitigation measures assumed for the main development site are appropriately secured.</p> <p>Phase 5 is the final phase of construction and during this phase temporary infrastructure would be removed as described in Volume 3, Appendix 2.2.B of the ES Addendum (Doc Ref. 6.14(A)) and annotated on Figure 2.2.38 of [AS-191]. There are therefore no other construction phases.</p>
G.1.30	The Applicant	<p>Main Platform - Underground Construction</p> <p>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.</p>
	Response	Please refer to Figures 2.5-2.8 of this chapter.
G.1.31	The Applicant	<p>Main Platform - Underground Construction</p> <p>Explain how dewatering will be undertaken for the revised marine tunnelling area outside of the cut off wall.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	<p>The shafts for each of the three marine tunnels are constructed and designed to extend into the Harwich formation (clay), so as to form an internal groundwater seal/cut-off at their base.</p> <p>The shaft construction method is assumed to be a diaphragm wall (i.e. reinforced concrete), which is the same construction method as the cut-off wall. The shaft is circular in shape, and once the circle is completed, will also form a groundwater seal around its perimeter. It should be noted that although there is an effective seal, water will still very slowly infiltrate into the shafts through the clay material, as clay is not completely impervious.</p> <p>Once the construction is complete, dewatering will be carried out in the three tunnel shafts before the earth is excavated. Groundwater would then be pumped out of the sealed shafts before the majority earth is excavated, whether by a sump or well pump method. The sump pump method would involve an excavation of a sump within the shaft, whereby a pump is then lowered into it to draw down the groundwater. The sump is progressively excavated and advanced ahead of the main excavation. The well pumping method would involve installation of a dewatering well, which would then have a pump installed in it, and the pumping would be carried out as a single activity</p>
G.1.32	The Applicant	<p>Permanent SSSI Crossing</p> <p>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:</p> <p>(i) The length of the proposed bridge (north /south); and</p> <p>(ii) The width of the proposed bridge at soffit level (east/west).</p> <p>Please update the plans to record the conclusion.</p>
	Response	<p>(i) The distance between the bank seats located at either end of the bridge would be approximately 30m. Please refer to Section A-A of Drawing SZC-SZ0100-XX-000-DWG-100205 [PDA-005]. This is considered to be consistent with paragraph 2.2.135 of [AS-181]. This is replicated at Paragraph 3.4.35 of [AS-202].</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>(ii) The width of the proposed bridge (east/west) at crest level would be 40m during the construction phase. Please refer to Section B-B of Drawing SZC-SZ0100-XX-000-DWG-100207 [PDA-005].</p> <p>In response to ecological concerns raised by stakeholders, SZC Co. has further optimised the design and proposes to reduce the width of the bridge to approximately 15m once the power station has been built. This would be achieved by removing part of the bridge deck. It is also proposed to raise the soffit level of the bridge in response to stakeholder feedback. Updated indicative plans and further details will be submitted at Deadline 4. Requirement 12C of the draft DCO (Doc Ref. 3.1(C)) will be updated at the same time to secure primary mitigation.</p>
G.1.33	The Applicant	<p>Permanent SSSI Crossing</p> <p>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.</p>
	Response	<p>SZC Co. has further examined whether the crossing needs to retain a width of 40m in its permanent operation. As stated in response to Question G.1.32, in response to feedback from stakeholders following the January 2021 change application, SZC Co. commissioned a design review to determine if the structure could be optimised to further reduce impacts on Sizewell Marshes SSSI. This included consideration of the adaptive design. SZC Co. now proposes to reduce the width of the bridge to approximately 15m once the power station has been built. This would be achieved by removing part of the bridge deck. Updated indicative plans and further details will be submitted at Deadline 4. Requirement 12C of the draft DCO (Doc Ref. 3.1(C)) will be updated at the same time to secure primary mitigation</p>
G.1.34	The Applicant	<p>Permanent SSSI Crossing</p> <p>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</p>

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

ExQ1	Question to:	Question:
		<p>higher land take from the SSSI especially as there would be no removal of temporary incursion into the SSSI. Provide:</p> <p>(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</p> <p>(ii) The estimated land take of the current single span bridge proposal.</p>
	Response	<p>(i) The triple-span bridge is not proposed because of its substantial effect on the construction programme. This is because it would delay the movement of bulk earthworks from the deep excavation to the Temporary Construction Area. The 6-12 month programme saving benefits of the proposed SSSI Crossing are considered to outweigh the impact caused by the permanent loss of a small additional area of the Sizewell Marshes SSSI.</p> <p>The triple span bridge is estimated to take 35 weeks to provide its first crossing (a short-term modular bridge), compared with 17 weeks for the proposed solution. During the 18-week delay associated with the triple span bridge, no bulk earthworks at all can be transported to the Temporary Construction Area.</p> <p>The second milestone under the triple-span bridge option would be when the temporary triple-span bridge is complete next to the modular bridge. This is when full-size haul vehicles can use the SSSI Crossing. It would take approximately 30 weeks longer in total to reach the point where full-size haul vehicles, which have a much greater carrying capacity, can use the triple span bridge compared with the proposed solution.</p> <p>The final milestone is when the SSSI Crossing is complete. The proposed solution can be constructed in a total of approximately 55 weeks, whereas the triple-span bridge option would take more than twice as long (approximately 108 weeks in total). Whilst full-size vehicles can use the crossing from the second milestone, the capacity for bulk earthworks movements is substantially constrained because the temporary triple-span bridge would need to be shared with other construction-related vehicles whilst the permanent triple-span bridge is under construction.</p> <p>Overall, the effect of constraints to bulk earthworks movements that would be caused by implementing the triple span bridge option is a 6-12 month delay to the overall construction programme of SZC.</p> <p>(ii) The permanent SSSI land-take for the proposed SSSI Crossing, as defined by the</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>footprint of the embankments located at either end, is approximately 0.21ha.</p> <p>The permanent SSSI land-take for the triple span bridge option, as defined by the footprint of its (smaller) embankments and areas of permanent ground improvement required for the temporary bridge, is approximately 0.19ha. This area of ground improvement is included in the permanent land take even though the temporary bridge would be removed, because the works would have been so extensive that the land could never have feasibly become SSSI status again. Works would have included substantive piling, overlaid with a reinforced granular stone load transfer platform. The platform would have needed to extend up to the central span to create a working area for construction activity.</p> <p>Further to the above, SZC Co's response to question G.1.32 states that in response to ecological concerns raised by stakeholders, SZC Co. now propose to constrain the width of the bridge to approximately 15m once the power station has been built. This is narrower than the width of the triple span bridge, which would have been approximately 18.5m. Narrowing the proposed bridge post-construction substantially reduces long-term ecological impacts on the SSSI, which are mainly associated with shading.</p>
G.1.35	The Applicant	<p>Permanent SSSI Crossing</p> <p>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:</p> <p>(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</p> <p>(ii) Why there is a requirement for a safety barrier of 3m high on either side of the carriageway.</p>
	Response	<p>(i) The 12m carriageway consists of an 8m access road and two 2m footways.</p> <p>(ii) The 3m requirement was based on an initial assumption relating to safety and security and is no longer necessary. Design development has confirmed that the barriers at the edges of the bridge would be 1.5m in height to protect cyclists (in accordance with BS 7818 & DMRB CD377). The barriers on either side of the access road would also need to be 1.5m to provide H4a vehicle containment (in accordance with DMRB CD377 Revision 4)</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
G.1.36	The Applicant	<p>Permanent SSSI Crossing</p> <p>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	<p>A crossfall is required to allow water to drain from the access road, which would be 1:50 for each 4m lane. Figure 2.2.16 of [AS-190] is illustrative only and the crown of the road is expected to be in the middle with a crossfall either side, rather than a camber from west to east.</p> <p>Table 2.3 of [AS-202] confirms that the minimum crest height of the SSSI Crossing would be 7.3mAOD.</p>
G.1.37	The Applicant	<p>Permanent SSSI Crossing – Adaptive Sea Defence</p> <p>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> <ul style="list-style-type: none"> (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; (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; (ii) A description of how the works required to deliver the adaptive defences are secured within the DCO; and (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.
	Response	<ul style="list-style-type: none"> (i) In addition to the reduced width set out in response to question G.1.33, SZC Co. propose to reduce the height of the adaptive design to below the 10.5m maximum height parameter. Further details will be provided at Deadline 4. It is proposed that a section is provided at that deadline, rather than providing a section of the current illustrative design at Deadline 2, which is about to change. (ii) The Coastal Processes Monitoring and Mitigation Plan (Volume 3, Appendix 2.15.A of the ES Addendum [AS-237]) states that Sizewell Marine Technical Forum (MTF) has been established 'to facilitate open and transparent dialogue

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>between SZC Co. and the statutory environmental bodies (and their advisors) relating to marine monitoring of the SZC Project'. Paragraph 7.1.37 in the Main Development Site Flood Risk Assessment [AS-018] confirms that the impacts of climate change on sea level rise would be monitored and assessed at set intervals (e.g. 10 years) to determine the trajectory of the projections (e.g. in terms of sea level rise or increased storminess) and consider whether there is any change from either the currently considered projections or the climate change guidance as applied within the Application. The Applicant notes that the periodic safety review would aid in the decision-making process regarding whether and when there is a need to raise the sea defences. An explanation of how this is secured is set out below.</p> <p>(iii) It is proposed that a new requirement is included in the Draft DCO (Doc Ref. 3.1(C)), Requirement 12C, to secure the details of the layout, scale and external appearance of the SSSI Crossing, along with the monitoring arrangements, including water levels and the trigger points when the adaptive design may need to be implemented.</p> <p>In the light of evolving design, further details will be provided at a future deadline, as set out above.</p> <p>(iv) SZC Co. does not consider it would be justified to construct the SSSI Crossing at the taller height from the outset given it is not predicted to be required until at least 2090.</p>
G.1.38	<p>The Applicant</p> <p>Response</p>	<p>Permanent BLF</p> <p>Paragraph 3.4.66 of Appendix 2.2B [AS-202]. Provide:</p> <p>(i) The approximate size of the ground beams; and</p> <p>(ii) The approximate size of the cross beams;</p> <p>SZC Co. no longer intends to proceed with ground beams and cross beams. A concrete mattress is instead proposed, which comprises concrete pads connected by steel or polymer rope. The mattress would be the same size as the current proposal and dredging assumptions remain unchanged.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>This alternative is proposed owing to its simple and quick installation method and lack of materially new or different environmental effects. Further details, including approximate sizes, are set out in the update to Volume 3, Appendix 2.2.B of the ES Addendum (Doc Ref. 6.14(A)) submitted at Deadline 2.</p>
G.1.39	The Applicant	<p>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?</p> <p>Response As set out in response to G.1.38, SZC Co no longer intends to proceed with the platform comprised of ground beams and cross beams. SZC Co instead proposes a concrete mattress. The concrete pads that make up the mattress are interconnected with steel or polymer rope, forming a flexible and resilient mesh. This means that it is unlikely to be necessary to remove the mattress outside of the annual campaign period or in preparation for storm events. However, the concrete mattress can be installed and removed quickly and the assumption that it is removed is retained in the update to Volume 3, Appendix 2.2.B of the ES Addendum (Doc Ref. 6.14(A)) submitted at Deadline 2 for flexibility and resilience.</p>
G.1.40	The Applicant	<p>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</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>(v) Operation of the permanent beach landing facility during operation.</p>
	Response	<p>(i) The Suffolk Coast Path would be kept open and redirected up and down the shoreline as necessary to facilitate construction of the permanent BLF, except in rare circumstances where it is considered unsafe to do so. In such instances, use of the temporary inland diversion would be necessary. SZC Co. approximate that any such closures, if required at all, would be required for no more than a fortnight at a time. SZC Co. will ensure that closures are kept to a minimum.</p> <p>(ii) The above is also applicable for the temporary BLF.</p> <p>(iii) The coast path will not need to be closed when the permanent BLF is in use. The coast path will be temporarily diverted along the beach beneath the permanent BLF structure to facilitate safe import movements.</p> <p>(iv) The coast path will not need to be closed when the temporary BLF is in use. The design incorporates a specific arrangement for the coast path to cross beneath the temporary BLF structure.</p> <p>(v) As per the construction phase of the permanent BLF, the coast path will not need to be closed when the permanent BLF is in use during the operational phase.</p>
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. 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	<p>In [AS-189] the potential cumulative effects between the Sizewell C Project and the proposed Sizewell Transfer Main are assessed. No likely significant cumulative effects are identified. The scheme would involve construction of new mains between Northumbrian Water Limited's (NWL) Northern/central Water Resource Zone and Sizewell.</p> <p>It is anticipated that sections of new main would be installed relatively quickly along the route, impacting upon receptors for a limited period of no more than a few weeks.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>NWL would design and construct the new transfer main, and would also secure any necessary planning permission(s), consents and licences, and carry out any necessary environmental monitoring and mitigation. It would not form part of Sizewell C's DCO.</p>
G.1.42	The Applicant	<p>Draft DCO In [AS148] Table 2 refers to how Article 3 and 4(1)(a) set vertical limits to control the parameters of development. (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. (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? 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	<p>The ExA is referred to Appendix 14I – DCO Drafting Note 9 of the written responses.</p>
G.1.43	The Applicant	<p>Vertical Limits of Deviation 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>
	Response	<p>The vertical limit of deviation of 1m applicable to the Sizewell Link Road (Work No. 12) and Two Village Bypass (Work No. 11) are secured in the Draft DCO (Doc Ref. 3.1(C)) by article 4(1)(b).</p>
G.1.44	The Applicant	<p>Park and Ride Sites (Parameters) 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>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	The ExA is referred to Appendix 14I – DCO Drafting Note 9 of the written responses.
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	<p>All complaints are and will continue to be recorded and monitored through the ‘Tractivity’ database used by SZC Co. and personal data will be processed in accordance with SZC Co.’s privacy policy, which ensures compliance with the GDPR. The privacy policy is available here: https://sizewellcdco.co.uk/privacy-notice-and-policy/ . It is, and will continue to be reviewed regularly and updated as necessary.</p> <p>SZC Co. will monitor, record and provide information on complaints monthly to relevant authorities via the communications teams. This would not disclose any personal data that could breach the GDPR.</p>
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	<p>i) Based on the proposed designs, it would be technically possible to operate both the Green Rail Route and the LEEIE at the same time, although simultaneous operation is not intended.</p> <p>ii) The design is being optimised for sequential operation of the LEEIE, and then the Green Rail Route. For example, the signalling design is being developed to enable access to the LEEIE, and then the Green Rail Route. While both pieces of infrastructure could theoretically be operated simultaneously, this would require a specifically agreed operational process. Any simultaneous use of the infrastructure in the course of normal operation has not been identified as a design requirement and would only be likely during a short changeover period.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		iii) Please see the response to question TT.1.90 .
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	<p>In the context of the ES, the 'main development site' comprises five main components:</p> <ul style="list-style-type: none"> (1) the main platform; (2) the Sizewell B relocated facilities and National Grid works; (3) the offshore works area; (4) the Temporary Construction Area (TCA); and (5) the Land East of Eastlands Industrial Estate (LEEIE). <p>In addition certain additional sites fall within the same area assessed, which are:</p> <ul style="list-style-type: none"> (6) the permanent off-site sports facilities at Leiston; (7) fen meadow compensation sites at Benhall, Halesworth and Pakenham; and (8) marsh harrier improvement area. <p>In the context of the Draft DCO (Doc Ref. 3.1(C)), the 'main development site' is limited to Work Nos. 1A-1E, which comprises the five main components except for the offshore works area, which for the reasons given in the Applicant's response to question DCO.1.20 is treated separately. The off-site elements of the main development site have their own separate Work Nos in the dDCO, which are: Work No 5 (sports facilities) ((6) above); Work Nos 6, 7 and 8 (fen meadow sites) ((7) above); and Work No 8 (marsh harrier site) ((8) above).</p> <p>The subdivision of the main development site in the DCO into different Work Nos is necessary because the same Requirements do not apply to all parts of the main development site as defined in the ES. The Applicant's response to question DCO.1.20 sets out further explanation as to why the main development site is defined as it is in the DCO.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>The extent of the main development site as defined in the ES can be found in Volume 2, Chapter 1, Figures 1.1 - 1.12 [APP-179], with the Pakenham site shown in Figure 2.2.26 of the ES Addendum [AS-190].</p> <p>The main development site as defined in the dDCO is shown on Works Plans on sheet nos. 1-5 and 7-8 (Doc Ref. 2.3(C)).</p>
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	The ExA is referred to the Applicant's response to questions G.1.47 and DCO.1.20 .
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	An error is shown on the Works Plans [APP-012] in respect of Work No. 4B. The extent of the green rail route is correctly shown on the Main Development Site Temporary Construction Area – General Arrangement Sheet 4 of 4. The Works Plans (Sheets 2 and 8) have been corrected to reflect this error and submitted as Doc Ref. 2.3(C).
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	The Parameters were based on the design of the HCDF with a raised crest level of 14.2mAOD. This has now been superseded by the change accepted in April 2021, as set out in Volume 1, Chapter 2 of the ES Addendum [AS-181] with the permanent crest of

ExQ1	Question to:	Question:
		<p>the HCDF raised to 12.6mAOD (14.6mAOD with landscaping) and with the ability to adapt the defence up to 16.4mAOD (18.0mAOD with landscaping).</p> <p>(i) Paragraph 7.1.37 in the Main Development Site Flood Risk Assessment (MDS FRA) [AS-018] confirms that the impacts of climate change on sea level rise would be monitored and assessed at set intervals (e.g. 10 years) to determine the trajectory of the projections (e.g. in terms of sea level rise or increased storminess) and consider whether there is any change from either the currently considered projections or the climate change guidance as set out within the Application. It is therefore the intention to raise the sea defences only when projections have changed and indicate that the 12.6m AOD crest level would be insufficient to manage the 10,000-year coastal event with reasonably foreseeable climate change allowance at 2140.</p> <p>(ii) Requirement 12B has been amended in revision 4 of the draft DCO (Doc Ref. 3.1(C)) to secure the monitoring arrangements for the sea defences, including the trigger points when the crest of the sea defences would need to be increased to 16.9m. This then secures the redesign of the hard coastal defence, along with the timing for any implementation.</p>
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	<p>(i) Project Stages (common to all railway projects):</p> <p>In addition to approvals necessary through the DCO process, the Sizewell C rail projects are being developed and delivered in line with Network Rail (NWR) standards NR/L1/INI/PM/GRIP/100 (Governance for Railway Investment Projects) and NR/L2/INI/02009 (Engineering Management for Projects). This includes the Green Rail Route and LEEIE sections which, as temporary sections of track, will remain the responsibility of SZC Co. throughout the period of their operational use. As such there is no obligation on SZC Co. to comply with NWR standards; however, compliance with these standards demonstrates the "best practice" approach being adopted by SZC Co. In summary, the steps are:</p>

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

ExQ1	Question to:	Question:
		<ul style="list-style-type: none">• GRIP 3 – Single Option Selection• GRIP 4 – Single Option Development to achieve Approval in Principle (AiP) by NWR of the design. This confirms compliance with the appropriate technical standards.• GRIP 5 – Detailed Design, based on AiP design, with inter-disciplinary check and reviews and independent design checks carried out. Acceptance of the detailed design by suitably qualified and experienced NWR and SZC engineers. Designs progressed to “Approved for Construction” status.• GRIP 6 – Construction of the new and upgrade infrastructure works associated with the project, in line with the accepted design and specification for the work. Testing & Commissioning activities to confirm operation to the operator and maintainer prior to bringing into use.• GRIP 7 – Handover, transferring responsibility for the new and upgraded assets to the operator and maintainer, likely to be NWR for the existing branch line; and the appointed Freight Operating Company (FOC) for the Green Rail Route and LEEIE. <p>Compliance with the NWR GRIP and Engineering Management standards will ensure that, once commissioned, the new and upgraded rail infrastructure will be capable of operating the rail services required for construction of SZC. There are, however, additional elements which need to be in place prior to the commencement of these services. These include the following:</p> <ul style="list-style-type: none">• Freight Customer Track Access Contract, between NWR and SZC Co. This sets out the terms on which SZC Co. is entitled to operate services. Where SZC Co. requires services to be operated, it issues a "drawdown notice" to NWR and the FOC. NWR and the FOC then enter into an access contract as below. This contract requires the approval of the Office of Road and Rail (ORR).• Freight Track Access contract, between NWR and the FOC. This is required to secure the train paths to allow the proposed SZC freight trains to operate on the national railway network. This contract requires ORR approval.• Connection Agreement, between NWR and SZC Co. to secure approval to make the proposed temporary rail connections between the Saxmundham to Leiston branch line and the development site. This agreement requires ORR approval.• Asset Protection legal agreements or implementation agreements, between NWR and SZC Co., under which SZC Co. secure the services of NWR to support the

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>development and / or delivery of the necessary infrastructure changes. A schedule of these agreements is set out in the NWR / SZC Co. Statement of Common Ground.</p> <ul style="list-style-type: none">• Framework Agreement / Protective Provisions between NWR and SZC Co, the purpose of which is to regulate aspects of the relationship between NWR and SZC Co. to ensure that NWR's interests are properly protected in relation to the implementation of the Works.• Land Access licences or agreements between NWR and SZC Co., to secure the necessary access to NWR property to enable the infrastructure work to be carried out.• Network Change. A formal process, led by NWR, under which all users of the railway infrastructure are consulted on the proposed changes, leading to ORR approval.• Level Crossing Order. A formal process, led by the crossing operator, generally NWR, to secure approval to changes to the layout or operation of level crossings, leading to ORR approval. <p>(ii) Realistic timeframe for these activities: The summary timeframe for the proposed rail works is as shown below. This timeframe includes a suitable allowance for putting in place the necessary agreements as listed above.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:	2021												2022												2023												2024																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																										
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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	<p>(i) As shown in response to question CI.1.0, the caravan pitches can be accommodated with appropriate separation and circulation spaces. See Figure 2.9.</p> <p>(ii) the Implementation Plan (Doc Ref.8.4I(A)) has been updated to provide for the timing of the caravan site.</p>																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																															
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ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<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>
	<p>Response</p>	<p>The CoCP (Doc Ref. 8.11(B)) includes precise controls that provide clarity on the measure, scope and timing for each commitment relied on by the ES. Given the scale and complexity of the construction process there may be instances where minor derogations are needed, or where more than one set of controls apply to a specific set of works and there may be ambiguity over which control takes precedence where a conflict may exist. These limited instances mean that a degree of flexibility is therefore both necessary and appropriate.</p> <p>The proposed governance and monitoring arrangements secured will then ensure that ESC, SCC, the EA and NE will have sufficient oversight of the Project to ensure that relevant measures and commitments can be monitored and enforced.</p>
<p>G.1.54</p>	<p>The Applicant</p>	<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>
	<p>Response</p>	<p>The Construction Method Statement (refer to Volume 3, Appendix 2.2.B of the ES Addendum (Doc Ref. 6.14(A)) for the latest version) comprises the primary mitigation assumed within the ES in respect of the main development site. This includes the maximum height of temporary buildings, structures, plant and earthworks across the main development site that are required during the course of construction works, as shown on the Construction Parameter Plan (Doc Ref. 5.5(D)). It also sets out the sequence of construction phase mitigation in the manner that is consistent with the assessment. An</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>example of how this is set out in the Mitigation Route Map (Doc Ref. 8.12(B)) is found at MDS-AR12.</p> <p>The Code of Construction Practice (CoCP) (Doc Ref. 8.11(B)) then defines the construction practices and measures that would be applied by SZC Co. and its contractors to all construction activities that would seek to avoid, reduce and minimise environmental impacts during the course of Sizewell C construction works.</p> <p>The Construction Method Statement, secured by Requirement 8, would therefore provide appropriate control over what construction related development could take place and when primary construction stage mitigation would need to be in place. The CoCP, secured by requirement 2, then sets out the controls that limit the way in which construction activities are undertaken.</p> <p>This approach has been developed using lessons learnt from Hinkley Point C and is considered to be a robust and effective way in securing the mitigation set out within the ES.</p> <p>The change request has now been accepted. An updated version of Volume 3, Appendix 2.2.B of the ES Addendum (Doc Ref. 6.14(A)) has been submitted at Deadline 2. Schedule 22 of the dDCO (Doc Ref 3.1(C)) has been updated accordingly.</p>
G.1.55	The Applicant	<p>Construction Shift Patterns</p> <p>(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.</p> <p>(ii) Please include the mode of travel you have assumed for them to arrive and leave by with assumed numbers by each mode.</p> <p>(iii) How does the DCO secure the shift pattern assumed?</p>
	Response	<p>(i) and (ii): In the early years of construction, the shift patterns at the main development site are assumed to be as follows:</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:																																																					
		<table border="1"> <thead> <tr> <th>SHIFT</th> <th>WORKERS</th> <th>%</th> <th>SHIFT START</th> <th>SHIFT END</th> </tr> </thead> <tbody> <tr> <td>Single Shift</td> <td>1,100</td> <td>72.7%</td> <td>07.00-08.30</td> <td>16.30-18.30</td> </tr> <tr> <td>Night Shift</td> <td>400</td> <td>27.3%</td> <td>20.30-22.00</td> <td>06.00-08.00</td> </tr> </tbody> </table> <p>The total construction workers and vehicles using each mode (excluding 600 in caravans on LEEIE, who would catch a shuttle bus to site) at the main development site in early years, are assumed to be as follows:</p> <table border="1"> <thead> <tr> <th rowspan="2">WORKERS OR VEHICLES</th> <th rowspan="2">TOTAL</th> <th colspan="3">TRAVEL MODE</th> </tr> <tr> <th>MAIN SITE CAR PARK</th> <th>LEEIE PARK AND RIDE</th> <th>WALK/CYCLE</th> </tr> </thead> <tbody> <tr> <td>Workers</td> <td>900</td> <td>300</td> <td>535</td> <td>65</td> </tr> <tr> <td>Vehicles</td> <td>677</td> <td>242</td> <td>435</td> <td>-</td> </tr> </tbody> </table> <p>At peak construction, the shift patterns at the main development site are assumed to be as follows:</p> <table border="1"> <thead> <tr> <th>SHIFT</th> <th>WORKERS</th> <th>%</th> <th>SHIFT START</th> <th>SHIFT END</th> </tr> </thead> <tbody> <tr> <td>Early Shift</td> <td>4,148</td> <td>52.5%</td> <td>06:00-08:30</td> <td>14:00-18:30</td> </tr> <tr> <td>Late Shift</td> <td>2,031</td> <td>25.7%</td> <td>13:30-15:00</td> <td>22 00-00:00</td> </tr> <tr> <td>Office Shift</td> <td>1,185</td> <td>15.0%</td> <td>07:30-09:00</td> <td>17:30-19:00</td> </tr> </tbody> </table>	SHIFT	WORKERS	%	SHIFT START	SHIFT END	Single Shift	1,100	72.7%	07.00-08.30	16.30-18.30	Night Shift	400	27.3%	20.30-22.00	06.00-08.00	WORKERS OR VEHICLES	TOTAL	TRAVEL MODE			MAIN SITE CAR PARK	LEEIE PARK AND RIDE	WALK/CYCLE	Workers	900	300	535	65	Vehicles	677	242	435	-	SHIFT	WORKERS	%	SHIFT START	SHIFT END	Early Shift	4,148	52.5%	06:00-08:30	14:00-18:30	Late Shift	2,031	25.7%	13:30-15:00	22 00-00:00	Office Shift	1,185	15.0%	07:30-09:00	17:30-19:00
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ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>between the hours of 07:00 to 19:00 hours. Some activities may require 24 hour working and where this is the case, ESC will be notified in advance, including details of any noise control measures that may be necessary.</p> <p>The CoCP must be complied with and is capable of being enforced by the local planning authority through Requirement 2 of the dDCO (Doc Ref. 3.1(C)).</p>
G.1.56	The Applicant	<p>EQS</p> <p>There are many references, notably in the ecology parts of the ES, to EQSs. "EQS" is defined in the Glossary [APP-005] as "Concentration of a specified contaminant considered to be none harmful to the environment, agreed at a European level under the Environmental Quality Standards Directive". 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"?</p>
	Response	<p>Some further background on development of EQS is provided in section 1.2.3 on page 24 of Volume 2, Appendix 21E of the ES [APP-315]. At this stage in the planning process, SZC Co. is required to assess activities required in the construction and operation of the planned development. Potential discharges of chemicals are required to be assessed through a series of screening stages. Where there is an existing EQS screening the assessment is conducted using this as a point of reference. However, where there is no EQS, a No Predicted Effect Concentration (PNEC) can be derived and used in lieu of an EQS based on available chemical toxicity data, see Section 21.3.64 in Volume 2, Chapter 21 (Marine Water Quality and Sediments) of the ES [AS-034]. Where the initial screening shows an EQS is exceeded then further detailed assessment including discharge modelling is conducted to determine the potential areas of the discharge that are predicted to exceed an EQS. Specific EU guidance on 'mixing zones' was derived with a definition stating that 'A Mixing Zone is that part of a body of surface water adjacent to the point of discharge within which the Competent Authority is prepared to accept EQS exceedance, provided that it does not affect the compliance of the rest of the water body with the EQS'. When forming a judgement as to whether mixing zones are acceptable/unacceptable the competent authority should consider international, national and local objectives. If the predicted discharges result in mixing zones above EQS of acceptable size relative to water body status or in relation to specific designations, then these would form the basis of initial discussions at the permitting stage. The competent</p>

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

ExQ1	Question to:	Question:
		<p>authority in this instance would be the Environment Agency by means of the Water Discharge Activity (WDA) permit(s) issued for discharges of identified waste-stream. Typically, the permitting process would put in place a management plan for discharges establishing monitoring and compliance criteria to avoid any breach of an EQS outside of acceptable mixing zones; such plans are secured as Conditions on the WDA permit.</p> <p>The consequences of a breach of an EQS where this forms part of a permit may result in the applicant being served with an enforcement notice requiring remedial action to a defined timetable. Persistent non-compliance may lead to a requirement for activities to be suspended and potentially prosecution.</p> <p>The definition of EQS should say "non-harmful".</p>
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>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<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	See Appendix 2B of the written responses for a full technical note.
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. 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	<p>The Mitigation Route Map (Doc Ref. 8.12(B)) for the Sizewell C Project has been prepared in order to demonstrate that all necessary controls and mitigation have been identified and secured. The Mitigation Route Map:</p> <ul style="list-style-type: none"> • provides an audit trail of the controls and mitigation measures on which the ES and related assessment documents rely to avoid, reduce and if possible offset significant impacts of the development; and

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> sets out the way in which they have been, or will be, translated into clear and enforceable controls; either via requirements in the development consent order (DCO), planning obligations or other consent regimes. <p>The Mitigation Route Map (Doc Ref 8.12(B)) has been updated to reflect the accepted changes, along with the further controls and details now set out within the dDCO (Doc Ref 3.1(C)) and the Draft Deed of Obligation (Doc Ref. 8.17(C))</p>
Chapter 3 - 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	No response from SZC Co. is required.
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 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	(i) The criteria set out in the tables titled ' <i>Assessment of magnitude of impact on soils and agriculture</i> ' do not all have to be met for a magnitude to be assigned. For example, the permanent loss of over 50ha of high grade agricultural land under arable production,

ExQ1	Question to:	Question:
		<p>which is not under any agri-environment scheme, would be determined to be an impact of High magnitude.</p> <p>(ii) The magnitude of loss of Best and Most Versatile (BMV) land has been assessed in line with the tables titled '<i>Assessment of magnitude of impact on soils and agriculture</i>'. Areas of BMV land affected have been based on an overlay of the scheme footprint (in terms of both the permanent footprint and additional land required temporarily during construction where relevant) and the Agricultural Land Classification (ALC) survey data. ALC surveys have been undertaken in accordance with the published guidelines and agreed with Natural England. The extent of loss of BMV land (hectares) required to trigger a certain level of impact magnitude was set out in the EIA Scoping Report (provided in Volume 1, Appendix 6A of the ES [APP-168]) placing all BMV land into the High sensitivity category. At the time of writing the EIA Scoping Report there was no published guidance relating to the thresholds; the thresholds were based on professional experience.</p> <p>In 2019 the Geology and Soils section of the Highways England Design Manual for Roads and Bridges (DMRB) was updated to include criteria for assessing the sensitivity of soil receptors and the magnitude of impact on these. The thresholds relating to sensitivity used in the impact assessment are in line with the published DMRB criteria (noting that DMRB includes a Very High sensitivity category in which Grade 1 land is placed, with Grades 2 and 3a in the High category). In terms of magnitude, the impact assessment accords with DMRB in assigning the permanent loss of soils as an impact of the highest order. DMRB places a threshold of >20ha for the highest magnitude of impact, whilst the impact assessment used places a threshold of >50ha for the highest magnitude of impact, with an impact on 20-50ha defined as being of medium magnitude. An impact of medium magnitude on a receptor of high sensitivity results in a major adverse, and significant impact, which is similar to the outcome under the updated DMRB criteria. For example, for the Main Development Site there is a temporary impact on 22.2ha of BMV land (Grades 2 and 3a). This impact is defined as Medium on a receptor of High sensitivity, resulting in major adverse (and Significant) impact.</p> <p>Severence impacts have focused on whether land parcels, or fragments of individual parcels, would become isolated, either fully with no access or still accessible but with extended journey times from the main farm unit. This approach has been applied to all landholdings.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>(iii) The assessment has had to set thresholds for the various receptors. BMV land is usually assessed based on area (hectares) across the whole project, rather than specifically by landowner, as it is considered a national resource. In addition, land use, whilst influenced by land grade, is also influenced by other factors and so, for example, BMV land on one landholding may not be farmed in the same way as similar land on a neighbouring landholding (and therefore actual productivity may differ). When assessing areas of farmed land this is usually assessed as a proportion of the total landholding, either directly affected or affected as a result of severance. The threshold of <5%, for example, would mean that a small landholding of 10ha would have <0.5ha of land affected for the magnitude of impact to be assessed as very low.</p>
Ag.1.2	The Applicant	<p>Impact Assessment</p> <p>The following areas have not been surveyed due to lack of access:</p> <ul style="list-style-type: none"> (i) 14.5ha of the SLR (ii) 3.15ha of the TVB (iii) 14.4ha of the MDS <p>Please explain why access was not possible.</p>
	Response	<p>Whilst it has been noted that it has not been possible to survey all the land, the actual proportions of land un-surveyed are relatively low (for example the un-surveyed land comprises just 3.87% of the Main Development Site area). For un-surveyed land expert knowledge has been used to predict the likely grade, based on available soil mapping, topography, flood risk and the soil characteristics from the closest surveyed points. The assessment clearly states whether, based on this information, it is considered that BMV land could be present in these un-surveyed areas. For the main development site it is considered that BMV land would not occur in the un-surveyed area due to flood risk and the closest survey points being Grade 3b or 4. For the road schemes it has been assessed that there is the potential for BMV land to occur in the un-surveyed areas and so this has been built into the assessment outcome, stating a potentially worst case scenario where all the un-surveyed land is BMV.</p>

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

ExQ1	Question to:	Question:
		<p>These surveys will be carried out in due course to validate the assessment. However, as a worst-case assessment has been undertaken, SZC Co. consider the assessment to be robust.</p> <p>(i) 14.5ha of the Sizewell link road - access was not possible due to the Applicant being unable to reach agreement with the landowner at the time of surveys. Access agreements have now been reached. These surveys will be carried out in due course to validate the assessment. However, as a worst case assessment has been undertaken, SZC Co. considers the assessment to be robust.</p> <p>(ii) 3.15ha of the two village bypass - This area of land had not been surveyed due to changes to the red line boundary between Stage 3 and Stage 4 consultation. At the time of survey, access to the land could not be agreed between the landowner and the Applicant at the time the surveys were undertaken. These surveys will be carried out in due course to validate the assessment. However, as a worst case assessment has been undertaken, SZC Co consider the assessment to be robust.</p> <p>(iii) 14.4ha of the main development site - despite attempts to do so, access to the land could not be agreed with the landowner and the Applicant at the time the surveys were undertaken. These surveys will be carried out in due course to validate the assessment. However, as a worst case assessment has been undertaken, SZC Co. consider the assessment to be robust.</p> <p>For the reasons stated above these surveys have not been carried out.</p>
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	<p>SZC Co. worked with its land agents to gather information from previous interviews and ongoing conversations with landowners. The aim being to gather information on each holding ranging from total size, and stocking and cropping details to details of drainage, environmental schemes and any diversification. This assessment was used to understand the wider impact of the scheme.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>In respect of Theberton Hall Farm, Yew Tree Farm and Theberton House Estate the opportunity to receive an interview and complete questionnaires was not taken up at that time. However, meetings with the landowners and occupiers (where applicable) have since taken place and information that would have otherwise been captured in the Farm Impact Assessment has been obtained.</p> <p>The following approach was taken, where questionnaires were not completed, to ensure that the assessment remains valid:</p> <ul style="list-style-type: none"> Publically available information on landholdings has been used to inform baseline information, where interviews have not been carried out. For example, from aerial photographs it is possible to define land use (at the time of the images available) and likely access routes into fields and between units/farm buildings; these are two of the key criteria in assessing sensitivity and impact. Where a number of receptors are potentially present (for example a mixed farm comprising arable and pasture) the highest sensitivity value was used within the assessment, giving a 'worst-case' outcome and, therefore, appropriately precautionary.
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	<p>For information, Volume 9, Chapter 10 of the ES [APP-563] states that these have been scoped out due to their small size (each being approximately 0.5ha in size) and the short-term use of these before the land would be reinstated. The assessment considers that this would result in negligible impacts on agricultural land or operations.</p>
Ag.1.5	The Applicant	<p>Impact Assessment</p> <p>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.</p>
	Response	<p>This is an error in Volume 9, Chapter 10 of the ES [APP-563]. Paragraph 10.6.7 is correct (i.e. two landholdings seeing a significant effect).</p>

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

ExQ1	Question to:	Question:
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	No response from SZC Co. is required.
Ag.1.7	CLA County Land [RR-0029]	Effect on Business Operations 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.
	Response	No response from SZC Co. is required.
Ag.1.8	The Applicant	Effect on Business Operations 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?

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	<p>Areas where animals are housed or grazed are recorded as high sensitivity within the soils and agriculture assessment. However, they are not considered as a specific receptor within the assessment.</p> <p>The health and wellbeing of animals is not specifically assessed within the noise or air quality chapters, although the impacts would be reasonably expected to be lower than those assessed for designated ecological receptors close to the Proposed Development. In addition, from an air quality perspective no pollutants are emitted from construction or operational activities that would bioaccumulate in the grass or soil so as to give rise to long-term animal health effects. Mitigation measures identified within Chapters 11 (noise) and 12 (air quality) of Volume 2 of the ES [APP-202 and APP-212] and would reduce effects as much as reasonably practicable. These measures are secured through the CoCP (Doc Ref. 8.11(B)).</p> <p>SZC Co. does not propose any further mitigation to that already listed within the DCO application.</p>
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	<p>SZC Co. worked with its land agents to gather information from previous interviews and ongoing conversations with landowners. The aim being to gather information on each holding ranging from total size, and stocking and cropping details to details of drainage, environmental schemes and any diversification. This assessment was used to understand the wider impact of the scheme.</p> <p>The Applicant and its agents Dalcour Maclaren have been, and will continue to liaise with the landowners and farm businesses and their agents to understand those businesses and consider appropriate mitigation measures that can be put in place to reduce impact. There have been a series of regular meetings with the 'Land Interest Group' ('LIG') consisting of agents representing the affected landowners, representation from the National Farmers</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>Union (NFU), and solicitors acting for affected landowners. Through these meetings concerns have been considered and addressed in the drafting of Heads of Terms and a document detailing how the project will interface with landholdings and arrangements before, during and post construction, with negotiation led by the NFU given their extensive experience on other infrastructure schemes. In addition to the LIG and agent meetings, there have been individual landowner meetings and site visits to agree number of measures to mitigate the impact on holdings including, understanding of land parcels that will be severed or uneconomic to farm, reduction of land take where possible and commitment to provide suitable accommodation works to mitigate impact.</p> <p>Changes made to the proposed development from the public consultation undertaken include amendments to access tracks, bridges, underpasses, drainage arrangements and watercourse crossings. A number of examples are set out below.</p> <p>Examples of these on the two village bypass are:</p> <ul style="list-style-type: none">• Between Stages 3 and 4 of consultation, SZC Co. proposed the inclusion of additional land to the north-west side of Friday Street Farm following consultation comments received at Stage 3. The extension of the site boundary into the field further east, would allow for further refinement of the drainage strategy within the site and would allow for the movement of an infiltration basin to minimise impact on the landowner and their farming business at Friday Street Farm.• Refinement of the route of the proposed two village bypass occurred following consultation feedback received, primarily in proximity to Foxborough Wood. This area of woodland was subsequently removed from the order limits.• Following initial feedback received from public consultation, and subsequent engagement with the landowner, a new accommodation track was included in the proposed design to provide an alternative route of access for the landowner where the current track will be cut off by the route of the new road. A livestock path was also included to the west of the proposed River Alde overbridge to allow cattle to move north and south of the route of the bypass. The bridge would maintain a headroom clearance of 6m from river bank level to the underside of the bridge, to allow its use by agricultural vehicles. <p>Examples of these on the Sizewell link road are:</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<ul style="list-style-type: none">• Following feedback received during stage 3 formal consultation, proposals were updated, to provide a new junction from the proposed Sizewell link road onto Fordley Road, and remove the proposed junction from Littlemore Road to mitigate connectivity and access to the local area and Saxmundham from nearby communities.• Amendments to the design of the culverts where the proposed Sizewell link road crosses existing watercourses from ongoing consultation with the Environment Agency. Larger portal culverts were introduced into the design, which would minimise the impact on the watercourse banks and improving afflux in the event of a flood event. The larger culverts would also provide ecological connectivity beneath the route. In addition, to avoid the need to cross the watercourse at Fordley Road (the 'Middleton watercourse') twice and avoid the need for a long box culvert beneath the realigned Fordley Road, the watercourse would be diverted.• A new junction was included to the north east of the proposed Sizewell link road near Trust Farm to mitigate access to the local road network and nearby agricultural land.• The location of proposed drainage basins have been relocated, where possible, to minimise the impact on any retained land, and use small areas of land which may not continue to be suitable for agricultural use. <p>An example of this on the Northern Park & Ride is:</p> <ul style="list-style-type: none">• Following consultation feedback of concerns relating the future accessibility of HGVs to an existing farmyard and buildings, the design and alignment of the new access road and connection to existing public highway was reconsidered and amended to facilitate sufficient HGV access. <p>A key issue for agricultural landowners is the impact of works on drainage and irrigation infrastructure. To ensure acceptable solutions can be delivered, the Applicant has engaged a specialist drainage consultant to hold individual meetings with owners of agricultural land adjacent to the scheme. These meetings will establish the whereabouts, nature and form of existing land drainage and irrigation systems in or on land adjacent the various scheme elements. The outcome of this exercise will inform a proposed land drainage and irrigation design proposal by the specialist consultant. The specialist consultant has a scope to propose a remedial land drainage design which returns land drainage systems to</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		a standard no worse than that evidenced prior to the construction of the proposed development.
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	No response from SZC Co. is required.
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	<p>(i) The Applicant and its agents and advisors have been working with the NFU, landowners, occupiers and their agents to produce a document which will cover various aspects in relation to the interface between the Sizewell C project and the occupation of agricultural land including the testing, storage and management of soil. Further information regarding the cessation of wet weather working will be provided in the updated outline Soil Management Plan at Deadline 3.</p> <p>(ii) SZC Co. propose that the development of a Soil Resources Plan (SRP), as set out in Table 9.1 of the CoCP Part B and within the Outline Soil Management Plan (Volume 2, Appendix 17C of the ES [APP-278]). The CoCP (Doc Ref. 8.11(B)) states that the SRP would be produced by the contractor and approved by SZC Co. Table 9.1 of the CoCP (Doc Ref. 8.11(B)) then sets out the further measures to mitigate impacts on soil</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>and agriculture impacts, which are secured by Requirement 2 of the draft DCO (Doc Ref. 3.1(C)).</p> <p>(iii) Soils will be stripped in accordance with the Outline Soil Management Plan and the measures set out in Table 9.1 of the CoCP Part B (Doc Ref. 8.11(B)). A list of general principles relating to stockpile location and stability are detailed in paragraph 6.6.3. In addition, general good practices on the construction site in terms of material segregation where appropriate, clear identification of wastes etc. will ensure topsoil and subsoil resources remain suitable for re-use.</p> <p>(iv) Ideally, once stockpiles have been created they will not require management. This will avoid the risk of soil resources becoming damaged, for example through additional handling operations. Seeding and vegetation management of the stockpile surface will be the key measure to prevent erosion or instability. The proposed regular checks of stockpiles will also ensure that, should issues arise, these can be dealt with in an appropriate and timely manner. Further detail will be provided in the Soil Resources Plan as required by the Outline Soil Management Plan (Volume 2, Chapter 17 of the ES [APP-278]), The Soil Management Plan is a requirement of the CoCP (Doc Ref. 8.11(B)), which is secured through Requirement 2 of the draft DCO (Doc Ref. 3.1(C)).</p>
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	<p>The modelling of construction dust emissions, including emissions from stockpiles, is acknowledged in the Environmental Statement to provide indicative rather than definitive results, and has been used to identify those activities with the potential for higher dust emissions, but not to accurately quantify those emissions. SZC Co. proposes monitoring and appropriate mitigation as outlined in the detailed dust management plan to be prepared pursuant to the requirement set out in the CoCP (Doc Ref. 8.11(B)).</p>
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</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>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>
Ag.1.14	The Applicant	<p>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?</p>
		<p>Response Appendix 17C of Volume 2 of the ES [APP-278] should have read <i>'Where land is to be returned to agricultural use, separate stockpiles will be created for different types of topsoil and subsoil.'</i> This may not be necessary where soils are very sandy (i.e. where there is little differentiation between the characteristics of the topsoil and subsoil resources) or where land is to be restored to create new habitat such as dry Sandlings grassland/heath in accordance within the Outline Landscape and Ecology Management Plan [REP1-010] which applies to a large part of the Main Development Site. Appendix 17C [APP-278] states at paragraph 7.1.1 that 'the primary objective of soil restoration is to provide soil profiles suitable for the reinstated land use'. Work is currently on-going to use the soil information available to set out more detail of the resources required for the habitat creation referenced above and this will be used to</p>

³⁶ Institute of Air Quality Management (IAQM). Guidance on the Assessment of Dust from Demolition and Construction. 2014. (Online). Available from: <http://iaqm.co.uk/text/guidance/construction-dust-2014.pdf>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>identify where topsoil and subsoil resources can be combined in storage to produce soil resources with the required characteristics for reinstatement. This does not change the outcome of the assessment presented in the ES.</p> <p>SZC Co will submit an updated version of the Outline Soil Management Plan (Volume 2, Appendix 17C) at Deadline 3.</p> <p>Within the Temporary Construction Area it is not proposed to separate topsoil and subsoil during the site establishment, as the topsoil generated is used early for landscaping and habitat creation such as the Sizewell Marshes Site of Special Scientific Interest (SSSI) Crossing Area. Within the Land East of Eastlands Industrial Estate there will be separate top soil storage as set out in paragraph 3.4.232 of [AS-202] to facilitate hand back to agricultural use.</p>
Ag.1.15	The Applicant	<p>Dust Management</p> <p>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].</p>
	Response	<p>The dust management plan, including proposals for monitoring and mitigation based on best practice measures, has been informed by the risks identified through the dust impact assessment. The dust impact assessment includes consideration of the materials to be stockpiled, and the heights and orientation of the stockpiles. The best practice mitigation measures outlined in the IAQM guidance³⁷ have a long history of successful implementation in the the UK. Dust monitoring measures will be specified within the Dust Management Plan and monitoring results reported monthly to the Suffolk County and East Suffolk Council.</p>
Ag.1.16	The Applicant	<p>Drainage</p> <p>How has the size and locations for the drainage treatment areas/other drainage infrastructure been considered to minimise the effect on operational agricultural land?</p>
	Response	<p>Drainage treatment areas/other drainage infrastructure have been designed so as to serve their intended purpose of managing surface water resulting from the proposed scheme elements. Wherever possible and where engineering restrictions allow, the location of</p>

³⁷ Institute of Air Quality Management (IAQM). Guidance on the Assessment of Dust from Demolition and Construction. 2014. (Online). Available from: <http://iaqm.co.uk/text/guidance/construction-dust-2014.pdf>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>infrastructure - such as attenuation ponds - have been selected so as to minimise the effect on adjacent agricultural land.</p> <p>The Applicant has engaged a specialist drainage consultant to hold individual meetings with owners of agricultural land adjacent to the scheme. These meetings will establish the whereabouts, nature and form of existing land drainage and irrigation systems in or on land adjacent the various scheme elements. The outcome of this exercise will inform a proposed land drainage and irrigation design proposal by the specialist consultant. The specialist consultant has a Scope to propose a remedial land drainage design which returns land drainage systems to standard no worse than that evidenced prior to the construction of the scheme.</p> <p>The drainage proposals are submitted indicatively as part of the DCO Application. Requirement 5 in the draft DCO (Doc. Ref 3.1(C)) requires SZC Co. to submit for approval by ESC details of the surface and foul water drainage system prior to commencement of the relevant part of the authorised development.</p> <p>The exact size and location of the drainage basins would be determined during detailed design and approved through Requirement 5 of the draft DCO (Doc. Ref 3.1(C)) prior to relevant works commencing.</p> <p>The land to be acquired for drainage purposes is required to ensure that an appropriate detailed drainage proposal can be implemented, especially taking into consideration the requirements of Suffolk County Council as the adopting Authority for the two village bypass and Sizewell link road. The proposals are based on SZC Co.'s current knowledge of what drainage infrastructure will be required and takes into consideration the space requirements for access and maintenance, in addition to the need to manage volumes of water generated under the design storm conditions. To date that has been informed by site surveys and the topography and ground conditions of the site.</p>
Ag.1.17	The Applicant	<p>Drainage</p> <p>How will any affected field drainage on agricultural land be reinstated post construction phase? How will this be secured as part of the DCO?</p>
	Response	<p>A landscape and ecology scheme for the landscape restoration area will be prepared pursuant to Requirement 14 of the draft DCO (Doc. Ref 3.1(C)). This will secure the detailed landscape design details of the main development site for the period following completion of the Sizewell C construction activities. These details will secure details of the</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>timing of these works. Surface and foul water drainage details are then secured by Requirement 4 of the draft DCO (Doc. Ref 3.1(C)), which would demonstrate how field drainage of the agricultural areas would be reinstated.</p> <p>As part on ongoing land negotiations, the Applicant has engaged a specialist land drainage consultant to hold individual meetings with owners of agricultural land adjacent to the scheme. These meetings will establish the whereabouts, nature and form of existing land drainage and irrigation systems in or on land adjacent the various scheme elements. The outcome of this engagement will inform a proposed land irrigation and drainage design by the land drainage consultant. The consultant has the scope to propose a remedial land irrigation and drainage design which returns land irrigation and drainage systems to a standard no worse than that evidenced prior to the construction of the scheme.</p> <p>The Applicant and its agents and advisors have been working with the NFU and landowner agents to produce a document which will cover various aspects in relation to the interface between the SZC project and the occupation of agricultural land including the remediation of land drainage and is to be appended to the agreements being sought with landowners.</p>
Ag.1.18	The Applicant	<p>Drainage</p> <p>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.</p>
	Response	<p>Paragraph 10.4.8 of [APP-531] relates to potential impacts and the significance of effects on soils and agriculture arising from construction at the Freight Management Facility. The paragraph provides a general description of the location and the concerns that are immediately evident.</p> <p>This has been addressed through field investigations.</p> <p>The report on the investigation details that the Soil Index descriptions (from the Flood Studies Report, Institute of Hydrology, 1975³⁸) indicate that the superficial soil types at the Severn Hills site are denoted by Index 1. This indicates potentially permeable soils with potential for infiltration.</p> <p>Based on this information, the issue was considered in outline design stage. The proposed site is likely to have several separate attenuation and infiltration structures for surface</p>

³⁸ Natural Environment Research Council (NERC). 1975. Flood studies Report (5 vol.). NERC, London.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		water within the Freight Management Facility boundary. It is proposed to infiltrate all surface water discharge.
Ag.1.19	The Applicant	<p>Consultation</p> <p>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?</p>
	Response	<p>SZC Co. worked with its land agents to gather information from interviews and ongoing conversations with landowners. The aim being to gather information on each holding ranging from total size, and stocking and cropping details to details of drainage, environmental schemes and any diversification and how they might be impacted by the proposed scheme, including the main development site.</p> <p>Interviews to assist with the completion of the questionnaires, were arranged with a number of landowners [5 out of 7 agricultural landowners] but at that stage not all the landowners were willing or able to engage in the interviews. However, meetings with the landowners and occupiers (where applicable) and their representatives have since taken place (including Theberton House Estate) and, information that would otherwise have been captured in the Farm Impact Assessment has been obtained.</p> <p>The following approach was taken, where Farm Impact Assessments Questionnaires were not completed, to ensure that the assessment remains valid:</p> <ul style="list-style-type: none"> • Publically available information on landholdings has been used to inform baseline information, where interviews have not been carried out. For example, from aerial photographs it is possible to define land use (at the time of the images available) and likely access routes into fields and between units/farm buildings; these are two of the key criteria in assessing sensitivity and impact. • Where a number of receptors are potentially present (for example a mixed farm comprising arable and pasture) the highest sensitivity value was used within the assessment, giving a 'worst-case' outcome and therefore appropriately precautionary.
Ag.1.20	The Applicant	<p>Consultation</p> <p>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?</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	<p>SZC Co. have sought to include Natural England’s advice regarding soils and agriculture within the assessment and the Outline Soil Management Plan (Appendix 17C [APP-278]). The measures set out in the Outline Soil Management Plan are then set out within the CoCP Part B (Doc Ref. 8.11(B)), which is secured by Requirement 2 of the draft DCO (Doc. Ref 3.1(C)).</p> <p>In addition, Natural England’s advice was sought in relation to the Agricultural Land Classification (ALC) surveys which formed part of the baseline for the soils and agriculture assessment, in particular the validity of historical surveys which had been undertaken at a semi-detailed survey density. In consultation with Natural England a critical assessment of the data was undertaken followed by a ground truthing exercise (which included some laboratory analysis of soil texture) enabling agreement to be reached on how the existing data could be used and where further detailed ALC surveys would be required to be undertaken.</p> <p>SZC Co. has had regard to Natural England's comments in [RR-0878] in drafting the draft DCO (Doc. Ref 3.1(C)).</p>
Ag.1.21	ESC, Natural England	<p>Code of Construction Practice</p> <p>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:</p> <ul style="list-style-type: none"> (i) ground contamination, soil erosion and silt-laden runoff; (ii) hydrological or hydrogeological changes; and (iii) noise and dust <p>Are you satisfied with the measures detailed within the CoCP [AS-273] to manage/reduce the risk of the above occurring?</p>
	Response	No response from SZC Co. is required.
Ag.1.22	The Applicant	Code of Construction Practice

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>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.</p>
Ag.1.23	The Applicant	<p>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 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.</p>
		<p>Response</p> <p>The DCO includes a comprehensive records of soil information (Volume 2, Appendix 17A [APP-278]; Volumes 3 – 9, Appendices 3A – 9A, [APP-372, APP-403, APP-436, APP-471, APP-503, APP-532, APP-564]), the majority of which is on a 1 auger per hectare sampling density. This data includes a full description of the soil profiles physical characteristics to 1.2m below ground level and has been used, with other information, to define the grade of the land under the Agricultural Land Classification (ALC) system. Appropriate drafting is currently being finalised in consultation with the NFU which details out the committment to developing and providing a Soil Resources Survey report for landowners.</p> <p>The CoCP Part B (Doc Ref. 8.11(B)) sets out that a Soil Resource Plan will be prepared by Contractors and approved by SZC Co. This will further develop the soil management measures set out in Table 9.1 of the CoCP Part B and Outline Soil Management Plan (Volume 2, Appendix 17C [APP-278]). This will include detail of how soils will be stripped, stockpiled and, where applicable, reinstated. These measures are secured by Requirement 2 of the draft DCO (Doc. Ref 3.1(C))</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>The measures set out in Table 9.1 of the CoCP Part B are based on those described in the Outline Soil Management Plan (Volume 2, Appendix 17C [APP-278]), which have been aligned to published guidance, in particular the Defra Construction Code of Practice for the Sustainable Use of Soils on Construction Sites³⁹ and will build on the Soil Management Plan developed for the Hinkley Point C project and incorporate learnings from the implementation of that Soil Management Plan.</p>
Ag.1.24	<p>The Applicant</p>	<p>Water Supply [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: (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 (ii) What measures would be put in place to monitor any effects during the construction phase? (iii) What measures would be put in place to monitor any effects post construction? (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> <p>Response</p> <p>(i) During consultation and in negotiations prior to and since the DCO submission, SZC Co. and its agent (Dalcour Maclaren) sought details of private water supplies. This is an ongoing process. Where details have been provided discussions are ongoing as to how the water supplies can be monitored and protected. SZC Co. and its agent (Dalcour Maclaren) and advisors have been working with the NFU and landowner agents to produce a document which will cover various aspects in relation to the interface between the Sizewell C project and the occupation of agricultural land including the impact to and remediation of private water supplies. Sizewell C’s potable water demand would be supplied by a new transfer main from Northumbrian Water Limited’s (NWL) Northern/Central ‘Water Resource Zone’ (WRZ). An</p>

³⁹ Department for Environment, Food and Rural Affairs. Construction Code of Practice for the Sustainable Use of Soils on Construction Sites, 2009. (Online) Available from: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/716510/pb13298-code-of-practice-090910.pdf

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

ExQ1	Question to:	Question:
		<p>abstraction sustainability investigation is being undertaken to confirm what the future annual licensed quantities would be. This investigation is due to be completed in June 2021. There would not be any new abstractions within the local Blyth WRZ.</p> <p>(ii) No measures are required in respect of the Sizewell C Water Supply strategy as existing private water supplies would not be affected by the water supplies for Sizewell C. Any private supplies within the order limits boundary will be protected or diverted where necessary. Those who are supplied by the private networks will be consulted prior to protection or diversion.</p> <p>(iii) No measures are required in respect of the Sizewell C Water Supply strategy as existing private water supplies would not be affected by the water supplies for Sizewell C. Any private supplies within the order limits boundary will be protected or diverted where necessary. Those who are supplied by the private networks will be consulted prior to protection or diversion.</p> <p>(iv) As above, there are no measures required in respect of the Sizewell C Water Supply strategy as existing private water supplies would not be affected by the water supplies for Sizewell C.</p>
Ag.1.25	Catherine Bacon [RR-0184] NJ Bacon Farms [RR-0867] NFU [RR-0885] Clarke & Simpson on behalf of Family Mellen [RR-0241] Ward Farming Ltd [RR-1259] Mollett's Partnership [RR-0812] Savills (UK) Ltd on behalf of David and Belinda Grant [RR-1098] Savills UK (Ltd) on behalf of Nat & India Bacon [RR-1100]	<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>

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

ExQ1	Question to:	Question:
	Savills UK (Ltd) on behalf of Trustees of AW Bacon Will Trust Myles Dowley [RR-0866] Justin Dowley [RR-0638] Emma Dowley [RR-0367] Finn Dowley [RR-0382] LJ & EJ Dowley Farming Partnership [RR-0697] Dowley Family Business [RR-0319] Savills UK (Ltd) on behalf of Justin & Emma Dowley [RR-1099]	
	Response	No response from SZC Co. is required.
Ag.1.26	The Applicant	Water Supply 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?
	Response	The Applicant and its agent (Dalcour Maclaren) have been in continual liaison with the landowner and their representatives at Parkgate Farm and can confirm that the construction of a large irrigation pond was completed in 2020 to support arable production on the property. The land use has not changed as a result of the construction of the irrigation basin, and to date it is understood that no alternative crops have been grown other than those that have already been considered within the assessment.

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

ExQ1	Question to:	Question:
Ag.1.27	<p>Catherine Bacon [RR-0184] NJ Bacon Farms [RR-0867] NFU [RR-0885] Clarke & Simpson on behalf of Family Mellen [RR-0241] Ward Farming Ltd [RR-1259] Mollett's Partnership [RR-0812] Savills (UK) Ltd on behalf of David and Belinda Grant [RR-1098] Savills UK (Ltd) on behalf of Nat & India Bacon [RR-1100] Savills UK (Ltd) on behalf of Trustees of AW Bacon Will Trust [RR-0003] Myles Dowley [RR-0866] Justin Dowley [RR-0638] Emma Dowley [RR-0367] Finn Dowley [RR-0382] LJ & EJ Dowley Farming Partnership [RR-0697] Dowley Family Business [RR-0319] Savills UK (Ltd) on behalf of Justin & Emma Dowley [RR-1099]</p>	<p>Land Ownership and Severance Please provide information, including annotated maps if possible, to illustrate where agricultural land may be severed by the Proposed Development.</p>
	Response	No response from SZC Co. is required.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
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	<p>Three options were considered for the location of the northern park and ride, as detailed in Volume 3, Chapter 3 (Alternatives and Design Evolution) of the ES [APP-353] and the Site Selection Report [APP-591] appended to the Planning Statement.</p> <p>Option 2 (Darsham) was considered to be preferable from a transport perspective, intercepting traffic on the local transport network prior to reaching the B1122 and reducing overall traffic movements by acting as a rail and bus interchange, as well as a car and bus interchange. Option 1 (Yoxford Road) was the least favourable option due to increased traffic movements along part of the B1122 and visibility from the Minsmere River SLA, whilst Option 3 (A12/A144 Junction) would have had the potential to impact on a greater number of residential dwellings than Option 2 (Darsham) and also the setting of a nearby Grade II listed cottage. Whilst all three options would have given rise to environmental impacts, the anticipated environmental impacts associated with Option 2 (Darsham) were considered capable of being mitigated, whilst also being the most effective location from a highways perspective.</p> <p>In respect of the northern park and ride facility, Subgrade 3a land would be affected. Whilst the design has been optimised to reduce the overall land take, this facility will be decommissioned. All agricultural land taken temporarily would be reinstated to agricultural use once the site is no longer required to support the construction of the Sizewell C main development site. This is in accordance with paragraph 5.10.8 of EN-1 which states that applicants should identify any effects and seek to minimise impacts on soil quality, taking into account any mitigation measures proposed. The effects on land holdings are considered to occur during the construction phase and would last until the completion of the removal and reinstatement phase, when the land would be returned to agricultural use.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>The design of the two road schemes has also been optimised to reduce the overall land take as summarised in the alternatives chapters, Chapter 3 of Volumes 5 and 6 of the ES [APP-414 and APP-450] and the Site Selection Report [APP-591] appended to the Planning Statement. Through the design process the footprint of both roads has been reduced further.</p> <p>Regarding the two village bypass, Chapter 10, Volume 5 of the ES [APP-435] states that approximately 50% of the site comprises land which falls into a BMV land category (i.e. grades 1, 2 and 3a). Grade 2 land covers 2.0ha and Grade 3a covers 25.2ha in total. The remaining areas of the site comprise grade 3b (19.5ha), grade 4 (0.60ha) and non-agricultural land (4.5ha). In addition, 3.4ha is un-surveyed. As part of the mitigation strategy, the site layout has been optimised to reduce the overall land take, through the realignment of various access tracks, livestock paths and the provision of an overbridge. Soil will also sustainably be re-used in line with the Outline Soil Management Plan (Volume 2, Appendix 17C [APP-278]) as set out within the CoCP (Doc Ref. 8.11(B)). This is in accordance with paragraph 5.10.8 of NPS EN-1 which states that applicants should identify any effects and seek to minimise impacts on soil quality, taking into account any mitigation measures proposed. Further detail can be found in section 5.9 of the two village bypass Planning Statement [APP-595].</p> <p>Regarding the Sizewell link road, as part of the design process as set out in Volume 6, Chapter 10 of the ES [APP-470], the site layout has been optimised to reduce the overall land take. This includes measures such as the proposed new road junctions and overbridges to transport users, and the retention of access to fields from realigned roads and accommodation tracks.</p> <p>However, construction of the Sizewell link road would still result in the permanent loss of 84.7ha of land from primary agricultural productivity and a further 15.8ha would be required temporarily.</p> <p>The site comprises a mix of agricultural land grades 2 (10.4ha) and 3a (40.9ha). The remaining areas of the site comprise grade 3b land (28.4ha), non-agricultural land (8.2ha), and 20.9ha of land which has not been surveyed.</p> <p>The loss of best and most versatile land is considered to be a significant adverse effect on BMV resources. Upon completion of construction 8.1ha of best and most versatile land would be returned to agricultural use. However, with this land returned, the effect would still remain major adverse on BMV land.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>During operation, no additional land would be required beyond that reported for the construction phase, and no further effects on best and most versatile land or agricultural land holdings are anticipated.</p> <p>The CoCP Part B (Doc Ref. 8.11(B)) sets out that a Soil Resource Plan will be prepared by Contractors and approved by Sizewell C Co. This will further develop the soil management measures set out in Table 9.1 of the CoCP Part C (Doc Ref. 8.11(B)) and Outline Soil Management Plan [APP-278]. This will include detail of how soils will be stripped, stockpiled and, where applicable, reinstated. These measures are secured by Requirement 2 of the draft DCO (Doc. Ref 3.1(C)).</p> <p>This is in accordance with paragraph 5.10.8 of NPS EN-1 which states that applicants should identify any effects and seek to minimise impacts on soil quality, taking into account any mitigation measures proposed. Further detail can be found in section 5.8 of the Sizewell link road Planning Statement [APP-596].</p> <p>More detail of the site selection for the Associated Development sites can be found in the Site Selection Report, appended to the Planning Statement [APP-591].</p>
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	<p>The 14.4ha land parcel was included within the development site boundary at a later stage of pre-application and at the time the surveys and assessments were completed it was not envisaged that this land would be required. The area has not been surveyed subsequently as a suitable understanding of the surrounding land had been established. These surveys will be carried out in due course to validate the assessment. However, as a worst case assessment has been undertaken, SZC Co. consider the assessment to be robust.</p> <p>Whilst it has been noted that it has not been possible to survey all the land, the actual proportions of land un-surveyed are relatively low (for example the unsurveyed land comprises just 3.87% of the main development site area). For un-surveyed land expert knowledge has been used to predict the likely grade, based on available soil mapping, topography, flood risk and the soil characteristics from the closest surveyed points. The assessment clearly states whether, based on this information, it is considered that BMV</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>land could be present in these un-surveyed areas. For the main development site it is considered that BMV land would not occur in that area due to flood risk and the closest survey points being Grade 3b or 4. For the road schemes it has been assessed that there is the potential for BMV land to occur in the un-surveyed areas and so this has been built in to the assessment outcome, stating a potentially worst case scenario where all the un-surveyed land is BMV. As such, the assessments remain valid.</p>
Ag.1.30	The Applicant	<p>Agricultural Liaison Officer Please provide a response regarding the need for the appointment of an Agricultural Liaison Officer [RR-1099].</p>
	Response	<p>SZC Co. and its agent (Dalcour Maclaren) and advisors (Arcadis) have been working with the NFU, and landowner agents to produce a document which will cover various aspects in relation to the interface between the Sizewell C project and the occupation of agricultural land. The document deals with the provision of suitably qualified Agricultural Liaison Officers (ALOs) to provide interface between the Sizewell C project and farmers/landowners to maintain appropriate levels of communication during construction, and reduce impacts where possible.</p> <p>In addition, SZC Co. will submit an update to the Outline Soil Management Plan (Volume 2, Appendix 17C of the ES [APP-278]) at Deadline 3 to capture this requirement.</p>
Ag.1.31	The Applicant	<p>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.</p>
	Response	<p>The fen meadow sites will be managed to establish fen meadow habitats in the optimum areas as explained in the Fen Meadow Strategy, included in Volume 3, Appendix 2.9.D of the ES Addendum [AS-209] and these areas and adjacent buffer areas would be removed from grazing, at least during the establishment period, probably by new fencing. These areas will be managed to ensure the successful delivery of the Fen Meadow. The areas within the development boundary that are not required to facilitate Fen Meadow</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:					
		delivery, if appropriately fenced from the optimum areas with buffer zones, could potentially be grazed at current levels. Further development of the management proposals in the Fen Meadow Plan is required before SZC Co. can confirm the total loss to grazing density. Once the fen meadow habitats have been established, some element of 'conservation grazing' of the habitat is likely to be required during summer, but not at the stocking rates used on improved pastures.					
Ag.1.32	The Applicant	<p>Grazing land</p> <p>Please comment regarding the concern over potential damage to Minsmere Sluice and subsequent damage to grazing land [RR-0319].</p>					
	Response	<p>SZC Co. recognises concerns of stakeholders regarding the long-term viability of Minsmere Sluice and its importance for land drainage. However, no construction activities are proposed in the vicinity and this is reflected in the redline boundary for the proposed power station which does not include Minsmere Sluice. No damage to Minsmere Sluice is predicted as assessed within Volume 2, Chapter 19 (Groundwater and Surface Water) of the ES [APP-297]. Therefore, SZC Co. do not expect there to be any damage to grazing land near Minsmere Sluice as a result of the proposed development.</p>					
Ag.1.33	The Applicant	<p>Access</p> <p>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.</p>					
	Response	<p>The approximate journey lengths on public highway in order to access land forming part of these holdings compared to the current accesses used are shown in the below table:</p> <table border="1" data-bbox="801 1203 2018 1382"> <thead> <tr> <th>Holding Name</th> <th>Current Route of Access</th> <th>Approx. length of Route on Public Highway</th> </tr> </thead> <tbody> <tr> <td>Fordley Hall Farm</td> <td>Farm tracks on private land</td> <td>1.8km – 2.5km (1km – 1.2km on SLR)</td> </tr> </tbody> </table>	Holding Name	Current Route of Access	Approx. length of Route on Public Highway	Fordley Hall Farm	Farm tracks on private land
Holding Name	Current Route of Access	Approx. length of Route on Public Highway					
Fordley Hall Farm	Farm tracks on private land	1.8km – 2.5km (1km – 1.2km on SLR)					

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:									
		<table border="1"> <tr> <td data-bbox="808 244 1010 368">Hawthorn Farm</td> <td data-bbox="1010 244 1413 368">Farm tracks on private land and public highway (approx. 0.75km)</td> <td data-bbox="1413 244 2018 368">0.7km (all on SLR)</td> </tr> <tr> <td data-bbox="808 368 1010 493">Dove House Farm</td> <td data-bbox="1010 368 1413 493">Farm tracks on private land</td> <td data-bbox="1413 368 2018 493">1.7km (1.3km on SLR)</td> </tr> <tr> <td data-bbox="808 493 1010 584">Theberton Hall Farm</td> <td data-bbox="1010 493 1413 584">Farm tracks on private land</td> <td data-bbox="1413 493 2018 584">1km (all on SLR)</td> </tr> </table>	Hawthorn Farm	Farm tracks on private land and public highway (approx. 0.75km)	0.7km (all on SLR)	Dove House Farm	Farm tracks on private land	1.7km (1.3km on SLR)	Theberton Hall Farm	Farm tracks on private land	1km (all on SLR)
Hawthorn Farm	Farm tracks on private land and public highway (approx. 0.75km)	0.7km (all on SLR)									
Dove House Farm	Farm tracks on private land	1.7km (1.3km on SLR)									
Theberton Hall Farm	Farm tracks on private land	1km (all on SLR)									
Ag.1.34	The Applicant	<p>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?</p> <p>Response The journey distance on foot to access the land holding east of the new road will increase by approximately 130m. A typical walking speed for rural walkers is estimated by the Ramblers Association to be 4km/h. A robust assumption allowing for the footbridge gradient would be to reduce walking speed by 10%, to 3.6km/h. This would mean that a 130m increase in walking distance equates to an additional 130 seconds' walking time, or just over two minutes. Vehicular access to the fields within the Farnham Hall land holding from the west to the east of the new road would be approximately 600m longer. The majority of this would be on public highway, with approximately 430m along a new accommodation track which will be installed for the benefit of the landowner and adjacent residential property.</p>									
Ag.1.35	The Applicant	<p>Access 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?</p> <p>Response Access to land forming part of Kelsale Manor will be impacted during and following construction of the SLR. This is land which forms part of a single field currently accessed from the un-named road leading to the A12. Continued access to this area would need to be via farm track on the neighbouring landholding (Haste land) or through the area of land to the south of Fir Tree Farm, and through the new infiltration basin.</p>									

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

ExQ1	Question to:	Question:
		The Applicant and its agent Dalcour Maclaren have been, and will continue to consult with the landowners and farm businesses and their agents to understand those businesses and consider appropriate mitigation measures that can be put in place to reduce impact. Whilst the Covid 19 pandemic has created issues in relation to face to face meetings with landowners, site visits are now being arranged with landowners and their agents. Accommodation works will be discussed and progressed with the landowner in due course.
Ag.1.36	ESC, Natural England	<p>Materials Management Strategy</p> <p>Are you satisfied with the approach and content of the Material Management Strategy regarding soils and agriculture [AS-202]?</p>
	Response	No response from SZC Co. is required.
Ag.1.37	The Applicant	<p>Committed Developments</p> <p>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.</p>
	Response	<p>The two committed developments referenced are:</p> <ol style="list-style-type: none"> 1. Levington Lane, Bucklesham, Suffolk DC/19/4510/FUL (ID 672); and 2. Felixstowe Road, Stratton Hall, Suffolk DC/19/4343/FUL (ID 675). <p>The first is a proposed housing development and the second is a proposed lorry park adjacent to Felixstowe Road. These have been identified within the Assessment of Cumulative Effects with Other Plans, Projects and Programmes chapter of the ES (Volume 10, Chapter 4 of the ES [APP-578]). Neither are considered to affect the baseline conditions at the Freight Management Facility site in terms of land grade (i.e. they do not affect the same or immediately adjacent land) or agricultural practices associated with the site (i.e. no change to access arrangements).</p>
Ag.1.38	The Applicant	<p>Land to East of Abbey Lane</p> <p>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.</p> <p>Please confirm whether this land has been included within the assessment?</p>

ExQ1	Question to:	Question:
	<p>Response</p>	<p>All land within the Order Limits has been included within the assessment. Landholdings have been listed in the assessment in relation to the landowner (and not by individual tenant/contract farmer etc.). This land is covered under the heading of Aldhurst Farm Cottages in Table 10.6. This aligns with the methodology as set out in Volume 1, Appendix 6M of the ES [APP-171].</p> <p>Furthermore, this tenancy was not visible at the time the assessment was undertaken. However, to include tenancies in the assessment would result in double counting of land areas and therefore impacts. It has been assumed that the landowner will agree an end to tenancies as part of their discussions with the SZC Co.</p> <p>SZC Co. and its agent have been, and will continue to consult with the landowners and farm businesses and their agents to understand those businesses and consider appropriate mitigation measures that can be put in place to reduce impact. Whilst the Covid 19 pandemic has created issues in relation to face to face meetings with landowners, site visits are now being arranged with landowners and their agents.</p>
<p>Chapter 4 - AQ.1 Air Quality</p>		
<p>AQ.1.0</p>	<p>The Applicant</p>	<p>Methodology/Construction Traffic and Air Quality</p> <p>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.</p> <p>Please set out where this information can be found within each chapter.</p>
	<p>Response</p>	<p>Figure 12B.1 in Volume 2, Appendix 12B (Transport Emissions Assessment) of the ES [APP-213] shows the location of links assessed within all associated development sites, and the access road to the main development site. The traffic data for these links used in the assessment are presented in Annex 12B.1 of the same Appendix.</p> <p>The effects from trackout and NRMM on internal roads within the main development site have been assessed in Volume 2, Appendix 12A (Construction Dust Assessment) of the ES [APP-213].</p> <p>This assessment considered the movement of construction vehicles including trucks using the haul roads within the site. Emissions from movements of road vehicles within the site have not been quantified as the locations are too far from sensitive receptors to be</p>

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

ExQ1	Question to:	Question:
		capable of having a significant effect either directly or in-combination with emissions from the road.
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	Air quality receptors have been derived based on IAQM ⁴⁰⁴¹ and EA guidance ⁴² considering the different potential air quality effects (construction dust, construction traffic, NRMM, operational emissions).
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	In the absence of comprehensive background PM _{2.5} concentrations, use of PM ₁₀ as a worst case and assuming that all PM ₁₀ fractions occur as PM _{2.5} is considered to be conservative.
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	The assessment has considered air quality effects from various emission sources including construction dust, construction traffic, NRMM, and operational emissions.

⁴⁰ Institute of Air Quality Management (IAQM). Guidance on the Assessment of Dust from Demolition and Construction. 2014. (Online). Available from: <http://iaqm.co.uk/text/guidance/construction-dust-2014.pdf>.

⁴¹ Institute of Air Quality Management (IAQM) and Environmental Protection UK. Land-Use Planning & Development Control: Planning for Air Quality. 2017. (Online). Available from: <https://iaqm.co.uk/text/guidance/air-quality-planning-guidance.pdf>.

⁴² Department for Environment, Food and Rural Affairs (Defra) and Environment Agency. Air emissions risk assessment for your environmental permit. London: The Stationery Office, 2016. (Online). Available from: <https://www.gov.uk/government/collections/risk-assessments-for-specific-activities-environmental-permits>.

ExQ1	Question to:	Question:
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	<p>(i) Volume 2, Appendix 12A (Construction Dust Assessment) of the ES [APP-213] considers dust emissions and effects including desposited dust. Baseline dust deposition rates, including the contribution from agricultural practices, have been measured at sites near the boundary of the MDS. There are no published dust deposition standards or limits in the UK so IAQM guideline levels for nuisance dust have been used in the assessment, which includes consideration of vegetation, such as crops beyond the site boundary.</p> <p>(ii) Dust effects have been considered at a number of sensitive receptors, and in particular at the adjacent SSSI which is one of the closest sensitive receptors identified. Even at this close distance, using the proposed mitigation measures outlined in the Dust Management Plan and delivered through the CoCP (Doc Ref. 8.11(B)), no significant effects are predicted; by extension the same conclusion will be reached for other receptors further from the site boundary.</p> <p>(iii) Implementation of measures, along with the proposed monitoring arrangements, set out within the CoCP (Doc Ref. 8.11(B)) is secured through Requirement 2 of the draft DCO (Doc Ref. 3.1(C)).</p>
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>
		See question AQ.1.4 .
AQ.1.6	The Applicant	Dust emissions (Baseline)

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<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	<p>(i) The baseline dust emissions monitoring sites were selected to inform the construction dust assessment with respect to the background dust deposition in the main development site area, in particular where there may be a history of dust generating activities, in accordance with IAQM guidance⁴³. These locations include background sites for agricultural-source dust and salt/sand from coastal processes, as described in paragraphs 1.2.2 and 1.2.8 of Volume 2, Appendix 12E of the ES [APP-214].</p> <p>(ii) No baseline monitoring was undertaken at Land East of the Eastlands Industrial Estate, Valley Road or Bucklewood Road as these locations were judged to be represented by the baseline monitoring in other areas.</p> <p>The outline Dust Management Plan (Table 1.1, Volume 1, Appendix 12A of the ES, [APP-213]) describes measures for dust monitoring. Baseline dust monitoring for identified receptors would be carried out prior to commencement of activities as detailed within Dust Management Plan secured by the measures set out in table 4.1 of the CoCP Part B (Doc Ref. 8.11(B)).</p>
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	See the Applicant's response to question AQ.1.6 .
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</p>

⁴³ Institute of Air Quality Management (IAQM). Guidance on the Assessment of Dust from Demolition and Construction. 2014. (Online). Available from: <http://iaqm.co.uk/text/guidance/construction-dust-2014.pdf>.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>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	<p>The approach to siting access points into sites as far from sensitive receptors as possible is a standard control measure outlined in IAQM guidance⁴⁴ but may not always be achievable depending on site constraints.</p> <p>The principal access for both construction and operation of the Land East of Eastlands Industrial Estate is the junction which joins with Lover's Lane. Its location has been selected to maximise distance from Common Farm Cottages and Crown Farm (approximately 350m). The entrance that is physically closer to Common Farm is only for access to the Caravan Park. Use of this entrance will be limited to the users and operators of the Caravan Park, thus it is not anticipated that there will be substantial dust emissions. The positioning of the entrances have been selected with road safety being a key criteria. Please note from a vehicle movement perspective, the caravan park is isolated from the rest of the Land East of the Eastlands Industrial Estate (i.e a vehicle will not be able to access the rest of the Land East of the Eastlands Industrial Estate from the caravan park entrance). For further details please refer to Figure 2.9 of the written responses which shows the layout of the Land East of Eastlands Industrial Estate. This drawing includes a general layout of the Land East of Eastlands Industrial Estate, details of the caravan site layout, and location for of the bus pick up point.</p>
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	<p>Paragraph 12.5.4 of Volume 2, Chapter 12 (Air Quality) of the ES [APP-212] references the following under measures employed to minimise the impacts of construction dust:</p> <ul style="list-style-type: none"> • Use of earth bunds with grassing/seeding, including a bund along the length of the southern Temporary Construction Area boundary (5m height), and early planting to supplement existing vegetation and hedging, to screen sensitive boundaries from fugitive dust from construction activities.

⁴⁴ Institute of Air Quality Management (IAQM). Guidance on the Assessment of Dust from Demolition and Construction. 2014. (Online). Available from: <http://iaqm.co.uk/text/guidance/construction-dust-2014.pdf>.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>The bund along the length of the southern boundary of the Temporary Construction Area is shown as construction zone C4 on the Main Development Site Construction Parameter Plans [PDA-003].</p> <p>Further screenings are identified in [APP-211, Figure 11.4] which are for the purposes of screening for main development site construction for noise mitigation. Of these measures B3, B6 and B7 are also bunds.</p> <p>While bunds are useful, the primary control of dust emissions from stockpiles, comes from the application of good practice to design the height and slope angles of stockpiles themselves to minimise windblown dust given the local meteorological conditions experienced at the main development site.</p>
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	<p>The monitoring of air quality during construction will be undertaken in accordance with the measures set out in Table 4.2 of the CoCP Part B (Doc Ref. 8.11(B)). Baseline dust monitoring would be undertaken at least 3 months prior to commencement of construction activities on the main development site. Monitoring results would be reported to ESC monthly throughout the monitoring period and reviewed through the Environment Review Group (ERG).</p>
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	<p>(i) See response at question AQ.1.6; where no additional baseline monitoring was undertaken, the area was judged to be represented by the baseline monitoring in other areas. The baseline dust deposition survey confirmed that dust deposition rates</p>

ExQ1	Question to:	Question:
		<p>are very consistent across the study area. The consideration of potential risks identified in the assessment initially assumes no embedded mitigation is applied, as per the IAQM guidance⁴⁵. The risk assessment identifies the level of mitigation that is recommended such that the residual effect is 'not significant', as described in Volume 2, Appendix 12A (Construction Dust Assessment) of the ES [APP-213].</p> <p>(ii) Safeguarding will be through dust monitoring and reporting. See response at question AQ.1.10.</p> <p>(iii) & (iv) The monitoring methods to be used will be based on established good practice for dust monitoring; this will be confirmed in the Dust Management Plan, as set out within the CoCP (Doc Ref. 8.11(B)).</p>
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	<p>(i) See response at AQ.1.6; the baseline dust monitoring for the Construction Dust Assessment included monitoring Site 3 and Site 5 which represent background sites for Construction Zone C, as shown in Volume 2, Chapter 12, Figure 12.2 of the ES [APP-215].</p> <p>(ii) See response at question AQ.1.10. Baseline dust monitoring would be undertaken prior to commencement of construction activities on the main development site and ongoing dust monitoring will be undertaken during the works. Dust monitoring locations, methods and frequencies would be agreed through the detailed Dust Management Plan. The proposed mitigation is based on best practice measures and informed by the risks identified through the dust impact assessment.</p>

⁴⁵ Institute of Air Quality Management (IAQM). Guidance on the Assessment of Dust from Demolition and Construction. 2014. (Online). Available from: <http://iaqm.co.uk/text/guidance/construction-dust-2014.pdf>.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
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> <p>(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?</p>
	Response	<p>(iii) See response at question AQ.1.10. Baseline dust monitoring would be undertaken prior to commencement of construction activities on the main development site and ongoing dust monitoring will be undertaken during the works. Dust monitoring locations, methods and frequencies would be agreed through the detailed Dust Management Plan. The accommodation campus was identified as a potential receptor, although the assessment reported impacts at the closest identified receptor, which was considered to present the worst case.</p> <p>(iv) No response from SZC Co. is required.</p>
AQ.1.14	The Applicant, ESC, EA, PHE	<p>Air Quality Assessment</p> <p>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.</p>
	Response	<p>Response to point 2 of RR-0673: Emissions from transport (road and rail), construction dust, combustion activities and the CHP at the temporary accommodation campus have been assessed for both construction and operational phases of the Project (where appropriate). No significant effects have been identified.</p> <p>Response to point 1, 4 and 6 of RR-0673: Emissions from transport and dust during construction of the main development site and associated developments have been assessed at sensitive receptors in Leiston and Sizewell, including residential receptors and the temporary workers accommodation site. As reported in Volume 2, Chapter 12 (Air Quality) of the ES [APP-212] and Section 2.7 in Volume 1, Chapter 2 (Main Development Site) of the ES Addendum [AS-181], no significant effects are predicted during construction or operation of the Sizewell C Project, and there is not anticipated to be any exceedances of air quality standards.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>Response to point 3 of RR-0673: The extent of the study area in the air quality assessment is presented in Paragraph 12.3.12 of Volume 2, Chapter 12 (Air Quality) of the ES [APP-212], and has been chosen in line with appropriate published guidance (e.g. IAQM⁴⁶⁴⁷, Highways England⁴⁸). It is considered very unlikely that any significant effects would occur beyond this area, and therefore the study area is considered to be appropriate.</p> <p>Response to point 5 and 8 of RR-0673: The mitigation measures proposed to control construction dust impacts have a strong track record of providing effective protection to off-site receptors and are considered sufficient to mitigate the effects from small particulate matter, and are based on IAQM recommended measures that are appropriate to the activity and scale at each site. The CoCP (Doc Ref. 8.11(B)) outlines the proposed control measures to mitigate air quality impacts.</p>
AQ.1.15	The Applicant	<p>Air Quality Assessment</p> <p>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.</p>
	Response	<p>Emissions of carbon monoxide from the emergency diesel generators were assessed and the results were presented in Section 5, Table 5-9 of Volume 2, Appendix 12C of the ES [APP-214], and were found to be insignificant for all scenarios assessed at all receptors.</p> <p>Emissions of formaldehyde were not assessed. Emissions of volatile organic compounds (VOC), for the proposed diesel generators would be <100mg/m³. This would include other VOC species as well as potentially formaldehyde, and would be considered to comprise mainly of methane. As such, it is considered that when compared to the Environmental</p>

⁴⁶ Institute of Air Quality Management (IAQM). Guidance on the Assessment of Dust from Demolition and Construction. 2014. (Online). Available from: <http://iaqm.co.uk/text/guidance/construction-dust-2014.pdf>.

⁴⁷ Institute of Air Quality Management (IAQM) and Environmental Protection UK. Land-Use Planning & Development Control: Planning for Air Quality. 2017. (Online). Available from: <https://iaqm.co.uk/text/guidance/air-quality-planning-guidance.pdf>.

⁴⁸ Highways England. Sustainability & Environment Appraisal LA 105 Air quality. 2019. (Online) Available at: <http://www.standardsforhighways.co.uk/ha/standards/dmrb/vol11/section3/LA%20105%20Air%20quality-web.pdf>.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>Assessment Levels (EALs) for formaldehyde ($5\mu\text{g}/\text{m}^3$ for annual average impacts, and $100\mu\text{g}/\text{m}^3$ for hourly impacts), the impacts would be insignificant. As an example, the assessed concentration for particulate emissions was $50\text{mg}/\text{m}^3$ from the diesel generators. At the worst case receptor the annual average predicted concentrations during commissioning and operation were $0.02\ \mu\text{g}/\text{m}^3$ and $0.006\ \mu\text{g}/\text{m}^3$ respectively. Therefore, assuming a worst case formaldehyde emission of $100\text{mg}/\text{m}^3$ would result in predicted concentrations of $0.04\ \mu\text{g}/\text{m}^3$ and $0.012\ \mu\text{g}/\text{m}^3$ (i.e. double those presented for particulates) respectively for commissioning and operation. This would represent 0.8% and 0.2% of the annual average formaldehyde EAL, and would be considered to be insignificant.</p> <p>As discussed in Volume 2, Appendix 12C of the ES [APP-214], during start-up of the reactors, emissions of formaldehyde and carbon dioxide can be liberated from the nuclear auxiliary building stack (the main stack). These are listed in Volume 2, Appendix 4C (Operational Gaseous Emissions) of the ES [APP-188]. As the emissions only occur during start-up (assumed to occur twice a year) and only for a few hours at that time, and are released from a 70m high stack, based on the predicted release rates these have been screened out as having insignificant effects on air quality and have not been assessed further in the air quality assessment presented in Volume 2, Chapter 12 of the ES [APP-212].</p>
AQ.1.16	The Applicant, ESC, SCC	<p>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.</p> <p>Response Receptor WB8 has been assessed to represent effects at Farlingaye High School, as it is located at a closer distance adjacent to the same section of the A12. Results from the transport emissions assessment (presented in Volume 3, Appendix 2.7.C (Transport Emissions Assessment) of the ES Addendum [AS-127]) indicate that the effects from transport emissions at this receptor will be negligible (not significant) during construction (early year and typical and busiest day peak year) and operation. Predicted air pollutant concentrations will remain well below the relevant air quality standards protective of health at all receptors, and the maximum change in concentration and exposure is orders of magnitude lower than is required to quantify any measurable health outcome. On this basis, there is considered to be no measurable health risk or</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		disproportionate impact to students travelling to or studying at Farlingaye High School from proposed changes in transport emissions.
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	No response from SZC Co. is required.
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	No response from SZC Co. is required.
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	The Applicant and ESC have maintained regular dialogue regarding air quality assessment, predicted effects and proposed mitigation measures. These measures are being agreed through an air quality mitigation plan as detailed in the draft Statement of Common Ground between the Applicant and ESC (Doc Ref. 9.10.12).
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	No response from SZC Co. is required.
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?

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>(ii) If so where can it be found?</p>
AQ.1.22	ESC, SCC	<p>Air Quality</p> <p>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.</p>
AQ.1.23	ESC	<p>Air Quality</p> <p>(i) Are you concerned that the scheme may result in the failure to comply to any statutory air quality limit?</p> <p>(ii) If this is the case please provide details of the concerns, the limits that apply and the area(s) this would cover.</p>
	Response	<p>A response to the query mentioned in the ESC Relevant Representation was provided to ESC during a series of engagement meetings.</p> <p>The following response was provided:</p> <ol style="list-style-type: none"> 1. As described in the Transport Emissions Assessment (Volume 2, Appendix 12B of the ES [APP-213]), the locomotive modelling comprises movement of locomotives and stationary engine idling. For assessment purposes, it is anticipated that the time spent at the passing loop and the Saxmundham to Leiston branch junction will be minimal, the three hour idling time is anticipated to represent the time spent at the rail head. 2. The locations of each of the stationary sources are presented in the Figure 12B.1 of Volume 2, Appendix 12B of the ES [APP-213] 3. Short term NO₂ and PM₁₀ impacts are discussed in section 1.2, D, ii of Volume 2, Appendix 12B (Transport Emissions Assessment), of the ES [APP-213]. 4. The workers campus has been assessed as a sensitive receptor (LE42) in Volume 2, Chapter 12 of the ES [APP-212].
	Response	<p>No response from SZC Co. is required.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		(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?
	Response	No response from SZC Co. is required.
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. 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	<p>Volume 1, Appendix 2.2.B (Updated Description of Construction) of the ES Addendum (Doc Ref. 6.14(A)) states that the Combined Heat and Power (CHP) Plant building would be approximately 10m in height and require an exhaust stack, which would be approximately 4m above the building roof height. The exhaust height is expected to be approximately 14m above ground level.</p> <p>Volume 2, Chapter 12 (Air Quality) of the ES [APP-212] assumes that the CHP plant would be gas fuelled, with a thermal output of approximately 1,900kW and electrical output of approximately 1,700kW, and Table 12.11 assumes that the exhaust height is 12.8m for a worst-case assessment from an air quality perspective.</p> <p>The air quality assessment in [APP-212] based on a 12.8m exhaust height is considered to be appropriate as a reasonable worst-case scenario for the purposes of undertaking an assessment on a precautionary basis. If the stack height was to be increased above that level the air quality effects would be correspondingly reduced.</p> <p>The location of the exhaust stack, as set out in Table 12.11 of [APP-212] has been added to the Construction Parameter Plan (Doc Ref. 2.5(D)) submitted at Deadline 2.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>General compliance with Appendix 2.2.B (Doc Ref. 6.14(A)) and the Construction Parameter Plans (Doc Ref. 2.5(D)) would be secured through Requirement 8 of the draft DCO (Doc Ref. 3.1(C)).</p>
AQ.1.25	The Applicant	<p>Combined Heat and Power Plant/back up energy centre 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. (i) Would all or some of the diesel generators still be required? (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	<p>i) The Emergency Diesel Generators are required for the operational generating station and will be used during the operational phase only. The CHP plant could not be repurposed for use as emergency back up on the main generating station as the CHP plant design and specification will not meet the nuclear safety standards and requirements. ii) The in-combination effects of the Emergency Diesel Generators and the CHP plant, if retained, were considered within paragraphs 12.6.67 and 12.6.68 of Volume 2, Chapter 12 of the ES [APP-212], with the preceding assessment covering emissions from the Emergency Diesel Generators only. However, SZC Co. is no longer proposing to retain the CHP Plant beyond the construction phase and it will be removed at the same time as the accommodation campus. The Emergency Equipment Store will also not be constructed within Zone 1M as shown on the Operational Parameter Plans [AS-118] and will instead be constructed within Zone 1A [AS-118]. Volume 1, Appendix 2.2.A (Updated Description of Permanent Development) of the ES Addendum (Doc Ref. 6.14(A)) has been updated accordingly and is provided with this response at Deadline 2. There is no potential for cumulative effects between the accommodation campus CHP plant for the construction phase and the Emergency Diesel Generators during the operational stage.</p>
AQ.1.26	The Applicant	<p>Combined Heat and Power Plant Paragraph 12.5.8 refers to the campus energy centre:</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>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> <p>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>
	<p>Response</p>	<p>(i) This is confirmed.</p> <p>(ii) The Medium Combustion Plant Directive (MCPD) specifies emission limits and emissions monitoring requirements for combustion plant that exceed 1MW electrical output; compliance is regulated by the Environment Agency through a separate Environmental Permit. This falls under item 14 Construction Combustion Activity Permit within the Schedule of Other Consents and Licences [APP-153].</p> <p>(iii) Yes, the emission levels assessed within the ES are based on MCPD compliance. Compliance with MCPD is regulated through the Environmental Permitting Regulations 2016, not the DCO.</p>
<p>AQ.1.27</p>	<p>The Applicant</p>	<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>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<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	<p>SZC Co. is no longer proposing to retain the CHP Plant beyond the construction phase so it will be removed at the same time as the accommodation campus. This is because the Emergency Equipment Store will now be located within the Main Platform (Parameter Zone 1A) meaning that the CHP plant no longer needs to be retained. Appendix 2.2.A of the ES Addendum (Doc Ref. 6.14(A)) and the Operational Parameter Plan (Doc Ref. 2.5(B)) have been updated to reflect this and provided at Deadline 2. Refer to response within question AQ.1.33 for a summary of the assessment presented within the ES.</p>
AQ.1.28	The Applicant	<p>Back Up Generator</p> <p>In the event the CHP is not utilised and a back up generator is subsequently provided for the operational period:</p> <p>(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?</p> <p>(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.</p> <p>(iii) How would this sit with the aims and purposes of the AONB?</p>
	Response	<p>(i) Refer to response question AQ.1.25. SZC Co. is no longer proposing to retain a CHP Plant as a back up generator for the Emergency Equipment Store, which has now been moved to Zone 1A.</p> <p>(ii) and (iii) The 12.8m height indicated refers to the potential height of the CHP plant stack that will be in use during the construction phase of the scheme. The building with the CHP plant and stack are located at Upper Abbey Farm just outside the AONB boundary, refer to the Construction Parameter Plans (Doc Ref. 2.5(D)) for location.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>The Operational Parameter Plan (Doc Ref. 2.5(B)) has been updated to remove Zone 1M, as the Emergency Equipment Store has now been moved to Zone 1A.</p>
AQ.1.29	The Applicant	<p>Combined Heat and Power Plant</p> <p>Appendix 12F provides an assessment of the CHP emissions. It does not however specify what form of plant was utilised to generate the data.</p> <p>(i) What type of plant does this assess, running what fuel and with what assumed flue height/location?</p> <p>(ii) How would this be delivered through the DCO?</p>
	Response	<p>(i) A gas-fired CHP plant was assessed with a stack height of 12.8m, that meets the emissions performance specified in the Medium Combustion Plant Directive. The location of the flue has been added onto the Construction Parameter Plan (Doc Ref. 2.5(D)).</p> <p>(ii) General compliance with Volume 1, Appendix 2.2.B of the ES Addendum (Doc Ref. 6.14(A)) and the Construction Parameter Plans (Doc Ref. 2.5(D)) would be secured through Requirement 8 of the draft DCO (Doc Ref. 3.1(C)). Compliance with the requirements of the Medium Combustion Plant Directive is regulated through the Environmental Permitting Regulations 2016, not the DCO.</p>
AQ.1.30	The Applicant	<p>Accommodation Campus</p> <p>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.</p> <p>(i) As alternatives are being sought what process would prevent more than one alternative being provided?</p> <p>(ii) Has a cumulative assessment been carried out in the event that more than one power source were to be provided?</p>
	Response	<p>(i) The power provision is only to supply the accommodation campus demand in the event that site power cannot be obtained through the local transmission network. There would be no benefit to SZC Co. to install multiple power provisions for that purpose as the excess capacity would be unused; there is no intention to export power from the campus supply back to the transmission system.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		(ii) The wording of Work no. 3 of the draft DCO (Doc Ref. 3.1(C)) has been updated to specify that the accommodation campus can be serviced by the CHP Plant or an alternative form of supply, such as air-source / ground-source heat pumps.
AQ.1.31	The Applicant	<p>Combined Heat and Power Plant</p> <p>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.</p> <p>If the CHP is not utilised what back up energy system has been assessed and where can the details of this be found?</p>
	Response	<p>The ES assumed that, if retained, the CHP Plant of the accommodation campus would be used as a back up generator for the Emergency Equipment Store. SZC Co. is no longer proposing to retain the CHP Plant as a back up generator for the Emergency Equipment Store, which has now been moved to Zone 1A. With the moving of the Emergency Equipment Store to Zone 1A, it will no longer require a standalone back up energy system.</p>
AQ.1.32	The Applicant	<p>Combined Heat and Power Plant</p> <p>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.</p> <p>In answering the above questions please address any knock on effects which may be relevant to these aspects of the scheme.</p>
	Response	<p>There are no changes to the significance of the effects determined within the ES as a result of the responses presented above. With the moving of the Emergency Equipment Store to Zone 1A and the confirmation that the CHP Plant would not be retained during the operational phase, no emissions to air, noise or landscape and visual effects from these facilities would occur at Upper Abbey Farm during the operational phase. Furthermore, the moving of the Emergency Equipment Store to Zone 1A does not change the parameters of</p>

ExQ1	Question to:	Question:
		Zone 1A assessed within the ES or introduce any new emission sources within this location.
AQ.1.33	The Applicant	<p>Accommodation campus</p> <p>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:</p> <p>(i) Please provide a clear explanation of the alternatives considered and set out clearly where they have been assessed within the ES.</p> <p>(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.</p>
	Response	<p>i) The ES assessed the following alternatives:</p> <ul style="list-style-type: none"> • During construction, the accommodation campus would either be provided with heat and power through (a) the CHP Plant; or (b) electricity through construction electrical supply and heat through air source heat pumps (ASHPs); • During operation, if a CHP Plant was provided for the accommodation campus during the construction phase, this could have also been retained as a back up generator for the Emergency Equipment Store during the operational phase. However, as explained within question AQ.1.25, SZC Co. is no longer proposing to retain the CHP Plant as a back up generator for the Emergency Equipment Store, which has now been moved to Zone 1A. The emergency diesel generators for the nuclear power station would have been required in both scenarios. <p>The above scenarios have been assessed as follows within the ES:</p> <ul style="list-style-type: none"> • Volume 2, Chapter 11 (Noise and Vibration) of the ES [APP-202]: <ul style="list-style-type: none"> ○ During construction phase, for noise from CHP Plant or ASHPs – refer to paragraphs 11.6.105 to 11.6.112. ○ During operational phase, the retention of the CHP plant comprises the worst case for EIA purposes. The assessment is provided within paragraphs 11.6.163 to 11.6.167, with no significant effects identified. With the removal of the CHP Plant from the operational phase, these effects would be reduced.

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> • Volume 2, Chapter 12 (Air Quality) of the ES [APP-212]: <ul style="list-style-type: none"> ○ During the construction phase, emissions from the CHP Plant are assessed within paragraphs 12.6.20 to 12.6.25. ○ During the operational phase, assessment of emissions from the CHP Plant, if retained, in combination with the emergency diesel generators (the worst case for EIA purposes) is provided within 12.6.67 to 12.6.68. The in-combination effects are assessed as not significant. With the removal of the CHP Plant from the operational phase, the assessment of emissions from the emergency diesel generators only, as set out within paragraphs 12.6.38 to 12.6.66, is now relevant. • Volume 2, Chapter 13 (Landscape and Visual) of the ES [APP-216]: <ul style="list-style-type: none"> ○ The landscape and visual assessment considered the parameters described within Volume 2, Chapters 2 and 3 of the ES [APP-180, APP-184], which allowed for the alternatives described above to be brought forward. With the moving of the Emergency Equipment Store to Zone 1A and the deletion of Zone 1M from the Operational Parameter Plan (Doc Ref. 2.5(B)), the effects at Upper Abbey Farm would be reduced. <p>The outcomes of the above assessments were subsequently taken into account within other topic chapters of the ES (e.g. terrestrial historic environment, terrestrial ecology and ornithology, amenity and recreation, health and wellbeing etc.).</p> <p>ii) The parameter plans have been developed to provide the flexibility to deliver the alternative options described above, with the worst case assessment of the alternatives provided within the ES chapters. Therefore, the delivery of the above alternatives will be controlled through compliance with the following:</p> <ul style="list-style-type: none"> • Construction Parameter Plan (Doc Ref. 2.5(D)); • Operational Parameter Plan (Doc Ref. 2.5(B)); <p>Volume 1, Appendix 2.2.B of the ES Addendum (Doc Ref. 6.14(A)).</p>
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>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		(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?
	Response	The Applicant notes that the approach to dust mitigation has been discussed and is being agreed with the Councils through the air quality mitigation plan, as recorded within the Statement of Common Ground (Doc Ref. 9.10.12).
AQ.1.35	ESC, SCC, PHE, EA, Natural England	Dust Soiling (i) Are you satisfied with the suggested monitoring of dust emissions from the development? (ii) If not what additional mitigation would you wish to see and how do you consider this should be secured?
	Response	The Applicant notes that the approach to dust monitoring has been discussed and is being agreed with the Councils through the air quality mitigation plan, as recorded within the Statement of Common Ground (Doc Ref. 9.10.12).
AQ.1.36	The Applicant	Dust Soiling 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.
	Response	As described in Table 12.17 of Volume 2, Chapter 12 (Air Quality) of the ES [APP-212], the surface stripping associated with earthworks in Zone A is identified to require activity-specific mitigation. Monitoring would be undertaken such that applied mitigation is proportionate and effective. Based on the potential risk associated with this activity, dust monitoring will be undertaken before and during this activity. The monitoring requirement would be secured through compliance with the CoCP (Doc Ref. 8.11(B)) under Requirement 2 of the draft DCO (Doc Ref. 3.1(C)).
AQ.1.37	The Applicant	Dust Soiling Please explain how the monitoring referred to in paragraph 12.6.8 [APP 212] would be secured.
	Response	Monitoring and inspection, including regular site inspections and monitoring of on-site haul roads, as described in M5.1 and M5.5 of the outline Dust Management Plan (Volume 2 ,

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>Appendix 12A (Construction Dust Assessment) of the ES [APP-213]), would be secured through compliance with the CoCP (Doc Ref. 8.11(B)) under Requirement 2 of the draft DCO (Doc Ref. 3.1(C)).</p>
AQ.1.38	The Applicant	<p>Dust Emissions 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	<p>As described in Volume 1, Appendix 6H (Air Quality Legislation and Methodology) of the ES [APP-171], fugitive dust impacts are screened out beyond 50m of the source for ecological receptors, in accordance with IAQM guidance⁴⁹, and borrow pits and stockpiled materials are too remote for potential effects on Minsmere Levels. Fugitive dust deposition to surface water within Sizewell Levels (that has connectivity with Minsmere Levels) would be controlled in accordance with the requirement to mitigate dust deposition impacts at this receptor, as described in Volume 2, Chapter 12 (Air Quality) of the ES [APP-212]. Sediment run off from stockpiles to surface water and groundwater will be similarly controlled through the CoCP (Doc Ref. 8.11(B)).</p> <p>Management of construction earthworks and borrow pits to minimise risks to groundwater and from surface water run-off, is considered in Volume 2, Chapter 19 (Groundwater and Surface Water) of the ES [APP-297]. As set out within Chapter 25 in response to W.1.11.</p> <p>The excavation and backfilling of material from the borrow pits is likely to have a temporary effect on the groundwater flow in this area. This effect will be managed by engineered drainage in this area, as set out within the CoCP, Part B, Section 11 (Doc Ref. 8.11(B)). The effect on groundwater flow is assessed as negligible to minor adverse (not significant) on groundwater receptors. Measures to protect the quality of groundwater and surface water receptors down gradient include retention of 2m unsaturated zone between the base of the borrow pits and the water table and limiting the height of temporary stockpiling above the borrow pits to 5m. In addition, as set out within the Borrow Pit Risk Assessment [APP-296], there is likely to be a short-term increase</p>

⁴⁹ Institute of Air Quality Management (IAQM). Guidance on the Assessment of Dust from Demolition and Construction. 2014. (Online). Available from: <http://iaqm.co.uk/text/guidance/construction-dust-2014.pdf>.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>in groundwater alkalinity beneath and downgradient of the borrow pits, if lime stabilisation is used. However, the assessment indicates that concentrations in groundwater are unlikely to rise significantly above the measured baseline. It is concluded that lime modification will not adversely affect groundwater and surface water receptors, including within the Minsmere and Walberswick Heath & Marshes SSSI, SAC, SPA and Ramsar site. Likely effects on the water quality of controlled waters from the backfilling of the borrow pits are assessed as negligible to minor adverse (not significant) in Volume 2, Chapter 19 (Groundwater and Surface Water) of the ES [APP-297]. Chemical testing of materials, as required by the Materials Management Strategy [APP-185, as updated within AS-202], will limit the potential for impacts on the quality of controlled waters downgradient.</p>
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	<p>i) The construction dust assessment presented within Volume 2, Chapter 12 of the ES [APP-212] was informed by the quantities of materials to be excavated as set out within Volume 2, Chapter 3 (Description of Construction) of the ES [APP-184] and Materials Management Strategy (Volume 2, Appendix 3B of the ES [APP-185]). It is noted that the Materials Management Strategy Update (Volume 3, Appendix 2.2.C of the ES Addendum [AS-202]) submitted to the Examining Authority in January 2021 does not change the conclusions of the assessment, as the magnitude of dust emissions to be generated by the proposed development was already categorised as 'large' based on the eartworks area alone. This is the highest category of magnitude of dust emissions that can be assigned, as set out within Table 12.4.</p> <p>ii) Requirement 8 of the draft DCO (Doc Ref. 3.1(C)) sets out the requirement for the construction works to be undertaken in general compliance with the Construction Method Statement (which comprises the Description of Construction chapter of the ES). Any material exceedance of the depths of excavations described would be a breach of</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>requirement 8. The DCO as drafted does effectively limit the depth to which works could be undertaken.</p>
AQ.1.40	The Applicant, ESC, SCC	<p>Mitigation</p> <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>(i) The level of mitigation deployed for particular activities and locations has been based on a risk assessment of potential effects. The system is by its nature proactive in identifying the need to apply more mitigation to works tasks with greater potential to generate dust emissions, and reactive in immediately responding to, visual appraisal of dust generation risks and meteorological conditions. In line with best practice, the dust deposition rate monitoring generates data that initially confirms that management measures are as effective as is expected (i.e. rates below 0.5g/m²/day) and then provides a point of reference to check for any erosion in the margin of ongoing delivery of the same high level of protection. The approach is intended to deliver effective ongoing protection to sensitive receptors, rather than being a short term alert system.</p> <p>(ii) See response to question AQ.1.10, the additional mitigation is secured through compliance with the measures set out within the CoCP (Doc Ref. 8.11(B)). In addition, the mitigation measures will be documented in the Dust Management Plan which will include additional control measures to be employed in the event of for example unfavourable weather conditions.</p> <p>(iii) The dust monitoring results will be collated weekly so works will not immediately link to dust monitoring results. However, the contractor will use visual appraisal of dust levels during works and will increase control measures or mitigation, if required based on the conditions at the time of works. If monitoring results indicate exceedance of the threshold</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		then additional controls will be proposed to and agreed with the Environment Review Group.
AQ.1.41	The Applicant, ESC	<p>Dust Emissions (Rail)</p> <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	The Applicant notes that the approach to dust monitoring has been discussed and is being agreed with the Councils through the air quality mitigation plan, as recorded within the Statement of Common Ground (Doc Ref. 9.10.12).
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	<p>The mitigation identified is considered to be sufficient to avoid adverse impacts to human health, because the level of mitigation has been defined by the need to mitigate the higher risk of dust soiling impacts at receptors, rather than the lower risk of PM₁₀ impact; and such mitigation would also lessen the risk of potential PM₁₀ impact, as described at paragraph 12.6.12, and Table 12.16, Volume 2, Chapter 12 (Air Quality) of the ES [APP-212].</p> <p>As detailed in Volume 2, Chapter 12 of the ES (for main development site) [APP-212]; Chapter 5 of Volumes 3-9 of the ES (for associated developments) [APP-357, APP-387, APP-418, APP-454, APP-487, APP-517 and APP-548] and the CoCP (Doc Ref. 8.11(B)), localised changes in air quality during construction, are temporary; associated with specific activities; and not of a concentration or exposure sufficient to quantify any measurable adverse health outcome at any receptor.</p>

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

ExQ1	Question to:	Question:
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	<p>Ammonia emissions do not occur from the generating station stacks or emergency diesel generators. No assessment of ammonia concentrations from road vehicles has been included as ammonia emissions are not identified as pollutants requiring assessment by the guidance on assessing impacts from road traffic emissions (LA105) published by Highways England⁵⁰. In addition, road traffic ammonia emissions are not included in the Defra toolkit⁵¹ nor was it identified as being appropriate to consider in the EIA Scoping Report [APP-168] or Scoping Opinion [APP-169]. Ammonia emissions from road traffic are not expected to result in significant contributions at the habitat sites or any other receptor.</p>
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	<p>The air quality assessment considers the effects on NO_x, NO₂, PM₁₀ and PM_{2.5} from traffic travelling on the A12 past Darsham. No additional roads in Darsham are anticipated to have a large enough change in traffic flow to meet the selection criteria for any further assessment or detailed modelling recommended by Highways England and/or IAQM, as set out in Table 1.1 of Volume 2, Appendix 12B of the ES [APP-213]. Therefore,</p>

⁵⁰ Highways England. Sustainability & Environment Appraisal LA 105 Air quality. 2019. (Online) Available at: <http://www.standardsforhighways.co.uk/ha/standards/dmrb/vol11/section3/LA%20105%20Air%20quality-web.pdf>.

⁵¹ Department for Environment Food and Rural Affairs. Emissions Factors Toolkit (EFT) version 10.1. 2020. Available at: <https://laqm.defra.gov.uk/review-and-assessment/tools/emissions-factors-toolkit.html>.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>changes in traffic flow on roads in Darsham (besides the A12) are unlikely to result in a significant effect at any sensitive receptors.</p> <p>CO₂ emissions from vehicles are not at a scale to have any localised effects – carbon dioxide from traffic generally is a national issue managed through national traffic reduction and decarbonisation schemes as the UK moves towards net zero targets.</p>
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	<p>The Applicant notes that the robustness of the assessment in the Stratford St Andrew AQMA has been discussed and is being agreed with the Councils through the air quality mitigation plan, as recorded within the Statement of Common Ground (Doc Ref. 9.10.12).</p>
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	<p>A series of engagement meetings have been held between SZC Co, ESC and SCC that focus on issues raised in the relevant representations. In response to the comments received and additional engagement, further work has been undertaken and consulted on with ESC and SCC including sensitivity testing of emissions at different vehicle speeds within the Stratford St Andrew AQMA. The methodology and sensitivity testing report are presented in Volume 3, Appendix 2.7.A (Stratford St Andrew AQMA Sensitivity Test) of the ES Addendum [AS-127].</p>
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>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<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>
AQ.1.48	The Applicant	<p>Air Quality Monitoring</p>
	Response	<p>i) Sensitivity testing has been undertaken to support the assumptions of the transport emissions assessment. No exceedances of air quality standards are predicted in the AQMAs as a result of the development, as reported in the Volume 3, Appendix 2.7.C (Transport Emissions Assessment) of the ES Addendum [AS-127].</p> <p>ii, iv) Ongoing discussions are being held with ESC regarding an agreed management and monitoring approach. It is agreed between the Applicant and ESC that NO₂ monitoring undertaken by the Council will continue to be supported financially by SZC Co.</p> <p>iii) A detailed assessment of the cumulative effects of transport emissions in combination with other schemes (including SPR EA1N and EA2) has been undertaken, the results of which are presented in Volume 1, Chapter 10 (Project-wide, Cumulative and Transboundary Effects) of the ES Addendum [AS-189]. No significant effects or exceedances of air quality standards are predicted. Once SZC is constructed and operational, it will become part of the baseline to be considered by future projects thereafter. Similarly, projects coming forward now should take into account the predicted effects of SZC traffic through use of a modified baseline and consideration of cumulative effects.</p> <p>iv) In response to the Relevant Representations and the engagement, SZC Co. has committed to construction HGV vehicles meeting Euro VI emissions performance standards, as confirmed in the CoCP (Doc Ref. 8.11(B)). SZC Co. has shared an Air Quality Mitigation Plan with the Councils which sets out how the improved commitments could be implemented, as recorded within the Statement of Common Ground (Doc Ref. 9.10.12).</p>

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	<p>(i) Ongoing discussions are being held with ESC regarding an agreed management and monitoring approach. It is agreed between the Applicant and ESC that NO₂ monitoring undertaken by the Council will continue to be supported financially by SZC Co., including the monitoring of compliance within the Stratford St Andrew AQMA but also at other locations.</p> <p>(ii) See above.</p>
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	<p>(i) In response to the Relevant Representations and the engagement, SZC Co. has committed to construction plant meeting Stage IV emissions performance standards. SZC Co. has shared an Air Quality Mitigation Plan with the Councils which sets out how the improved commitments could be implemented, as recorded within the Statement of Common Ground (Doc Ref. 9.10.12).</p> <p>(ii) Further discussions have been held with the Councils to agree the assessment conclusions and mitigation measures to be required for NRMM, as set out in the Air Quality Mitigation Plan within the Statement of Common Ground (Doc Ref. 9.10.12).</p>
AQ.1.50	EA	Concrete Batching Plants

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		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?
	Response	No further response from SZC Co. is required.
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> <p>(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?</p>
	Response	The wording relating to surfacing of haul routes has been discussed between the Applicant and the Councils and proposed wording is included in the Air Quality Mitigation Plan, as recorded within the Statement of Common Ground (Doc Ref. 9.10.12).
AQ.1.52	The Applicant	<p>NO₂ Emissions</p> <p>A resident of Leiston [RR-204] expresses concern that the development would lead to adverse NO₂ emissions from HDVs, please respond to this specific concern.</p>
	Response	A detailed air quality assessment has been undertaken (see Volume 2, Appendix 12B of the ES [APP-213] for methodology and Volume 3, Appendix 2.7.C of the ES Addendum [AS-127] for results) that identifies no predicted significant adverse effects from the increase in vehicles on the A12 and local roads, including through Leiston, during construction and operation of the proposed development. No exceedances of air quality standards are predicted for any pollutants associated with road transport.
AQ.1.53	The Applicant	<p>Traffic emissions at Yoxford</p> <p>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.</p>
	Response	The effect from Yoxford Roundabout has been assessed by considering its impact on nearby sensitive receptors (YX2, YX3, YX6 YX18, YX19, YX20). The Kings Head on the A12 is represented by YX3. The effects from traffic on the A12 and Yoxford Roundabout are

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>predicted to be negligible (not significant) at this receptor, and pollutant levels are predicted to be below the air quality standards, including short-term levels as applicable to the hotel/restaurant, based on the approach outlined in LAQM.TG16⁵² (Paragraph 1.2.28 to 1.2.31 of Volume 2, Appendix 12B (Transport Emissions Assessment) in the ES [APP-213]).</p>
AQ.1.54	The Applicant	<p>Mitigation</p> <p>Please explain how the various elements of mitigation relate to each other, and how they are secured by the dDCO.</p> <p>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).</p> <p>Please also set out which document would have precedence in the event of a conflict.</p>
	Response	<p>The Dust Management Plan (DMP) is required to be submitted to the Applicant as part of the details submitted for the Code of Construction Practice. The DMP must be in accordance with the principles of the Outline DMP as amended by the agreed mitigation measures in the Air Quality Mitigation Plan being agreed between SZC Co. and the Councils.</p> <p>There should be no conflict between the various documents but for the avoidance of doubt the Outline DMP will take precedence on the dust control measures to be adopted.</p>
AQ.1.55	The Applicant	<p>Mitigation</p> <p>Table 12.17 of [APP-212] Refers to LE25 – The Round House:</p> <p>(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?</p> <p>(ii) How would this be enforced?</p>
	Response	<p>SZC Co. is proposing to acquire the Round House property by agreement with the landowner. The property would be unoccupied during the construction period. Therefore, no further mitigation is required.</p>

⁵² Department for Environment Food and Rural Affairs. Local Air Quality Management Technical Guidance (TG16). 2018. Available at: <https://laqm.defra.gov.uk/documents/LAQM-TG16-February-18-v1.pdf>.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
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	<p>The effects of air quality at sensitive receptors on the B1122 during the early years construction scenario are presented in Table 2 to Table 4 of Annex 2.7.C.1 in Volume 3, Appendix 2.7.C (Transport Emissions Assessment) of the ES Addendum [AS-127]. Refer specifically to receptors YX6, YX19, YX7, LE5, LE6 which represent receptors adjacent to the B1122. The effects at these receptors are predicted to be negligible for all receptors, therefore the effects at these receptors are not significant during early years. In addition, air quality would remain well below the air quality standards.</p> <p>As set out within Volume 3, Appendix 2.6.B of the ES Addendum [AS-204], noise effects at sensitive receptors on B1122 are assessed to be moderate adverse (significant) between the A12, Yoxford Junction (site access), Middleton Moor, Mill Street and B1125. Where affected properties meet the qualifying criteria, the provisions of the Noise Mitigation Scheme (the original version of which was contained in Volume 2, Appendix 11H of the ES [APP-210] with a revised version appended to the draft Statement of Common Ground with ESC (Doc Ref. 9.10.12)) will apply to avoid significant adverse effects on health and quality of life.</p> <p>Furthermore, as identified within Volume 1, Chapter 2 of the ES Addendum [AS-181], the users of B1122 would experience moderate to major adverse (significant) effects due to a reduction in amenity. Highway condition survey of B1122 prior to commencement of construction and a maintenance fund for the B1122 are proposed to mitigate the effects.</p> <p>The peak year construction scenario is anticipated to have more traffic travelling to the main development site which, without the mitigation of the Sizewell link road, has the potential to have worse air quality, noise and traffic effects at receptors near the B1122 than those assessed for the traffic volume expected in the early years. The Sizewell link road will provide effective mitigation against such effects.</p>
AQ.1.57	The Applicant	Southern Park and Ride

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		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
	Response	A detailed assessment of transport emission (presented in Volume 3, Appendix 2.7.C (Transport Emissions Assessment) of the ES Addendum [AS-127]) and construction dust (Volume 4, Appendix 5A of the ES [APP-388]) has been carried out for the southern park and ride. The dust assessment follows the guidance and methods set out in IAQM Guidance on the Assessment of Dust from Demolition and Construction ⁵³ . The assessment considers the risk of dust generating activity during construction of the southern park and ride, the sensitivity of the area to dust soiling and human health effects (ecological effects were screening out due to no sensitive sites within the construction dust study area), and concluded that no significant effects are anticipated during construction of the site, with the implementation of mitigation measures set out in the CoCP (Doc Ref. 8.11(B)). In addition, a detailed assessment of the effects from transport emissions at receptors near the southern park and ride (including receptors on the B1116, B1078 and Station Road) has concluded that no significant effects are expected during the construction and operation of the park and ride.
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.</p> <p>(ii) How might this be controlled, should it be necessary?</p>
	Response	i) The impact of stationary trains has been assessed in combination with moving train and road transport emissions for the 2028 peak year of construction scenario (typical and busiest day) and the effects of these on sensitive receptors have been presented in the Volume 3, Appendix 2.7.C (Transport Emissions Assessment) of the ES Addendum [AS-127]. A conservative assumption that trains will be idling for up to 3 hours a day at a time has been applied in the assessment. For the stationary trains near the main

⁵³ Institute of Air Quality Management (IAQM). Guidance on the Assessment of Dust from Demolition and Construction. 2014. (Online). Available from: <http://iaqm.co.uk/text/guidance/construction-dust-2014.pdf>.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		development site, the receptors likely to be most impacted are those near Leiston and Sizewell village. The effect of idling trains will be negligible (not significant). ii) Trains waiting to enter the site are not anticipated to be idling for more than the 3 hours assessed, so no controls on emissions are necessary. However drivers will be encouraged to avoid unnecessary locomotive engine idling whilst stationary.
AQ.1.59	The Applicant	Back Up Generators 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.
	Response	(i) The back-up diesel generators are required to be nuclear safety qualified and meet relevant quality standards including the RCC-E Design and Construction Rules for Electrical Components of PWR Nuclear Islands ⁵⁴ . As such, the selected generators have undergone rigorous testing to ensure that they are fit for the nuclear safety case purpose. Alternatives to diesel generators have been considered but no such alternative has been identified that is always available as quickly as required in an emergency, does not rely on electrical supplies in the event of a power failure and that meets the electrical demand required. Alternative generators, with lower emissions, would be required to be qualified for the nuclear safety case, and it is considered that the cost of this qualification process is disproportionate to the environmental benefits that would be achieved, especially considering the limited operating hours during routine operation. In order to support this position, a cost benefit analysis (CBA) assessment is currently being prepared, in response to a Schedule 5 Request for Further Information, issued by the Environment Agency for the Environmental Permit application for the diesel generators.

⁵⁴ AFCEN. RCC-E: Design and construction rules for electrical equipment of PWR nuclear islands.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		ii) The generators will be regulated by the Environment Agency through an Environmental Permit which will set emission limits and monitoring and control measures required during their operation. The permit application prepared by SZC Co. has to demonstrate that the use and operation of the diesel generators represents Best Available Techniques (BAT).
AQ.1.60	Natural England, ESC, EA	<p>Back Up Generators [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? (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	<p>The assessment of the impacts against the daily critical level was carried out based on the assumption that one Emergency Diesel Generator (EDG) operates continuously throughout the whole year, in order to ensure that the meteorological conditions that lead to the worst case impact were taken into account.</p> <p>Each diesel generator will only be tested on an individual basis, for a period of 60 hours per year. The only time any generator will be tested for a full 24 hour period is following a maintenance outage, and therefore it will be an infrequent event.</p> <p>The assessment was also based on the EDG that was positioned closest to the Sizewell Marshes SSSI, again leading to the worst-case results. The EDGs that are further away from the SSSI, result in impacts that are half those presented in the assessment. In addition, the impacts from the smaller Ultimate Diesel Generator (UDG) engines would not lead to any exceedances.</p> <p>Section 5 of Volume 2, Appendix 12C of the ES [APP-214] provides statistical analysis of an exceedance of the daily NO_x impacts actually occurring. This concluded that there is a 1.6% chance of the operation of the diesel generators occurring at the same time when the meteorological conditions would lead to an exceedance of the daily NO_x Critical Level, and it is considered very unlikely that this would actually occur. This analysis does not take into account the frequency of actual operation over a 24 hour period, the positioning of the diesel generators (i.e. is only based on the generator that leads to the worst case</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		impacts), nor does it take account of the testing of the smaller UDGs). Therefore, the likelihood of an exceedance is would be even lower than 1.6%.
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	<p>The only exceedance assessed in the event of a loss of off-site power was for human health impacts, for the hourly NO₂ (as the 99.8th percentile) air quality strategy (AQS) objective.</p> <p>i. Table 5-2 of Volume 2, Appendix 12C of the ES [APP-214] details that this exceedance is only predicted to occur at the point in Sizewell village closest to the Sizewell C site, with a predicted environmental concentration representing 105% of the hourly NO₂ AQS (therefore only slightly over the AQS) and at one other individual residential property.</p> <p>The use of the 99.8th percentile allows for the exceedance of the hourly NO₂ air quality strategy objective for 18 hours per year. An exceedance of the objective could only occur if the loss of off-site power event lasted for more than 18 hours, and even then, only if the meteorological conditions resulted in emissions being dispersed towards two specific receptor locations. Given how unlikely a loss of off-site power event is to occur, an exceedance is considered highly unlikely to occur.</p> <p>ii. As stated above, an exceedance of the objective could only occur if the loss of off-site power event lasted for more than 18 hours, and if the meteorological conditions resulted in emissions being dispersed towards two specific receptor</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>locations. It is considered highly unlikely that these two events would occur concurrently, and that an exceedance could occur.</p>
AQ.1.62	<p>The Applicant</p> <p>Response</p>	<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> <p>For the routine testing scenario of 720 hours of operation per year, the predicted impacts in terms of human health are all considered to be insignificant. No exceedances of air quality standard objectives are predicted, and process contributions from the diesel generator are all below screening criteria demonstrating insignificance.</p> <p>For ecological impacts, annual average impacts at all receptors can be screened as insignificant against critical levels for atmospheric concentrations, with only daily impacts (conservatively assuming 24 hour operation of a diesel generator) resulting in a predicted exceedance. Section 5 of Volume 2, Appendix 12C [APP-214] provides statistical analysis of an exceedance of the daily NO_x impacts actually occurring. This concluded that there is a 1.6% chance of the operation of the diesel generators occurring at the same time when the meteorological conditions would lead to an exceedance of the daily NO_x Critical Level. Therefore, it is considered very unlikely that this would actually occur. In addition, the 720 hour assumption is an upper estimate of the hours of testing required per year and over a full year (8,760 hours) the ecological receptors would have no emissions impacting on them for more than 90% of the time. Further, the modelling is based on the emissions of the larger of the two diesel generators that will be present on site, leading to a conservative assessment. Actual effects are expected to be lower than those presented in the assessment.</p>
AQ.1.63	<p>The Applicant</p>	<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</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	<p>assessment that shows the relative effects of this scheme and what the levels might be without it taking place?</p> <p>The assessment of transport emissions in future construction and operation years includes a comparison (change) in pollutant concentration with the scheme compared to a reference case scenario which predicts the pollutant concentrations if the scheme was not in place. The comparison uses the same emission years (e.g. for the early year construction scenario, a 2023 reference case scenario and a 2023 with construction scenario has been assessed), applying the same backgrounds and emission factors published by Defra.</p> <p>In addition, a sensitivity test (presented in Volume 3, Appendix 2.7.A of the ES Addendum [AS-127]) was undertaken that considered the effects at the Stratford St Andrew AQMA if vehicle fleet emissions did not improve (i.e. remained at 2018 levels). This sensitivity test supported the use of future year backgrounds and emission factors in the air quality assessment.</p>
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	<p>As described in the Natural England Guidance⁵⁵, the use of buffer zones helps to protect ancient woodland and individual ancient or veteran trees. The Natural England Guidance states, with respect to Ancient Woodland:</p> <p><i>"For ancient woodlands, you should have a buffer zone of at least 15 metres to avoid root damage. Where assessment shows other impacts are likely to extend beyond this</i></p>

⁵⁵ Natural England. Ancient woodland, ancient trees and veteran trees: protecting them from development. 2018. Available at: <https://www.gov.uk/guidance/ancient-woodland-and-veteran-trees-protection-surveys-licences#use-of-buffer-zones>.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p><i>distance, you're likely to need a larger buffer zone. For example, the effect of air pollution from development that results in a significant increase in traffic."</i></p> <p>The design of the proposed two village bypass has sought to avoid woodland where possible or reduce land take from woodland as far as reasonably practicable, and has been designed to achieve a balance between the distance to Foxburrow Wood to the east and Farnham Hall to the west.</p> <p>Volume 5, Chapter 7 (Terrestrial Ecology and Ornithology) of the ES [APP-425] states that 'A buffer distance of 15m from earthworks would be applied to prevent impacts to the trees on the edge of the woodland. Some limited footpath works would however be required at the edge of this zone'.</p> <p>This would avoid direct loss from Foxburrow Wood. It would not be possible to achieve a 30m buffer from Foxburrow Wood without bringing the alignment closer to Farnham Hall. Furthermore, the terrestrial ecology and ornithology assessment [APP-425] reviewed the potential changes in total nitrogen deposition associated with the two village bypass and considered that the overall impact of air quality on Foxburrow Wood CWS would be negligible adverse effect, which is considered to be not significant. On this basis it is considered that a buffer distance of greater than 15m is not required.</p> <p>The buffer distance of 15m is incorporated within the Associated Development Design Principles (Doc Ref. 8.3(A)) document, compliance with which is secured through Requirement 22 of the draft DCO (Doc Ref. 3.1(C)).</p>
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	SZC Co. is proposing to acquire the Round House property by agreement with the landowner. The property would be unoccupied during the construction period. Therefore, no further mitigation is required.
AQ.1.66	The Applicant, ONR, Environment Agency, Natural England, PHE	Tritium Gas 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.
	Response	<p>In England and Wales, radioactive discharges are regulated under the Environmental Permitting Regulations 2016 (EPR16) to ensure that the radiological impact to members of the public and the environment remain well below internationally agreed limits and to protect both human health and the environment.</p> <p>In May 2020, Sizewell C applied for a 'Radioactive Substances Activity' Environmental Permit under EPR16. This proposed a set of limits for all routine discharges of radioactivity from the future Sizewell C power station that will not be exceeded under routine operations, along with an assessment of the impacts to Human Health and the Environment from these discharges (which is also included within Volume 2, Appendix 25B of the ES [APP-341]). This includes the release of gaseous tritium to the atmosphere.</p> <p>The assessment showed that the radiation exposure associated with the routine discharges at these limits are well below all dose constraints and legal limits and 200 times lower than the average radiation exposure a member of the UK public receives from natural sources of radioactivity such as the food we eat, the water we drink, and the air we breathe.</p> <p>In addition annual monitoring of radioactivity in the Sizewell area is undertaken by the UK Environment Agencies and Food Standard Agencies as part of the 'Radioactivity in Food and Environment' Programme. This has been undertaken for over 25 years and includes monitoring of Tritium. The most recent publication, RIFE-25 (2019)⁵⁶ has shown that there are no detectable levels of Tritium in the Sizewell area, as a result of the operation of Sizewell A or B, and the addition of Sizewell C is not expected to alter this position.</p>

⁵⁶ East Suffolk Council (ESC) (2020). Local Plan <https://www.eastsuffolk.gov.uk/assets/Planning/Planning-Policy-and-Local-Plans/Suffolk-Coastal-Local-Plan/Adopted-Suffolk-Coastal-Local-Plan/East-Suffolk-Council-Suffolk-Coastal-Local-Plan.pdf>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
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>The work undertaken by the Applicant ensures that freight movements by road would be minimised.</p> <p>The Applicant’s responses to questions TT.1.1 and TT.1.12 explain why approximately 40% of construction materials require HGV transport (see also paragraphs 2.1.12-13 of the Freight Management Strategy [AS-280]). The remaining circa 60% of imported material would be transported by rail or sea.</p> <p>The 40% road modal transport allows reduction from the original 325 daily typical HGV deliveries (in the original Transport Assessment [AS-017]) to 250 HGV deliveries. Control will be provided by maximum daily limits on HGV movements in the Construction Traffic Management Plan (Doc Ref. 8.7(A)). Accordingly, it is correct to say that freight movements on roads would be minimised.</p> <p>The Applicant has designed, applied for and is committed to providing the additional capacity by rail and sea which will be necessary to enable HGV movements to be reduced to their minimum mode share.</p> <p>If it transpires that the additional rail or marine capacity is not acceptable (to the Examining Authority and the Secretary of State), the application will have tested and determined the full capacity of non-HGV capacity. By definition, in those circumstances, the HGV mode share will have been minimised. It will be apparent that there are no feasible ways of reducing HGV movements.</p> <p>The statement is fair, and the application will conform with the requirement in NPS EN-1 at paragraph 5.13.10 to prefer water-borne or rail transport where cost-effective.</p>
AQ.1.62 Q.1.68	The Applicant	<p>Mitigation</p> <p>In terms of tertiary mitigation please advise what is meant by the following terms:</p> <p>(i) ‘as far as AQpracticable’ (first bullet point para 12.5.4 [APP-212]) and how you would expect this to be secured?</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<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	<p>The measures set out in Table 4.1 of the CoCP Part B (Doc Ref. 8.11(B)) have been informed by a dust risk assessment and development of an Outline Dust Management Plan provided in Appendix 12A of Volume 2 of the ES [APP-213]. The measures secured by table 4.1 of the CoCP Part B will be implemented by the contractors and the relevant measures set out in detail within the Construction Environmental Management Plan prepared by the contractor for the relevant stage of works.</p> <p>Table 4.2 of the CoCP Part B then set out the monitoring commitments in relation to air quality management. These measures are then secured by Requirement 2 of the Draft DCO (Doc Ref. 3.1(C)). Together these controls are considered to set out precise and enforceable mitigation measures.</p> <p>Further discussions have been held with the Councils to agree the proposed mitigation measures to be required, as set out in the Air Quality Mitigation Plan (refer to the Statement of Common Ground (Doc Ref. 9.10.12)).</p>
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	<p>The Applicant notes that further discussions have been held with the Councils to agree the mitigation measures to be required, as set out in the Air Quality Mitigation Plan (refer to the Statement of Common Ground (Doc Ref. 9.10.12)).</p> <p>The measures set out in Table 4.1 of the CoCP Part B (Doc Ref. 8.11(B)) have been informed by a dust risk assessment and development of an Outline Dust Management Plan provided in Appendix 12A of Volume 2 of the ES [APP-213]. The measures secured by Table 4.1 of the CoCP Part B (Doc Ref. 8.11(B)) will be implemented by the</p>

ExQ1	Question to:	Question:
		<p>contractors and the relevant measures set out in detail within the Construction Environmental Management Plan prepared by the contractor for the relevant stage of works. These measures are then secured by Requirement 2 of the Draft DCO (Doc Ref. 3.1(C)). Together these controls are considered to set out precise and enforceable mitigation measures.</p>
AQ.1.70	The Applicant	<p>Mitigation – Earth Bunds A 5m high bund is proposed along the southern boundary of the temporary construction area: (i) Is this indicated on any of the plans to be approved? – if so please provide the number. (ii) The ES relies on this as tertiary mitigation and it is assumed it would be secured through the CoCP – is this correct? (iii) What mechanism ensures it is provided in a timely manner to achieve the mitigation it would offer?</p>
	Response	<p>(i) The bund with fencing along the length of the southern boundary of the temporary construction area is shown as construction zone C4 on the Main Development Site Construction Parameter Plans (Doc Ref. 2.5(D)). (ii) Paragraph 12.5.4 of Volume 2, Chapter 12 (Air Quality) of the ES [APP-212] references the following measures employed to minimise the impacts of construction dust:</p> <ul style="list-style-type: none"> • Use of earth bunds with grassing/seeding, and fencing, including a bund along the length of the southern temporary construction area boundary (5m height), and early planting to supplement existing vegetation and hedging, to screen sensitive boundaries from fugitive dust from construction activities. <p>The principle of using earth bunds with grassing/ seeding and early planting to screen sensitive boundaries from fugitive dust from construction activities is considered to form part of tertiary mitigation within the ES, which is secured through the Dust Management Plan required as part of the CoCP (Doc Ref. 8.11(B)) through Requirement 2 of the draft DCO (Doc Ref. 3.1(C)). The specific earth bund along the southern boundary of the temporary construction area is secured through compliance with the Main Development Site Construction Parameter Plans (Doc Ref. 2.5(D)) through Requirement 8 of the draft DCO (Doc Ref. 3.1(C)).</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		(iii) Volume 2, Chapter 3 Description of Construction has been amended, to include wording to confirm that the southern bund will come forward within the first year of Phase 1 construction in order to protect ecology. General compliance with the Construction Method Statement, Appendix 2.2.B of the ES Addendum (Doc Ref. 6.14(A)) and the Construction Parameter Plans (Doc Ref. 2.5(D)) would be secured through Requirement 8 of the draft DCO (Doc Ref. 3.1(C)).
AQ.1.71	The Applicant	Code of Construction Practice (CoCP) Is there a definition of 'plant with significant dust rising potential'? Should there be a threshold specified so this term is fully understood?
	Response	This is a plain English description and there is no regulatory or technical definition. The phrase is used to refer to plant used for activities such as earthworks, movement of large trucks on haul routes, movement of dusty materials, crushing/screening material, or concrete batching that have greater potential to generate dust emissions than other activities. This inherent risk is recognised in good practice guidance adopted in the CoCP and in standard rules permits for crushing/screening plant and for batching plant.
AQ.1.72	The Applicant, ESC, SCC	Code of Construction Practice 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?
	Response	The CoCP (Doc Ref. 8.11(B)) includes a range of targets and measures that would be defined and measured by contractors during the course of construction works. Detailed construction methodologies will be set out within the Construction and Environmental Management Plans that each contractor would prepare for a relevant stage of the construction stage. These would be reviewed and agreed with SZC Co. The absolute dust emission rate for any given task can not be known with complete certainty prior to the task starting and this is why best practice is based on a risk based approach that is able to respond to changing conditions, to maintain control of emissions of dust on each task and across the site as a whole. Monitoring and reporting measures will be used to demonstrate that contractors applying measures ' <i>where possible</i> ' and ' <i>seeking to ensure</i> ' they control emissions as required, are effective in doing so. Monitoring and enforcement from East Suffolk Council would be secured through the monitoring and reporting measures agreed in the CoCP (Doc Ref. 8.11(B)) and through

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>the Environment Review Group secured by the Draft Deed of Obligation (Doc Ref. 8.17(C)). This approach represents best practice in securing the type of measures set out within the CoCP.</p>
AQ.1.73	The Applicant	<p>Northern Park and Ride – Air Quality/Noise 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	<p>The reference to the high potential for combined effects from the northern park and ride is set out in paragraph 1.6.16 of the Equality Statement [APP-158] with specific reference to the Sai Grace Ashram (at Moat Hall). This statement was based on the methodology of the interrelationship effects assessment within the ES, which considered that there is a high potential for a significant combined effect, where a receptor or receptor group is likely to experience one or more significant environmental effects (refer to Volume 10, Chapter 1, Table 1.2 of the ES [APP-572]). The significant combined effect experienced at this receptor is due to a significant change in views, which has the potential to combine with air quality and noise effects, resulting in a greater sense of disturbance. Each of these effects has been mitigated, as set out below.</p> <p>The landscape and visual effects of the northern park and ride, as set out within Volume 3, Chapter 6 of the ES [APP-360], have been mitigated as far as possible through the retention of existing vegetation, provision of a landscaped bund, proposed planting to screen and filter views and best practice approach to lighting design. However, a significant effect due to views of the site is considered to remain on users of the cycle way along Willow Marsh Lane and Main Road, minor roads and local residents to north and east of the site.</p> <p>The air quality assessment for the northern park and ride concludes that the air quality effects are predicted to be negligible and not significant at all receptors near the northern park and ride, during construction, operation and removal and reinstatement of the site. No mitigation beyond the measures set out within the CoCP (Doc Ref. 8.11(B)) is required. Volume 3, Appendix 5A (Dust Risk Assessment) of the ES [APP-358] and Section 3.3 of Volume 1, Chapter 3 (Northern Park and Ride) of the ES Addendum [AS-182] report the air quality effects at receptors near the northern park and ride.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>The assessment of noise and vibration associated with the construction, operation and removal and reinstatement of the northern park and ride site, as set out in Volume 3, Chapter 4 of the ES [APP-354], concludes that with the mitigation set out in the CoCP (Doc Ref 8.11(B)) no significant adverse effects are likely.</p>
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	<p>(i) Use of a low emissions fleet is being considered by SZC Co. However, conservatively the impact of bus emissions on air quality has been included in the assessment of HGVs within the transport emissions assessment based on the assumption that they are not low emission vehicles. No significant air quality effects were predicted on this basis.</p> <p>(ii) See (i) above</p> <p>(iii) The discussions with potential bus operators are ongoing and there is a drive to commit to a green bus fleet. SZC Co. is not yet in a position to set out the details of the commitment but will be able to do so over the course of the examination.</p>
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>
	Response	<p>The conveyor is proposed to be electrically (electro-hydraulically) powered, from mains supply (Construction Electrical Supply - [AS-202], para 3.5.16 et seq.). The conveyor will come into service after the establishment of mains supply to the site, as described in [AS-202].</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
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 <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>The intent is the same for the Main Development Site and Associated Developments. The Mitigation Route Map (Doc Ref. 8.12(B)) submitted for Deadline 2 has been updated accordingly.</p> <p>A draft air quality mitigation plan is currently under discussion with the Councils. The draft mitigation plan has been updated in response to comments received from the Councils and to specify the commitments made to the use of Euro VI and Stage IV emissions performance, with only a percentage of vehicles/ plant to be exempt from meeting those standards (refer to Statement of Common Ground (Doc Ref. 9.10.12)).</p>
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	<p>Since submission of the change application for the DCO in January 2021, the water supply strategy for the project has been further developed. It is confirmed that non-potable sources of water would be used wherever practicable to supply those construction</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>activities that do not require potable water, such as dust suppression and wheel washing. A non-potable water demand profile has been developed for the main development site for the construction phase. The peak demand is estimated to be approximately 570m³/day. This non-potable demand would be met using treated domestic (foul) effluent from Sizewell B power station and the Sizewell C construction site, combined with winter storage of treated effluent within the proposed 16,000m³ non potable and temporary Water Resource Storage Area (WRSA). The WRSA would be located close to the borrow pits, main stockpile area and haul roads for operational efficiency. See Volume 3, Appendix 2.2.B of the ES Addendum (Doc Ref. 6.14 (A)) for further details. SZC Co intends to submit a 'Water Supply Strategy' at Deadline 4.</p>
AQ.1.78	The Applicant, ESC, SCC	<p>CoCP 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	<p>The approach to inspection monitoring will be secured through compliance with the CoCP (Doc Ref. 8.11(B)), as required by Requirement 2 of the draft DCO (Doc Ref. 3.1(C)). The detailed Dust Management Plan will specify the frequency of inspections – for some parameters this may be daily when works are being undertaken. Monitoring during construction will also be included in the Dust Management Plan. Dust monitoring results will be reported to the Councils monthly throughout the monitoring period and reviewed through the Environment Review Group (ERG), to which the Councils will be a participant.</p>
Chapter 5 - AI.1 Alternatives		
AI.1.0	The Applicant	<p>General assessment principles Having regard to NPS EN-1, Section 4.4: (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 those requirements; (ii) Please identify any such legal or policy requirements where compliance has not yet</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>been agreed with the relevant statutory regulator? For example, in relation to the Habitats Directive, the Water Framework Directive or flood risk.</p>
Al.1.1	The Applicant	<p>General assessment principles</p> <p>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	<p>Apart from the selection of the location of the main site platform and decisions relating to the reactor design, the Applicant is not aware of any elements of the proposals which have not been selected without the consideration of alternatives by SZC Co. The Applicant's position in this respect is set out in the Planning Statement, Appendix 8.4A Site Selection Report [APP-591] and in Volume 1, Chapter 4 [APP-175], Volume 2, Chapter 6 [APP-190] and Volumes 3-9, Chapter 3 of the ES [APP-353, APP-383, APP-414, APP-450, APP-483, APP-514, APP-544].</p> <p>Those documents explain for the associated development sites how the need for those sites was first identified, informed by strategies for accommodation, construction workforce and freight transport. The development of each of those strategies included consideration and consultation on potential alternatives. Sites selected to fulfill those strategies were themselves selected through a process which involved the consideration of alternatives in each case, and were the subject of consultation.</p> <p>For the main development site, the same documents chart the evolution of the application proposals through the consideration of alternatives – for example, in relation to the SSSI crossing, the relocated Sizewell B facilities, the temporary construction area, the accommodation campus, offshore works etc. The Sizewell C Main Development Site Design and Access Statement [APP-585 to APP-587] also reports on the testing and evolution of the proposals through an iterative design process.</p>

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

ExQ1	Question to:	Question:
		<p>Alternatives that informed the changes proposed to the application in January 2021 were not reported in the same way, although each was considered as an alternative to the originally submitted proposals. For a number of the changes, additional alternatives were consulted on and the outcome was reported in the Consultation Report Addendum [AS-153] and in Part 1 of the Proposed Changes to the Application [AS-281].</p>
Al.1.2	The Applicant	<p>General assessment principles</p> <p>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>:</p> <p>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	<p>The Planning Statement Update (Doc Ref. 8.4Ad) addresses this question. As set out in the Planning Statement Update, it is not the role of the application process to determine whether the NPS are up to date. That is a matter exclusively for the Secretary of State to consider pursuant to Section 6 of the Planning Act 2008. In the meantime, the terms of the NPS (including the approach to assessing alternatives) are clear and do not fall to be questioned in decisions on individual applications for development consent.</p> <p>In any event, the Government confirmed in its Response to consultation on the Siting Criteria and Process for a new NPS on Nuclear Power in 2018⁵⁷ that it considers those sites listed in NPS EN-6 to be those sites which can deploy the soonest and are likely to be the only sites capable of deploying a nuclear power station by 2035.</p>

⁵⁷ DBEIS (2018) Response to consultation on the Siting Criteria and Process for a new NPS on Nuclear Power. Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/727628/NPS_Siting_Criteria_Consultation_-_Government_Response.pdf

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		As concluded at Section 4 of the Planning Statement Update (having regard to the Energy White Paper ⁵⁸ and Drax judgements in the context of the 2017 Ministerial Statement ⁵⁹) and being clearly aware of all relevant considerations, the Government has concluded that the NPSs remain government policy and provide a proper basis for this examination.
AI.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	<p>For the reasons set out in response to Question AI.1.2 in this chapter, and the Planning Statement Update (Doc Ref. 8.4Ad), the conclusions of paragraph 7.3.34 of the Planning Statement [APP-590] remain correct and are supported by the recent Government publications (including the Energy White Paper⁶⁰) and by the Drax judgements.</p> <p>The contention in RR-0490 is that EN-6 is out of date as it predates acceptance of the Paris Agreement on climate change and legislation to make the UK zero carbon by 2050. RR-1257 contends that the conclusion of potential suitability in EN-6 is no longer valid. This is not correct. As set out in the Planning Statement Update, and as confirmed by the Energy White Paper, NPS EN-1 and EN-6 continue to provide the appropriate policy tests and guidance for the examination and determination of new nuclear DCO</p>

⁵⁸ DBEIS (2020) Energy White Paper: Powering our net zero future. Available at: <https://www.gov.uk/government/publications/energy-white-paper-powering-our-net-zero-future>

⁵⁹ UK Parliament (2017) Written Ministerial Statement on Energy Infrastructure. Available at: <https://questions-statements.parliament.uk/written-statements/detail/2017-12-07/HLWS316>

⁶⁰ DBEIS (2020) Energy White Paper: Powering our net zero future. Available at: <https://www.gov.uk/government/publications/energy-white-paper-powering-our-net-zero-future>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>applications. This includes the consideration of need set out in the NPSs, which are to be treated as authoritative and up to date statements of Government policy.</p> <p>It is apparent from the Energy White Paper and the research supporting it (see Appendix A of the Planning Statement Update) that considerations relating to climate change have been at the forefront of the Government’s policy formulation and that these considerations have served to reinforce the conclusion that there is an urgent need for the deployment of new nuclear power generation.</p> <p>It is important to recognise that in accordance with Section 106(1)(b), representations such as those identified in the ExA’s question which relate to the merits of policy set out in a national policy statement may be disregarded. The merits of policy in the NPS are matters exclusively to be dealt with through review by the Secretary of State under section 6 of the Act.</p>
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	The responses provided by EDF Energy to the revised siting criteria in November 2018 are before Government as part of the process of designating a new nuclear NPS.

ExQ1	Question to:	Question:
		<p>Part (i) of the question relates to 'flooding, tsunami and storm surge' and 'coastal processes' which are both discretionary siting criteria related to nuclear safety.</p> <p>The response provided by EDF Energy in November 2018 confirmed that, at a strategic level based on the maturity of assessment at that time, it was reasonable to conclude new nuclear development within the nominated area could be protected against, flood risks and the risks of tsunami and storm surges, including the effects of climate change, throughout the lifetime of the power plant. The application submission provides further detailed assessment.</p> <p>The Main Development Site Flood Risk Assessment (FRA) [AS-018] assessed the risk of all sources of flooding and concludes that with the embedded design and construction methods the main development site areas would be at low risk of flooding throughout the development lifetime. This is with the exception of coastal flood risk during the early construction phase and at the end of the theoretical maximum site lifetime (2190 epoch) where there would be medium risk of flooding from wave overtopping and extreme sea levels considering reasonably foreseeable (based on UKCP18 RCP8.5 95th percentile) and credible maximum (H++ and BECC Upper) climate change projections.</p> <p>In response to further engagement with the key stakeholders, SZC Co. has revised the design of some aspects of the scheme to provide further mitigation against potential flood risk and environmental impacts, and to increase the resilience of the site to future climate change. This is set out in detail in the Main Development Site Flood Risk Assessment Addendum [AS-157] and Volume 1, Chapter 2 of the ES Addendum which set out the design changes [AS-181].</p> <p>Results of the updated wave overtopping assessment show that the revised defence design would be sufficient to protect the site against the 1 in 200-year and 1 in 1,000-year events up to the end of the theoretical maximum site lifetime (2190 epoch) under the reasonably foreseeable climate change scenarios.</p> <p>Effects of the project on ecological sites are addressed in Volume 2, Chapter 14 of the ES [AS-033]</p> <p>Coastal defence asset information is provided at Table 3.2 of the Main Development Site Flood Risk Assessment [AS-018]. Paragraph 3.5.8 confirms that the Environment Agency is responsible for the maintenance of the two coastal defences to the north and south of the existing and proposed main development site frontage. The sea defences to</p>

ExQ1	Question to:	Question:
		<p>the east of the existing Sizewell power station complex and the proposed development are privately maintained by EDF Energy.</p> <p>The SSSI crossing provides an essential pedestrian and vehicular connection across Sizewell Marshes SSSI, linking the main platform with the temporary construction area and the new access road. The revised crossing design, presented in Volume 1, Chapter 2 of the ES Addendum [AS-181] includes a temporary crossing in advance of the main crossing to provide an early route between the temporary construction area and the main construction area and to facilitate construction of the permanent bridge. This would be placed above the fluvial and coastal flood levels providing safe access to the main construction area.</p> <p>The Main Development Site Flood Risk Emergency Plan (FREP) [AS-170], has been developed to set out the procedures that will be required during the construction, operation and decommissioning phases of the main development site and describes the evacuation procedure and need for safe access, egress and refuge in response to a flood. The potential for development to increase flood risk elsewhere is addressed in detail at Chapter 11 of the Main Development Site Flood Risk Assessment (FRA) [AS-018] and Chapter 3 of the Main Development Site Flood Risk Assessment Addendum [AS-157].</p> <p>The predicted effects of the development on flood protection measures on coastal and fluvial processes and subsequent impacts on communities and the environment are addressed throughout the Main Development Site Flood Risk Assessment (FRA) [AS-018] and concluded on in Chapter 12 (and in the Main Development Site Flood Risk Assessment Addendum [AS-157]).</p> <p>The coastal modelling underpinning the Main Development Site Flood Risk Assessment (FRA) [AS-018] considered the effects of waves and storm surges addressing the questions in the siting criteria in relation to coastal protection from these risks and the question in relation to access and egress is again addressed by the Main Development Site Flood Risk Emergency Plan (FREP) [AS-170].</p> <p>This concludes that with the proposed temporary defences in place during construction (see section 3.1) there would remain a very low risk of flooding to construction workers during the construction phase, prior to the installation of the temporary defence and when working on the construction of the beach landing facility (i.e. in the unlikely event of a</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>tidal storm surge). However, there is likely to be a long lead time prior to any events of this nature, thus enabling suitable action to be taken to manage this risk.</p> <p>SZC Co. has considered tsunami risk to help inform the design of the Sizewell C sea defences. This work is covered through the ongoing external hazards workstream in support of the safety case and the Nuclear Site Licence application. Existing work has analysed all potential sources of tsunami and estimated the return period associated with their occurrence as well as their severity. Concerning tsunami events of up to a 1 in 10,000 year return period, they have been estimated to have an amplitude of less than 0.3m. Concerning "Storegga-type" tsunami events, they have an estimated return period of greater than 1 in 10,000 years (less frequent). This information is all being considered as part of the ongoing external hazards safety case work which is supported by the design of the sea defences.</p> <p>The siting questions in relation to coastal processes ask similar questions in relation to existing coastal protection and risks in relation to access and egress. They also deal with counter measures to provide protection from the effect of coastal erosion and the potential impacts of site development on coastal processes and existing coastal management arrangements, and possible measures that could be taken to limit these impacts. The assessment of coastal processes is provided in Volume 2, Chapter 20 of the ES [APP-311].</p> <p>The application submission provides the additional level of detail required to reach a conclusion based on the discretionary criteria in the strategic siting process.</p> <p>Safety measures are also embedded through the Generic Design Assessment (GDA) process and emergency arrangements established in compliance with the conditions of the Nuclear Site Licence.</p> <p>Part (ii) of the question relates to the credibility of deployment by 2035. A summary timeline has been provided to Government to demonstrate that deployment of new reactors at Sizewell is achievable by 2035. A revised Implementation Plan (Doc. Ref. 8.4I(A)) which provides a timeline leading up to delivery in 2034.</p>
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>

ExQ1	Question to:	Question:
		<p>(i) Please provide a separate summary of those changes and the justification for them.</p> <p>(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>
	<p>Response</p>	<p>(i) The response to Question G.1.10 in Chapter 2 (Part 1) sets out a summary of and justification for the differences between the proposed order limits for the main development site and the originally nominated site boundary with reference to overlay plans Figures 2.1 and 2.2, provided in Chapter 2 of this report.</p> <p>(ii) The evolution of the site boundary shows changes from the nominated boundary but it is more appropriate to consider these as differences rather than 'changes in circumstances' (if changes in circumstances are meant to encompass the types of matters referred to in the ministerial Statement or in section 6 of the Planning Act).</p> <p>The Planning Statement Update (Doc Ref 8.4Ad) considers what is meant by a 'change of circumstance' in relation to decision making and the effect of NPS policy having regard to the 2017 Ministerial Statement⁶¹ - which stated:</p> <p><i>"...in deciding whether or not to grant development consent to such a project, the Secretary of State would be required, under section 105(2)(c) of the Act, to have regard to the content of EN-1 and EN-6, unless they have been suspended or revoked. In respect of matters where there is no relevant <u>change of circumstances</u> it is likely that significant weight would be given to the policy in EN-1 and EN-6"</i></p> <p>As set out in greater detail in the Planning Statement Update (Doc Ref 8.4Ad), the recent judgements in relation to the Drax decision (and the publication of the Wylfa Newydd ExA recommendation report) have helpfully clarified that changes in circumstance relating to whether the NPS is up to date, its merits, the weight to be attached to it, or the policy position on need which it sets out, are matters not for this examination but for a review of the NPS pursuant to section 6 of the 2008 Act.</p> <p>The nomination site boundary was submitted in 2009 in order for the AoS and SSA process to be carried out. This nominated site boundary was one of a number of assumptions adopted for the purposes of concluding at a strategic level whether the</p>

⁶¹ UK Parliament (2017) Written Ministerial Statement on Energy Infrastructure. Available at: <https://questions-statements.parliament.uk/written-statements/detail/2017-12-07/HLWS316>

ExQ1	Question to:	Question:
		<p>nominated sites were potentially suitable for the development of a new nuclear power station.</p> <p>The assessment boundaries were only ever indicative for these purposes and NPS EN-6 specifically recognises that applications for development consent may also include land additional to the boundary of the listed site. There is no suggestion that this legitimate process of site design development would invalidate the strategic suitability of the site. The AoS and SSA established the principle of the location, based on the assessment of a 'base-case' to provide a standardised approach to the appraisal of the nominated sites.</p> <p>The AoS was undertaken at a strategic level to consider the effects of the proposed policy at a national level and the in-principle suitability of sites for the deployment of new nuclear power stations. It was recognised that the AoS would be followed by project level assessments through applications for development consent. It was, therefore, anticipated at the time of undertaking the AoS and SSA that the nominated boundaries would not be definitive. This is evident from paragraphs 2.3.3 and 2.3.4 of EN-6 and C.8.117 (specifically in relation to Sizewell).</p> <p>The difference between the nomination site boundary and the application site boundary does not change the conclusions or validity of the SSA process – as the inclusion of additional land for activities including construction was anticipated at the SSA stage. As set out in the response to Question G.1.1 in Chapter 2 (Part 1) of this report, the main platform (other than some minor boundary changes) and the majority of permanent development as proposed are contained within the nomination boundary. It is primarily construction activities (including the accommodation campus for example) that are located within the wider application site boundary.</p> <p>The difference between the two boundaries does not represent a change of circumstances since the SSA process. The suitability in planning terms of the additional land outside the nomination site boundary will appropriately be considered through the application process.</p> <p>As noted in the response to Question G.1.10 in Chapter 2 (Part 1) of this report, the nomination boundary and the application boundary were derived at different points in time and for different purposes - the former in order to undertake a strategic assessment of the potential suitability of the site for a new nuclear power station and the latter to define the full extent of the site boundary required to deliver the Project. This includes all land required to facilitate the construction of the power station.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		The responses to Questions G.1.1 and G.1.10 in Chapter 2 (Part 1) (and the accompanying figures) identify the relationship between the two boundaries and establish that the land within the nomination site accommodates the majority of the permanent development and the land outside primarily accommodates temporary construction activities (see that response for further detail).
AI.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	<p>No, a requirement making the order conditional on a valid Regulatory Justification for the reactor design is not necessary or appropriate.</p> <p>The Justification Decision by the Secretary of State is set out in a Statutory Instrument (The Justification Decision (Generation of Electricity by the EPR Nuclear Reactor) Regulations 2010⁶²) which has no time limit, therefore, there should be no question of its validity. Essentially the design at Sizewell C is the same as at Hinkley Point C and both are based on the ‘EPR practice’ that is referred to in the Statutory Instrument.</p>
AI.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>

⁶² The Stationery Office (2010) The Justification Decision (Generation of Electricity by the EPR Nuclear Reactor) Regulations 2010. Available at: <https://www.legislation.gov.uk/ukxi/2010/2844/contents/made>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>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?</p>
Al.1.8	The Applicant	<p>Strategic alternatives for accommodation infrastructure 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: (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 (ii) Why the delivery of permanent housing was not considered as a reasonable alternative to the on-site campus?</p>
	Response	<p>(i) The choice of the main development site campus, rather than one or more off-site campuses, was the outcome of a robust site selection process. This included consideration of engineering and operational considerations, environment, transport, community, land interests, land use and planning strategy and policy. Appendix 5B: Campus Technical Note of this chapter sets out the full site selection process, from pre-Stage 1 when a large number of sites were considered ahead of selecting three options to consult upon for Stage 1, to the selection of the main development site campus following Stage 1. In particular, Chapter 7 of the Campus Technical Note sets out "Post Stage 1 Preferred Site Selection" while Appendix 3 to the Campus Technical Note provides detail on each of the considerations listed above. This demonstrates that the choice of sites to take forward to Stage 1 and the ultimate selection of the main development site was based on many different considerations; no site was without issues but on balance,</p>

ExQ1	Question to:	Question:
		<p>the main development site accommodation campus site was considered the most appropriate.</p> <p>(ii) The proposed project accommodation (on-site accommodation campus and LEEIE caravan park) provides a temporary solution to a temporary problem. The accommodation campus will offer hotel-style serviced accommodation that is attractive to construction workers moving to the area temporarily on short to medium term contracts. Permanent housing would not offer the same type of accommodation and would not serve the same purpose, which is required for the construction workforce.</p> <p>SZC Co.'s view is that reducing the permanent footprint of the development by reinstating the land used by the accommodation campus is a more sustainable and favourable approach for local communities. It is also noted that the proposed Housing Fund will result in permanent, long-term improvements to the quantity and quality of permanent accommodation in a more sustainable way without the complications related to delivery of a permanent housing site/sites.</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 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 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?</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	Please see response to Question Al.1.8 in this chapter. Sections 4 and 5 in particular of the Campus Technical Note (Appendix 5B) of this chapter) identify the environmental and other factors which were taken into account in the selection of the proposed campus site, whilst the Note as a whole explains how these matters were continuously tested and revisited through the consultation process.
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>There are potentially two parts to the question: why an increased proportion of rail and sea borne transport can be achieved and why that is possible without impacting adversely on the construction programme.</p> <p>The Applicant's position in relation to the potential for increased rail and sea-borne capacity is set out in Part 1 of the Proposed Changes to the Application [AS-281], particularly from paragraphs 2.2.1 – 2.2.65. In addition, the Applicant's responses to Questions Al.1.11-13 of this chapter explain why a temporary Beach Landing Facility is considered appropriate where an earlier proposal for a jetty was not.</p> <p>The Applicant's responses to Questions TT.1.3 and TT.1.5 in Chapter 24 (Part 6) of this report explain the deliverability of the rail capacity proposals.</p> <p>Close scrutiny of the potential for both marine and rail capacity took place in response to engagement with stakeholders and continuing design development. As a result, the freight management option which involves the use of 4 trains per day for up to 6 days per week, in combination with a second, temporary BLF for bulk materials assumed to be operating at 70% of its campaign capacity and with HGV traffic taking c.40% of materials</p>

ExQ1	Question to:	Question:
		<p>volume is SZC Co.'s preferred freight management option (see the Freight Management Strategy [AS-280], section 4).</p> <p>The revisions to the freight management strategy (through the enhancement of rail and marine capacity) do not adversely affect the construction timetable. The Implementation Plan is unaffected in principle and the Applicant's response to Question Al.1.4 of this chapter explains the credibility of deployment by 2035.</p> <p>In this context, it may be helpful to briefly explain that:</p> <ul style="list-style-type: none"> • the proposed construction sequence involves an 'early years' stage which does not defer the project in advance of the completion of transport or accommodation related associated development; in view of the urgency of the project; • the increase in train capacity (from 3 trains per day to 4) does not require any different or additional infrastructure; • the sequence of train capacity is unaltered – with the branch line works first opening up the capacity for 2 trains per day to Land East of Eastlands Industrial Estate; • the step up from 2 to 4 trains per day on the opening of the green rail route is unaffected in terms of timing compared with the original 3 trains per day assumption but would allow greater capacity (than a step up to 3 trains per day) and greater resilience in the overall programme; • the temporary BLF will be constructed whilst the early works stage is being undertaken; it does not affect that stage; • again, the commissioning of the temporary BLF will support rather than slow the programme.
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</p>

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

ExQ1	Question to:	Question:
		<p>other disadvantages previously identified associated with sea-borne deliveries would be overcome.</p>
	Response	<p>An option to deliver the Permanent BLF instead as a wide jetty formed part of the Stage 2 Consultation for the Project. As set out in Paragraph 6.2.97 of Volume 2, Chapter 6 of the ES [APP-190], the wide jetty would have allowed for the delivery of both bulk materials and Abnormal Indivisible Loads, thereby removing the need for a second BLF, as is now currently proposed.</p> <p>Initial designs for a wide jetty or marine off-loading facility (MOLF) attempted to combine the requirements of delivery of Abnormal Indivisible Loads (AILs) together with deliveries of more 'usual' construction materials (aggregates, containerised materials etc) into a single facility.</p> <p>This would have required a very long jetty (to ensure the jetty head was far enough offshore to ensure sufficient depth of water (draught) for berthing and unloading of large, heavily laden vessels) and a very wide jetty (to allow placement of an aggregates conveyor and road bed of sufficient width for bi-directional travel of very large construction vehicles). The resulting design was thus very substantial and required many large piles.</p> <p>Environmental assessments demonstrated two issues with such a design, namely impacts on coastal processes and impacts on marine life due to noise and vibration caused by piling.</p> <p>Impacts of underwater noise subsequently became even more of an issue once the southern North Sea was designated as a Special Area of Conservation for harbour porpoise and revised, much more stringent environmental targets adopted for assessing impacts of underwater noise on marine animals. It was for these reasons that the MOLF solution was rejected.</p> <p>However, continued optimisation of the freight management element of the project led to the development of a compromise design that uses two separate marine transport facilities: the BLF included in the original application that will be used primarily for AIL during construction and operation of Sizewell C, together with a comparatively short and</p>

ExQ1	Question to:	Question:
		<p>slimline jetty (the temporary BLF) that will be used only for the construction period for the delivery of aggregates and other bulk construction materials.</p> <p>Separation of two facilities has allowed the temporary BLF structure to be shorter and require fewer and smaller piles so that the environmental impacts are greatly reduced</p> <p>The specification for the original longer jetty was as follows: 800m in length; 30m in width; 1m diameter piles; 5m spacing between piles along its length; 7 piles across its width; 1,078 piles in total. The total number of piles was therefore substantial, owing mainly to the need for the large structure to support the weight of AILs and bulk materials simultaneously along its full length.</p> <p>By comparison, the proposed Temporary BLF comprises approximately only 120 piles and the proposed Permanent BLF comprises approximately 28 piles.</p> <p>The wide jetty was discounted for the following environmental reasons:</p> <p><u>Significant impact on coastal processes.</u></p> <p>The proximity of the piles to one another would have meant that the jetty structure would have caused significant interruption of the normal wave pattern and, therefore, the sedimentary transport system. The jetty would have essentially acted as a groyne, with sediment accreting (building up) along the flanks of the jetty, causing cusps to form with embayments along the shore. While the coastline would have recovered after removal of the jetty, it would have taken several years to do so.</p> <p><u>Significant impact on marine mammals and fish from underwater noise</u></p> <p>For the type of piling that would have been required for the size of the jetty, underwater noise would have propagated for several kilometres across much of the estimated 24 month construction period, which would have caused unacceptable impacts, for instance, on harbour porpoises. Measures to mitigate this would have involved the use of acoustic deterrents and deployment of marine mammal observers across several square kilometres that would have notified the construction team when porpoise are in the area so that works can stop until the mammals have left the area. The potential for the jetty construction phase to have been very substantially extended beyond the expected 24 month period was considered to be an unacceptable project risk.</p> <p>By comparison, the Temporary BLF has far fewer piles that are spaced further apart. This is because the structure is significantly lighter given it is not designed to take the load of AILs. This substantially reduces the environmental impacts associated with piling and</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>reduces the construction period to an acceptable level.</p> <p>The Permanent BLF does contain more dense piling, but its compact design means that only approximately 28 piles are required and underwater noise propagates far less in shallow water. The Temporary BLF has no adverse impact on the construction programme (see the response to Question Al.1.13 of this chapter).</p>
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>
	Response	Please see response Question Al.1.11 of this chapter.
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	<p>SZC Co. assumes the ExA refers to Volume 1, Chapter 4 of the ES [APP-175], Paragraph 4.3.55.</p> <p>Paragraph 5.13.10 of NPS EN-1 states that “<i>Water-borne or rail transport is preferred over road transport at all stages of the Project, where cost effective</i>”. The feasibility of</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>increased marine deliveries continued to be considered and the Temporary BLF is now proposed. This is considered to be compatible with Paragraph 4.3.55 of Volume 1, Chapter 4 of the ES [APP-175] for the following principal reasons:</p> <ul style="list-style-type: none"> • Unlike the Temporary BLF, the Narrow Jetty would not have allowed for the additional type of material that was ultimately found to be needed during construction. It would not have been able to make any meaningful contribution to the construction phase and was discounted. • The reasons for discounting the Wide Jetty are set out in response to Question Al.1.11. The Temporary BLF overcomes these concerns, including concerns relating to the impact of the Wide Jetty on the overall Sizewell C construction programme. <p>The addition of the Temporary BLF does not extend the time to construct the power station.</p>
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> <p>(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?</p>

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

ExQ1	Question to:	Question:
	Response	<p>There is insufficient rail capacity available on the East Suffolk line during the day to provide more than one rail path. This is due to the extended length of single track south of Saxmundham and the hourly passenger timetable, which leaves insufficient running time for additional services.</p> <p>The length of single track could be split with a passing loop which would increase the capacity on the line. Such a proposal was consulted on through to the Stage 4 consultation.</p> <p>In addition to a passing loop, it would also be required to operate freight trains at 40mph along the line in order to avoid disrupting the passenger service. The combination of adding the additional freight services to the line, and at the required speed, was considered by Network Rail to increase the risk to level crossings users on the East Suffolk line.</p> <p>In order to mitigate the increased risk, 45 level crossings on the East Suffolk line would require interventions. This was investigated and at the Stage 3 consultation it was proposed to close 12 footpath crossings and upgrade a further 33 level crossings to mitigate the increase in risk. As a result of further work undertaken by Network Rail it was concluded that the absence of any certainty that these measures could all be taken in time meant that this option was not an appropriate basis on which to base the transport strategy for the delivery of the Project.</p> <p>Following this decision, the focus was to maximise the utilisation of the East Suffolk line overnight, outside of the passenger service where trains could operate within the current speed restrictions along the line. Capacity analysis undertaken demonstrates that there is sufficient time to operate up to eight freight paths overnight, although there is little contingency within this schedule to deal with any short delays. The preferred operational approach would be to operate up to seven paths overnight and additionally to use a single daytime freight path which is already accommodated within the existing passenger timetable.</p> <p>This approach is considered deliverable and minimises the risk associated with interventions on the East Suffolk line. Close working with Network Rail has created the necessary confidence to propose an increase in rail movements from the three trains per day anticipated in the submitted application.</p>

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

ExQ1	Question to:	Question:
Al.1.15	The Applicant	<p>Site selection for the Freight Management Facility</p> <p>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:</p> <p>(i) The consideration given to the likelihood of closures of the Orwell Bridge in the site selection process;</p> <p>(ii) the consideration of viable alternatives west of the Orwell Bridge.</p>
	Response	Refer to responses to Questions TT.1.17 and TT.1.109 in Chapter 24 in response to (i) and (ii) (Part 6).
Al.1.16	The Applicant	<p>Site selection for the Two Village Bypass</p> <p>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 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>

ExQ1	Question to:	Question:
	<p>Response</p>	<p>SZC Co. has prepared a summary document which brings together a number of issues relating to the history of and selection of the two village bypass in order to assist the ExA: Two Village Bypass Summary Paper (refer to Appendix 5C of this chapter).</p> <p>(i) Criticism - that further consideration should be given to marine and railway led provision</p> <p>Applicant response - Please see the SZC Co. response to Question TT.1.22 in Chapter 24 (Part 6) on this matter.</p> <p>Criticism - the pursuit of a bypass route to the west of Foxburrow Wood, to the exclusion of a more easterly alignment</p> <p>Applicant response - The proposed two village bypass alignment has been selected to minimise its impact on residential properties and sensitive receptors, whilst providing an effective bypass of Farnham and Stratford St. Andrew.</p> <p>The route selected was assessed to have the least environmental effects. For instance, an alternative alignment further from Farnham and Stratford St Andrew would inevitably extend further into countryside and impact on woodland at Palant's Grove, whilst increasing journey times and reducing or negating the effectiveness of the road as a bypass.</p> <p>SZC Co.'s proposals for the bypass to run to the north of Foxburrow Wood obviate that impact. In doing so the proposals also involve a smaller land take than the Parish Council's suggestion and provide an effective bypass which offers a clear benefit to traffic compared with remaining on the existing A12.</p> <p>In this respect, the DCO alignment accords with the lessons learned from previous bypass proposals. The history of bypass proposals, and how the DCO proposal has evolved from these historic proposals, is explained at Section 2.2 and Chapter 3 of the Two Village Bypass Summary Paper (Appendix 5C). The route selected by SZC Co. is comparable with the preferred route options historically promoted by the Highways Agency, preferred by an independent public inquiry and, more recently, preferred in studies undertaken on behalf of the County Council. This is set out in more detail in the Summary Paper.</p> <p>A consequence of the route is its relative proximity to properties at Farnham Hall. In this respect, SZC Co. has taken care in developing the route to respect the amenity of those properties. Where the proposed alignment passes to the east of the Farnham Hall</p>

ExQ1	Question to:	Question:
		<p>properties, the route would be in cutting approximately 4.5m deep to reduce the environmental impacts on residents.</p> <p>Noise impacts at Farnham Hall have been carefully considered. NPS EN-1 requires the avoidance of significant adverse effects on health and quality of life from noise. Paragraphs 4.6.32 and 4.6.33, and Table 4.24 of Volume 5 Chapter 4 of the ES [APP-415] confirm that during 2028 Peak Construction, 2028 Typical Day and 2034 Operation, the SOAEL is only exceeded at Pond Barn Cottages (and mitigation made available). The bypass of course brings lasting noise and other benefits to Farnham and Stratford St Andrew.</p> <p>Criticism - Palant's Grove has been de-classified as Ancient Woodland</p> <p>Applicant response - Please see the SZC Co. response to Question AI.1.22 of this chapter.</p> <p>Criticism - that Farnham Hall is ten separate properties rather than one such that around twenty properties and not eleven will be affected</p> <p>Applicant response - Please see the SZC Co. response to Question NV.1.42 in Chapter 21 (Part 5) of this report.</p> <p>Criticism - An easterly alignment would enable the linking up of a future four village bypass.</p> <p>Applicant response - The proposed alignment of the two village bypass in the DCO application would not prejudice the delivery of a longer, four village bypass in the future, but, based on the conclusions of previous studies (as discussed below), a more preferable solution may be for a separate bypass of Little Glemham and Marlesford to be brought forward in the future by Suffolk County Council (SCC) if deemed appropriate.</p> <p>The proposed two village bypass route has evolved as the detail has been developed but it is fundamentally the same route as the preferred route in SCC's 2014 A12 Four Villages Study. This route (known as SB5), which bypassed the two villages of Farnham and Stratford At Andrew is shown at Plate 2.2 of the Two Village Bypass Summary Paper (Appendix 5C) of this chapter.</p> <p>In the 2014 Study, SCC concluded that:</p> <p><i>"a staged approach for the implementation of an improvement scheme for the length of A12 between Wickham Market bypass and the junction with A1094 Friday Street - termination point for this study - would be the most suitable solution. Currently the</i></p>

ExQ1	Question to:	Question:
		<p><i>section of A12 between Marlesford and Little Glemham has a layout with comparatively acceptable road widths and geometry. The most difficult section with the worst geometric layout is that between Stratford St Andrew and a point north of Farnham."</i></p> <p>Similarly, the two village bypass Summary Paper explains that DfT's decision (December 2019) to reject the bid for Suffolk's Energy Gateway (SEGWay, 2017) scheme stated that alternative options '<i>such as a smaller two village bypass</i>' should be considered. Equally, SCC's 2006 study, as explained in the Summary Paper, also concluded that shorter interventions are preferable.</p> <p>The DCO proposal for a two village bypass would contribute significantly to the long term local objective for a four village bypass. Should a four village bypass be pursued in the future, a spur could be created coming off the two village bypass to the south which would continue to bypass Little Glemham and Marlesford. This would require changes to the two village bypass to tie the two together but it could be achieved if a four-village bypass was still sought in the future. Figure 5.1 in this chapter provides an indicative sketch of how a potential link could be provided to link the two village bypass to a future four-village bypass. Alternatively, separate bypasses for Little Glemham and Marlesford could be developed in the future.</p> <p>Criticism – a speed limit of 60mph rather than 50mph which will cause more noise and pollution</p> <p>Applicant response – A speed limit of 50mph rather than 60mph would reduce noise levels by approximately 1dB, however, this noise reduction is unlikely to be reflected at every noise receptor as noise from other roads would mask this marginal reduction.</p> <p>(ii) A larger scale plan of Plate 6.1: A12 Four village route options (2006) with the proposed two village bypass route overlaid is provided at Figure 5.2 in this chapter. In addition, figures have been prepared to show the proposed two village bypass overlaid onto the A12 Four Villages route options from the A12 Four Villages Study 2014 (Figure 5.3 in this chapter), and the proposed two village bypass route overlaid onto the A12 SEGWay Strategic Case 2017 route options (Figure 5.4 in this chapter). This helps to show the proposed two village bypass in the context of the various route options for an A12 bypass, which evolved through SCC's studies between 2006 and 2017. The proposed two village bypass is shown in green on each of these figures.</p>

ExQ1	Question to:	Question:
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	<p>The Appraisal of Sustainability (AoS) for the Sizewell Site⁶³, states that '<i>Strategic development plans are in place for a scheme to provide a new route for the A12, bypassing the four villages of Farnham, Stratford, Glenham and Marlesford</i>'.</p> <p>Since the publication of the above report in 2010, further work has been carried out by both SCC and SZC Co. on the A12 near these four villages. This additional work is set out in detail within the Two Village Bypass Summary Paper (Appendix 5C of this chapter). In particular, and as explained in the Summary Paper (Appendix 5C), the 2014 study published by SCC recognises that the issue relates to Stratford St Andrew and Farnham, it states:</p> <p><i>"Currently the section of A12 between Marlesford and Little Glenham has a layout with comparatively acceptable road widths and geometry. The most difficult section with the worst geometric layout is that between Stratford St Andrew and a point north of Farnham."</i></p> <p>Paragraph 2.3.50 of the Transport Assessment [APP-602] states that the Farnham Bend between Stratford St. Andrew and a point north of Farnham is a pinch point along the A12. The Farnham bend is an existing known constraint to abnormal indivisible load (AIL) movements on the A12 due to narrowing of the A12 and tight configuration of the bend (see Chapter 2.2 of the Two Village Bypass Summary Paper at Appendix 5C to this chapter for further information).</p>

⁶³ DECC (2010) Appraisal of Sustainability: Site Report for Sizewell. Available at:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/47800/1983-aos-site-report-sizewell-en6.pdf

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>At the Farnham bend, the A12 bends sharply and larger vehicles such as HGVs must slow to pass each other when coming from opposite directions. Table 8.4 and Table 8.5 of the Transport Assessment Addendum [AS-266] set out the flows in the Early Years, before the two village bypass would be in operation. A detailed breakdown of flows by vehicular type for Peak Construction without the bypass is contained at Chapter 2 of the Two Village Bypass Summary Paper. The modelling demonstrates a significant increase in HGV flows. During the network peak hours of 08:00-09:00 and 17:00-18:00, there would be a 76% and 143% increase in HGVs respectively through Farnham during Peak Construction (typical day) as a result of Sizewell C construction traffic. This significant increase in the number of HGV movements negotiating the narrow bend would reduce average speeds and increase the likelihood of congestion and journey unreliability. Suffolk Police has highlighted a clear risk of collision at the Farnham Bend. The safety concerns are set out at Chapter 2 and Chapter 3 of the Two Village Bypass Summary Paper (Appendix 5C of this chapter).</p> <p>Table 8.7 of the Transport Assessment Addendum [AS-266] shows that the introduction of a bypass of the two villages would reduce traffic flows by approximately 99% during Peak Construction during the evening peak hour (17:00-18:00) through Stratford St Andrew and Farnham. The bypass would be highly effective in its principal purpose.</p> <p>In comparison, and as noted above in the 2014 study published by SCC, the A12 between Marlesford and Little Glemham has a layout with comparatively acceptable road widths and geometry, unlike at the Farnham Bend.</p> <p>A bypass of all four villages would be of a significant scale and this scale would have significant environmental impacts, as noted in the 2006 Four Villages Study undertaken for SCC. A four village bypass would be a disproportionate intervention to mitigate the effects of Sizewell C traffic during the construction phase, and therefore it was not included within the application for development consent for the Sizewell C Project. However, is necessary to give detailed consideration to more local issues and, particularly, issues arising from the bend in Farnham.</p>

ExQ1	Question to:	Question:
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> <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	<p>(i) In relation to operational matters, the Parish Council’s alternative alignment would be considerably longer, diverting traffic well into the countryside, rather than providing a realistic bypass of the villages. The Parish Council’s alternative alignment would be 2,860m in length compared to 2,380m for the DCO proposals, almost half a kilometre longer.</p> <p>The Parish Council’s alternative alignment has not been designed in detail and, for instance, is not compliant with geometric standards. To address this at a high level SZC Co. has prepared a geometric standards compliant schematic alignment version of the Parish Council’s alternative to help understand the potential impact more closely (referred to as the revised alternative Parish Council alignment). A comparison of the Parish Council’s alternative alignment, and the revised alternative Parish Council alignment are provided at Appendix A and Appendix B of the Two Village Bypass Summary Paper (Appendix 5C).</p> <p>The revised alternative Parish Council alignment would have significant effects on Friday Street Farm, as the alignment would sever more of the ‘pick-your-own’ fields from the Farm Shop and Café compared to the proposed alignment in the DCO submission. The Two Village Bypass Summary Paper at Appendix 5C explains in more detail the reasons why the Parish Council alignment is not considered to be a better solution.</p> <p>(ii) SZC Co. has used a strategic model to calculate the journey time on the existing A12 at Peak Construction (2028) through Farnham and Stratford St Andrew without the</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>bypass. The journey time is estimated at 1 minute 50 seconds, but this estimate does not take into account potential delays at Farnham Bend, and therefore the journey time is likely to be greater. This journey time has been measured from the same points on the A12 as where the proposed bypasses (both the two village bypass and the Parish Council alignment) would leave and re-join the A12. The journey times for the DCO proposed bypass is estimated at 1 minute 48 seconds; whilst the journey time for the revised alternative Parish Council alignment is estimated at 2 minutes 8 seconds.</p> <p>(iii) The two village bypass journey time is marginally faster than staying on the A12 through Farnham and Stratford St Andrew, assuming that there is no congestion at Farnham Bend. However, the bypass is clearly needed due to the safety and potential congestion concerns at Farnham Bend, as explained in response to Question Al.1.17 of this Chapter. The Parish Council alignment journey time is longer and could not be expected to be attractive to the majority of drivers.</p> <p>Whilst Sizewell C construction traffic would be instructed to use the bypass and avoid the two villages, Sizewell C traffic represents only approximately 7% of A12 traffic (based on Location AB – Marlesford, which is just to the south of Farnham – Table 8.6 of the Transport Assessment Addendum [AS-266]) and the majority of other vehicles using the A12 would be less likely to divert onto a bypass which offers no significant benefit in journey time or distance.</p> <p>As a result of its greater length the revised alternative Parish Council alignment would be significantly less successful in its primary purpose – to bypass the two villages. The revised alternative Parish Council alignment would be unlikely to provide the significant reduction in traffic flows that would come as a legacy benefit for these local communities with the DCO proposals.</p>
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>

ExQ1	Question to:	Question:
	<p>Response</p>	<p>The proposed two village bypass has been routed as far away from residential properties as practical, whilst providing an effective bypass and avoiding environmentally important woodland and gardens.</p> <p>Comparison of distance and number of properties within 250m of the routes:</p> <p>Chapter 3 of the Two Village Bypass Summary Paper, and Appendices C and D of the Summary Paper (found at Appendix 5C to this chapter), include plans showing the proximity of the geometric standards compliant Parish Council alignment to properties along the whole route (including 2 properties at Walk Barn Farm), and plans showing the proximity of the two village bypass alignment (as proposed in the DCO) to properties along the whole route (including the properties at Farnham Hall).</p> <p>The plans show that there are 48 properties within 250m of the proposed bypass in the DCO alignment and that there are 32 properties within 250m of the geometric standards compliant Parish Council alignment.</p> <p>The plans show that the two village bypass alignment (as proposed in the DCO) is approximately 83 metres from Farnham Hall Farm House (to the east of the bypass) and 135 metres from the nearest property at Farnham Hall (to the west of the bypass). The geometric standards compliant Parish Council alignment is 21.6 metres from Walk Barn Farm.</p> <p>Potential noise impacts:</p> <p>The assessment of potential noise impacts from the two village bypass are set out in Volume 5, Chapter 4 of the ES [APP-415] and updated in Volume 1, Chapter 5 of the ES Addendum [AS-184]. There is no equivalent assessment for an alternative alignment.</p> <p>Table 4.21 in Volume 5, Chapter 4 of the ES [APP-415] shows that there will be no significant adverse effects from the construction of the two village bypass, once mitigation is taken into account.</p> <p>Table 4.23 in Volume 5, Chapter 4 of the ES [APP-415] shows that significant adverse effects from the use of the two village bypass are possible at 11 receptors or receptor groups.</p> <p>A significant adverse effect, in an EIA context, which is what is identified in Table 4.23, is not the same as a significant adverse impact on health and quality of life, as described in the Noise Policy Statement for England or NPS-EN1. They are separate concepts. It does not follow from the existence of a significant adverse effect in EIA terms that there will be</p>

ExQ1	Question to:	Question:
		<p>a significant adverse impact on health and quality of life (i.e. an exceedance of the 'SOAEL') in terms of the NPSE or NPS EN-1. Please refer to the answer to Question NV.1.75(i) in Chapter 21 (Part 5) for a full explanation of why this is the case.</p> <p>Overall, the noise effects of the two village bypass accord with NPS EN-1 paragraph 5.11.9 because noise effects have been minimised by design, whilst significant adverse effects on health and quality of life are avoided, as SOAEL will not be exceeded.</p> <p>Potential heritage impacts:</p> <p>The impact on heritage assets on the DCO alignment of the two village bypass alignment is summarised in Table 9.5 of Volume 5, Chapter 9 of the ES (Terrestrial Historic Environment) [APP-432]. The table shows that no significant adverse effects are anticipated for any heritage assets during the construction phase and during the operational phase.</p> <p>The Parish Council alignment would pass close to the Grade II listed Hill Farmhouse (1278707) and Pond Barn, which is a non-designated heritage asset considered in the ES, on a raised embankment, and would be likely to give rise to significant adverse effects through change to setting to these heritage assets. Other effects arising through change to setting would be of a limited magnitude broadly comparable to those set out in the submitted ES.</p> <p>The Parish Council alignment is similar to that investigated in the early 1990s for a proposed bypass, and there are a number of areas where artefactual material and archaeological features have been identified, including cropmarks east of Glemham Hall (SSA13), a scatter of medieval artefacts near Whin Covert (FNM 006) and Pond Barn (FNM 004), a scatter of burnt and worked flints near Nuttery Belt (FNM007), Prehistoric and medieval field systems at Pond Barn (FNM 021) and cropmarks of an undated field system (FNM 013). Effects on these features are considered likely to give rise to disturbance of archaeological remains which would be broadly comparable to that arising from the DCO alignment set out in the submitted ES.</p>
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</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>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 traffic noise at detailed design stage be secured, and what type of measures are anticipated?</p>
	<p>Response</p>	<p>(i) Figure 9.1 of Volume 5, Chapter 9 of the ES (Terrestrial Historic Environment) [APP-434], shows that the majority of heritage assets are located adjacent to the A12 within the villages of Stratford St Andrew and Farnham.</p> <p>The introduction of a bypass of the two villages would reduce traffic flows by approximately 99% during Peak Construction through Stratford St Andrew and Farnham. The existing carriageway would remain open for local traffic but signposting and the timesaving advantages of the bypass would take all but very local traffic out of the villages.</p> <p>As summarised in Table 9.6 of Volume 5, Chapter 9 of the ES (Terrestrial Historic Environment) [APP-432], and between paragraphs 9.6.64 and 9.6.108, the removal of traffic from the two villages during the operational phase will result in a positive effect for the majority of the heritage assets. In many cases, the reduction in traffic noise as result of diverted traffic would help restore the setting of the assets, therefore contributing to their historic interest.</p> <p>Out of the 16 designated heritage assets in the 'data search study area' (defined at paragraph 9.3.10 of [APP-432]), only one designated heritage asset (Farnham Manor Grade II) is assessed to experience minor adverse effects which are not significant during the operational phase. In terms of mitigation, as the new road passes near Farnham Manor the road is proposed to be in cutting, approximately 4.5m deep, as shown in Dwg no. SZC-SZ0204-XX-000-DRW-100522 [APP-038]. Woodland planting is also proposed along the western side of the cutting.</p> <p>As shown in Table 9.6 of Volume 5, Chapter 9 of the ES (Terrestrial Historic Environment) [APP-432], only one other heritage asset is assessed to have minor adverse effects which are not significant during the operational phase, and this is reported on the 'Historic Landscape Character' (HLC). In terms of mitigation, existing vegetation has been</p>

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

ExQ1	Question to:	Question:
		<p>retained where possible, and additional hedgerow planning is proposed along the route of the road.</p> <p>During the operational phase there are no significant adverse effects anticipated for any heritage asset.</p> <p>(ii) Further steps may be taken to mitigate and minimise adverse noise effects as part of the detailed design of the road, which may include the use of a quiet road surface. This was not originally proposed as this road surface is more expensive to maintain. However, this will be discussed with Suffolk County Council (SCC) and East Suffolk Council (ESC) and an update will be provided within the SoCG (Ref. 9.10.12) at Deadline 4.</p>
Al.1.21	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 3.3.28, 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.</p>
	Response	<p>Chapter 3 of the Two Village Bypass Summary Paper, and Appendix C and D of the Summary Paper (Appendix 5C), include plans showing the proximity of the geometric standards compliant Parish Council alignment to Friday Street Farm, and plans showing the proximity of the two village bypass alignment (as proposed in the DCO) to Friday Street Farm.</p> <p>These plans show that the Parish Council’s alternative alignment would pass closer to Friday Street Farm to the west, requiring a larger land take and having a greater impact on agricultural severance. It would be immediately adjacent to the pick-your-own fruit polytunnels to the south of the farm, and would sever a greater extent of the fields to the west of the car park from the farm. The proposed two village bypass alignment in the DCO would be further from the fruit polytunnels and retain more of the fields to the west within access of the farm complex, without needing to cross the bypass.</p>
Al.1.22	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 3.3.29, refers to the potential impact of the alternative alignment upon Foxburrow Wood ancient woodland and Palants Grove:</p>

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

ExQ1	Question to:	Question:
		<p>(i) Please explain in detail the perceived difficulties in maintaining a 15m buffer to Foxburrow Wood and why this could not be overcome?</p> <p>(ii) Provide an update as to the status of Foxburrow Wood and Palant's Grove as ancient woodland.</p> <p>(iii) The extent of the County Wildlife Site that would be lost as a result of the alternative alignment.</p>
	Response	<p>The alternative alignment proposed by the Parish Council is not compliant with geometric standards. However, SZC Co. has prepared a revised alternative, comparable to the Parish Council's alignment, so that it is compliant with geometric standards (referred to as the revised alternative Parish Council alignment). The Parish Council alignment, and the revised alternative Parish Council alignment can be found at Appendix A and B of the Two Village Bypass Summary Paper (Appendix 5C of this chapter). This revised alternative Parish Council alignment has been prepared at a high-level to help understand the potential impacts of an alignment to the east of Foxburrow Wood, however it has not been designed in detail, for example the likely extent of earthworks required. The level of detail shown in Appendix B of the Two Village Bypass Summary Paper (Appendix 5C of this chapter) is considered sufficient to inform this response.</p> <p>(i) The revised alternative Parish Council alignment would pass between the two ancient woodlands of Foxburrow Wood and Palant's Grove, bisecting the woodland between them (which forms part of the Foxburrow Wood County Wildlife Site (CWS)).</p> <p>As with the DCO alignment for the two village bypass, in addition to the requirement of land for the road itself, the revised alternative Parish Council's alignment would also require additional land for any necessary earthworks, drainage, diversions of PRow, fencing and planting, as well as land to facilitate construction for example haul routes. At this time, as detailed design has not been undertaken, it has been assumed that the Parish Council alignment would require approximately a 14m to 20m corridor on both sides of the road alignment (assuming no earthworks are required) where it passes between the two ancient woodlands to facilitate construction and operation of the road, including the accommodation of haul routes, drainage, PRow changes (specifically E-243/006/0) and a fence. This corridor would be wider if earthworks are required.</p> <p>At its closest point, the road in the revised alternative Parish Council alignment would be approximately 23m from ancient woodland on the eastern side and 30m on the western</p>

ExQ1	Question to:	Question:
		<p>side. With a 14m to 20m corridor either side of the road, it would be possible to avoid land take directly from the ancient woodland (assuming no earthworks would be required), but the alignment, due to the corridor, would impinge upon a 15m buffer to Foxborrow Wood and Palant's Grove ancient woodland.</p> <p>In addition, as described above, the revised alternative Parish Council alignment would result in a new road fragmenting Foxburrow Wood CWS. The alignment would separate the two ancient woodlands (Foxborrow Wood and Palant's Grove Ancient Woodland), which are currently functionally linked by the central wooded section of Palant's Grove. Bisecting Palant's Grove would fragment the CWS and sever the ecological connectivity of between the two retained ancient woodlands and prevent movement of wildlife through the existing corridor which connects them. No tree surveys of the section of woodland that would be impacted have been undertaken and therefore the potential for bat roosts is not known, however, historical records and bat transect surveys undertaken in May and July 2019 recorded evidence of bat activity (Common pipistrelle <i>Pipistrellus pipistrellus</i>) and the revised alternative alignment would result in loss of woodland that is likely to provide suitable foraging, commuting and roosting habitat.</p> <p>In comparison, the route proposed by SZC Co. would avoid both of these Ancient Woodlands in their entirety, and not result in their separation. The proposed route by SZC Co. would also provide a 15m buffer to Foxborrow Wood and would not result in the loss of any CWS.</p> <p>(ii) The central section of Palant's Grove woodland, was previously classified as ancient woodland but was de-classified by Natural England after the submission of the DCO application. However, both Foxburrow Wood and the eastern section of Palant's Grove remain designated Ancient Woodland. In addition, all of the woodland is a non-statutory designated County Wildlife Site (Foxburrow Wood CWS).</p> <p>(iii) The revised alternative Parish Council alignment would pass between Foxburrow Wood ancient woodland and Palant's Grove ancient woodland, requiring the removal of the central section of Palant's Grove. The road itself, and the corridors either side of the road required to facilitate construction and operation of the road (as explained in part (i) of this response), would result in a permanent loss of approximately 1,834sqm of Foxburrow Wood CWS (assuming no earthworks would be required in the revised alternative Parish Council alignment).</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>The County Wildlife Site (CWS) designation is recognition of a site's high wildlife value within the County context and is typically made by the local planning authorities. Site selection criteria vary but in general, these sites support important or threatened species and habitats that are local and national priorities for conservation including the habitat types listed on Section 41 of the NERC Act. Further information on CWS designations is set out in response to question Bio.1.20 in Chapter 7 (Part 2) of this report.</p> <p>CWSs are not protected by legislation, but their importance is recognised by local authorities when considering any relevant planning applications and there is a presumption against granting permission for development that would have an adverse impact on a site⁶⁴.</p> <p>The removal of this central neck of Foxburrow Wood CWS would fragment the CWS and sever the ecological connectivity of the ancient woodlands on either side, resulting in avoidable harm to the biodiversity of the CWS.</p>
Al.1.23	The Applicant	<p>Site selection for the Southern Park and Ride</p> <p>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.</p>
	Response	Please see the response to question TT.1.103 in Chapter 24 (Part 6) of this report.
Al.1.24	The Applicant	<p>Site selection for the Southern Park and Ride</p> <p>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:</p> <p>(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.</p> <p>(ii) Please explain further why Options 2 and 3 were considered to have the potential to</p>

⁶⁴ East Suffolk Council (ESC) (2020). Local Plan <https://www.eastsuffolk.gov.uk/assets/Planning/Planning-Policy-and-Local-Plans/Suffolk-Coastal-Local-Plan/Adopted-Suffolk-Coastal-Local-Plan/East-Suffolk-Council-Suffolk-Coastal-Local-Plan.pdf>

ExQ1	Question to:	Question:
	<p>Response</p>	<p>cause greater issues in terms of congestion, access and highway safety compared to Option 1.</p> <p>(i) Prior to Stage 3 consultation, a review of travel times from areas west of the A12 to the northern and southern park and ride sites demonstrated that the potential impacts of locating the park and ride at either Woodbridge or Martlesham would not be preferable to Wickham Market.</p> <p>If the park and ride was located at either Woodbridge or Martlesham, many construction workers living west of the A12 would likely be allocated to using the Darsham park and ride as this would be a shorter total journey time to the main development site, with a much shorter bus journey time from Darsham (circa 10 minutes) than from either Woodbridge (circa 30 minutes) or Martlesham (circa 35 minutes).</p> <p>Additional workers allocated to the northern park and ride would increase traffic using the A1120 through Yoxford High Street Conservation Area towards the A12 and north to the northern park and ride. While traffic flows on the B1078 travelling to and from the Southern park and ride would obviously reduce, other Sizewell C related LGV traffic would remain and still cause an impact that would require mitigation. Therefore, moving the southern park and ride further south to Woodbridge or Martlesham would not remove B1078 impacts and would increase impacts elsewhere (i.e. A1120 in Yoxford).</p> <p>(ii) Access to the Option 2 site at Woodbridge would be at a new fourth arm to the A12/A1152 Woods Lane roundabout. The additional arm and turning traffic would likely increase the number of collisions significantly at the roundabout. Traffic leaving the park and ride site and heading south would increase the conflict flow past the A12 southbound and A1152 arms, which would increase queuing and delays. By comparison, the Transport Assessment shows that traffic travelling to/from the Wickham Market site does affect performance of the B1078/B1116 Fiveways roundabout and does not impact A12 flows past the site.</p> <p>A new roundabout at Scott's Lane would be needed to access the Option 3 site, to accommodate the right turning movement out of the park and ride site in the evening. A new roundabout would impose additional delays to A12 traffic compared to the Wickham Market site, which does not impact A12 flows past the site. The additional traffic turning</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		into and out of the park and ride site at the new roundabout would likely result in a small increase in the number of collisions at this location.
Al.1.25	The Applicant	<p>Site selection for the Southern Park and Ride</p> <p>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?</p>
	Response	<p>SZC Co. has not considered siting the southern park and ride adjacent to the freight management facility, as it would require workers to make a circa 45 minute bus journey (an extra 20 minutes compared to that from Wickham Market) to site after driving to the park and ride site from their home location. For many workers, including those living in Ipswich, Woodbridge and Framlingham for example, such a location would be a deviation from their most direct route to site adding time, costs and emissions to their journey. Only those living in Felixstowe would find such a location convenient. By contrast, the southern park and ride at Wickham Market would intercept trips on their route to the main development site.</p> <p>SZC Co. has developed a package of measures for the B1078 between the A140 at Coddendam and Wickham Market that would mitigate impacts along this route. The measures and funding mechanism in the Draft Deed of Obligation (Doc Ref. 8.17(C)) are described in the Consolidated Transport Assessment (Doc Ref 8.5(B)).</p>
Al.1.26	The Applicant	<p>Site selection for the Southern Park and Ride</p> <p>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?</p>

ExQ1	Question to:	Question:
	Response	Please see the response to part (ii) of Question Al.1.24 of this chapter.
Al.1.27	The Applicant	<p>Site selection for the Sizewell Link Road</p> <p>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.</p>
	Response	<p>To respond to these questions, SZC Co. has prepared the Sizewell Link Road: Principle and Route Selection Paper (the Sizewell Link Road Paper) (Appendix 5D of this report), which brings together information on route selection and related issues.</p> <p>The route selection exercise was closely informed by an understanding of environmental factors. This environmental information, and the reasons why Route Z south was chosen, can be found in paragraphs 3.2.36 to 3.2.59 of Volume 6, Chapter 3 of the ES [APP-450].</p> <p>In terms of traffic management, Sizewell C HGV traffic will be on designated routes, and would be obliged to use any new road between the A12 and the main development site. Similarly, the park and ride strategy is to intercept car trips on the A12 and to consolidate workers onto buses. The park and ride and direct buses would be assigned to use any new road between the A12 and the main development site.</p> <p>The combination of the routing and signage strategy and the provision of a link road will protect the road network further south. Routes further south do not require additional</p>

ExQ1	Question to:	Question:
		<p>protection. The route chosen for the link road also protects amenity interests further north.</p> <p>As set out at paragraphs 4.1.64 to 4.1.72 of Chapter 4 of the Sizewell Link Road Paper (Appendix 5D) of this report), SZC Co. undertook a comparison traffic modelling assessment of Route W North to Route Z, after SCC requested SZC Co. revisit Route W at the Stage 3 consultation.</p> <p>The modelling assessment estimated that there would be 105 daily two-way Sizewell C HDV flows on the A12 through Yoxford if Route W North was constructed, as HDVs would need to travel through Yoxford (on the A12) to reach the more southern alignment of Route W north. There would be 0 HDV flows through Yoxford if the chosen Sizewell link road was constructed. Please also see the response to question TT.1.91 in Chapter 24 (Part 6) of this report on this subject.</p>
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	<p>This information is set out at Chapter 4 of the Sizewell Link Road Paper (Appendix 5D) to this chapter). Section (iii) of that chapter explains why, including the landscape and heritage reasons, the Route W options (north and south) have been discounted. Please also see the response to Question Al.1.31 of this chapter.</p>
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</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		operational workers, LGVs, etc) that will be travelling to the selected route of the SLR from the south?
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	<p>The Sizewell link road as proposed would be more effective at relieving HGV impacts on communities than Route W or any other route. Whilst HGVs from the south would travel further north along the A12 before turning onto the bypass to reach the proposed alignment of the Sizewell link road than they would with a route W alignment, that section of the A12 forms a bypass to Saxmundham of significantly lower environmental sensitivity than the section of the A12 through Yoxford or than the sensitivity of the northern section of the B1122. As set out in response to Question Al.1.27 of this chapter, those communities are much better relieved by the selected route.</p> <p>The Sizewell link road is proposed to be open to the public and SZC Co. predicts that general traffic currently using the B1122 would transfer to the proposed Sizewell link road, as the Sizewell link road follows a similar alignment to the B1122. This will not only relieve those communities of Sizewell C traffic, it would reduce existing traffic flows through the villages of Middleton Moor and Theberton. In comparison, it is unlikely that as much existing B1122 traffic would reroute via a 'W North' alignment, due to its relative remoteness from the B1122. The issue of traffic volumes on the B1122 through Yoxford, Theberton and Middleton Moor were particular issues raised during the early consultation stages and these issues would not be resolved with the 'W North' alignment.</p> <p>The issue of relief from the south was also an important consideration – please see the response to Question Al.1.27 of this chapter.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>The Sizewell Link Road Paper (Appendix 5D) to this chapter) also explains that route W is no longer a feasible option due to its physical overlap with local plan allocations around Saxmundham.</p>
Al.1.31	The Applicant	<p>Site selection for the Sizewell Link Road</p> <p>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?</p>
	Response	<p>Route W would pass near to a number of existing designated heritage assets including the Grade II listed Hurts Hall (1268178), Wood Farmhouse (1231179) at Saxmundham, Hill Farmhouse (1231296), High House Farm (1216049), Pattle’s Farmhouse (1287772) between Saxmundham and Knodishall Green. Route W North between Knodishall Green and Theberton would pass close to Westhouse Farmhouse (1227893), Crossing Farmhouse (1287532), Hill Farmhouse (1287643), Moat Farmhouse (1228246), the Grade II* Theberton House (1228378) and the Leiston Abbey Second Site asset group. Route W South would pass close to the Grade II* Leiston House Farmhouse (1287646), the Grade II listed Wood Farmhouse (1227752), Fishers Farmhouse (1216275) and the Leiston Abbey Second Site asset group.</p> <p>There is potential for the significance of several heritage assets to be affected adversely due to changes in their setting resulting from the Route W’s alignment. Specific concerns relate to the passage of Route W on a substantial elevated embankment south of Hurts Hall. In this area, the topography of the land is such that the road would climb for approximate 500m on an embankment to a maximum height of 7.5m above existing ground level and cross the East Suffolk line, and then create a significant road on embankment as the new road heads east and crosses the Fromus Valley via a bridge, south of Hurts Hall. This bridge would be a prominent structure and would be visible in the surrounding landscape. This is not considered suitable as these embankments would introduce prominent infrastructure into the landscape.</p> <p>Due to the location of where Route W north connects to Abbey Road, close to the main development site, impacts from the construction and operation of a road on the setting of</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>Leiston Abbey have the potential to combine and result in a greater effect on this asset. Comparatively, Route Z (the Sizewell link road) connects to Abbey Road further north, and is the furthest of the route options from Leiston Abbey, and is less likely to result in combined effects on this asset.</p> <p>In terms of buried archaeological remains, the landscape through which the W route passes is similar to the Z Route south in that there has been very little previous archaeological work prior to the present application, and conclusions drawn solely from desk-based analysis suggest it could reasonably be expected that the direct effects of either iteration of the W route would be broadly equivalent to those of the adopted Z Route south, with effects being significant in the absence of mitigation, but generally possible to mitigate through investigation. Route W, however, is a significantly longer route, which brings some potential for greater impacts.</p> <p>Importantly, the route selection is not just related to heritage matters, but takes into account a number of environmental considerations. The advantages of Route Z compared to the other routes is set out within Chapter 4, Section V of the Sizewell Link Road Paper (Appendix 5D to this chapter). This includes landscape effects and comparisons of the different options – see in particular Appendix 8 of the paper.</p>
Al.1.32	The Applicant	<p>Site selection for the Sizewell Link Road</p> <p>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.</p>
	Response	<p>The removal of the Sizewell link road was included as an option within the Stage 4 consultation. The majority of the responses opposed the removal of the Sizewell link road. Question 6 of the consultation questionnaire asked:</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p><i>"Please provide your views on whether some or all of Sizewell link road/Theberton bypass should be removed and the land restored once Sizewell C is operational."</i></p> <p>A total of 161 responses were received to this question, of which, 41 responses gave a view on whether the Sizewell link road should be removed and land restored. Of these responses, 68% opposed the removal of the Sizewell link road after Peak Construction and 32% supported the removal of the Sizewell link road.</p> <p>In the Councils' joint response to Stage 4 (Suffolk County Council and East Suffolk Council (ESC)), ESC raised concerns about the potential environmental impact of the removal of the road. ESC raised specific concern regarding the removal of the SuDS that serve the Sizewell link road, which could have a negative impact on the biodiversity that would have established in the SuDS from the time they were constructed. ESC also raised concerns that the removal of the Sizewell link road would increase the duration of the construction phase of Sizewell C.</p> <p>Further information on the consultation responses received on the retention of the Sizewell link road has been compiled to assist the examination. This information is set out at Chapter 3, Section viii of the Sizewell Link Road Paper (Appendix 5D of this chapter).</p> <p>As a response to the Stage 4 consultation, a decision was made to propose the Sizewell link road as a permanent facility, rather than temporary. Taking account of the views expressed through consultation and engagement, SZC Co. considered that it would be preferable to avoid further disruption to local residents and the environment by removing the road and to leave it as a lasting legacy of the Sizewell C Project. The road also provides a long-term route to Sizewell C and Sizewell B, which is of continuing benefit operationally.</p>
Al.1.33	The Applicant	<p>Site selection for the Sizewell Link Road</p> <p>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 strategic transport case for permanent retention of the SLR the Council requests the road to be removed after the construction period:</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<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>
	<p>Response</p>	<p>(i) As a response to the Stage 4 consultation, a decision was made to propose the Sizewell link road as a permanent facility, rather than temporary. It was considered by SZC Co. that it would be preferable to avoid further disruption to local residents and the environment by removing the road and to leave the road as a lasting legacy of the Sizewell C project for the benefit of local communities but also for the benefit of providing good quality long term access to Sizewell.</p> <p>The Councils (Suffolk County Council and East Suffolk Council) submitted a joint response to Stage 4, in which ESC raised concerns about the potential environmental impact of the removal of the road. ESC stated (para. 241):</p> <p><i>"At Stage 3, ESC raised concerns with potential adverse environmental impacts of removal of a Sizewell Link Road post the construction phase. ESC retains this view and would not support proposals to remove a Sizewell Link Road post construction. ESC considers a separate HGV route to serve the existing A and B stations as well as the new C station to be a positive legacy of the development."</i></p> <p>Further detail on environmental impacts of the removal of the Sizewell link road, and the need to retain the Sizewell link road on a permanent basis, is set out at Chapter 3, Section viii of the Sizewell Link Road Paper (Appendix 5D) of this chapter.</p> <p>(ii) Retaining the Sizewell link road would result in a permanent reduction in traffic for communities along the B1122. The Sizewell link road would also be particularly beneficial when statutory outages, and forced/un-planned outages, occur in the operational stage of Sizewell B and C.</p> <p>This permanent reduction in traffic for communities along the B1122, as a result of the Sizewell link road, also offers other benefits, including sustained improvements in noise and air quality, particularly in Theberton.</p>

ExQ1	Question to:	Question:
		<p>Further detail as to why the Sizewell link road should be retained for the operational phase, including how the Sizewell link road can help alleviate traffic from the B1122 during outages at Sizewell B and Sizewell C is set out at Chapter 3, Section viii of the Sizewell Link Road Paper (Appendix 5D of this chapter) (paragraphs 3.1.131 to 3.1.134).</p> <p>(iii) If the Sizewell link road is retained, there would be a number of advantages. Retaining the Sizewell link road would result in a permanent reduction in traffic for communities along the B1122, and would offer environmental benefits, particularly around Theberton. In the Councils' joint response to the Stage 4 consultation, the Councils state (para. 239) that the adoption of the whole Sizewell link road has yet to be agreed with SCC, however, the Councils (both Suffolk County Council (SCC) and East Suffolk Council (ESC)) summarise the environmental benefits around Theberton. Paragraph 246 of the Councils' response states:</p> <p><i>"The Councils [SCC and ESC] consider the Theberton Bypass as a legacy benefit of the development, by removing through traffic from the village, with likely associated benefits on noise and air quality and greater network resilience, and strongly believe it should be retained following construction."</i></p> <p>Retaining the Sizewell link road also will be particularly beneficial for communities along the B1122 when statutory outages occur in the operational stage of the power plant. It is estimated that during the maintenance and refuelling outages for just Sizewell C, approximately 1,000 additional staff would be required to work on site at any one time. Retaining the Sizewell link road will mean that these additional workers, and any necessary parts/ material/machinery, can avoid using the B1122, and will not have to travel through the villages of Yoxford, Theberton and Middleton Moor.</p> <p>ESC recognises the legacy benefit in retaining the Sizewell link road in the context of the Sizewell A, B and C, but also in relation to other projects, such as the Greater Gabbard and Galloper offshore windfarms. In the Joint Local Impact Report (dated May 2021 [EN010012]), ESC states (para 16.93):</p> <p><i>"Taking additional HGV movements from the B1122 and removing its role as the abnormal indivisible load route for Sizewell B and the existing substations for National Grid and Greater Gabbard and Galloper offshore windfarms justifies retention of the Sizewell Link Road. Its retention as a dedicated and purpose-built HGV and abnormal indivisible load</i></p>

ExQ1	Question to:	Question:
		<p><i>route to Sizewell A, B, C, and to the existing offshore windfarm related substations, justifies its permanency”.</i></p> <p>SZC Co. anticipates that the existing B1122 would be downgraded by SCC to an unclassified road once the Sizewell link road is operational. As the majority of traffic would reassign to use the Sizewell link road, the B1122 will experience much lower traffic volumes and could become more popular among cyclists, helping improve cycling connectivity in the immediate area.</p> <p>The advantages of retaining the Sizewell link road are set out in more detail at Chapter 3, Section viii of the Sizewell Link Road Paper (Appendix 5D of this chapter) (paragraphs 3.1.130 to 3.1.134).</p> <p>If the Sizewell link road was temporary, a significant amount of construction activity and traffic would be required to remove the Sizewell link road.</p> <p>The Sizewell link road would need to be built to a high standard. With a 10-12 year construction period and given the scale and nature of traffic involved, it is misconceived to think the Sizewell link road could be built as some form of temporary haul road. Its construction would require a large amount of construction material quantities, as set out in Volume 6, Chapter 2 (Description of Sizewell Link Road) of the ES [APP-446].</p> <p>If the Sizewell link road was made temporary, the works would include the removal of the Sizewell link road itself, pavements, road drainage networks, utilities (cables, overhead lines) and the Pretty Road Overbridge. There would also be a need to reinstate parts of the A12 and B1122, including: removal of A12 Western Roundabout and reinstating the existing A12 alignment; removal of Middleton Moor roundabout and reinstatement of the existing B1122 alignment; and the removal of Sizewell link road tie-in to the B1122 at the eastern end of the Sizewell link road and reinstatement of the existing B1122 alignment.</p> <p>These activities would result in a significant amount of construction traffic. To construct the Sizewell link road, a large amount of material is proposed to be moved to the main development site. If the Sizewell link road was temporary, this material would have to be transported back to the Sizewell link road site to reinstate the land to the original condition or sourced from elsewhere if that material had already been incorporated in site landscaping.</p> <p>It is estimated that to move just this material from the main development site to the Sizewell link road site to reinstate the land would require 10,556 one way truck</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>movements alone.⁶⁵ This would be in addition to other construction traffic movements that would be needed for other works, including drainage and landscaping.</p> <p>The removal of the Sizewell link road has the potential for environmental impacts, and this was noted by ESC in response to the Stage 4 consultation. ESC stated (para. 241):</p> <p><i>"At Stage 3, ESC raised concerns with potential adverse environmental impacts of removal of a Sizewell Link Road post the construction phase. ESC retains this view and would not support proposals to remove a Sizewell Link Road post construction."</i></p> <p>Overall, the removal of the Sizewell link road would require a significant amount of construction activity and would have environmental impacts. It would also negate the benefit that road will bring to sensitive communities at Yoxford and on the B1122 and dent the community the long term benefits of relief to and the potential enhancement of the B1122 as a local road with an emphasis on walking and cycling.</p>
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	<p>SZC Co. undertook a detailed site selection process when deciding on the Sizewell link road route. Background information on the route selection process has been compiled to assist the examination. This information is set out at Chapter 4 of the Sizewell Link Road Paper (Appendix 5D) of this chapter).</p> <p>The AECOM report was commissioned by SZC Co. in April 2019 to provide a peer review of the selection of the route for the Sizewell link road and the rationale in selecting it as a preferred option.</p>

⁶⁵ The figure quoted here is linked to reinstating the land if the Sizewell link road was made temporary. The total number of one way movements for **construction** of the Sizewell link road are as follows :

Import: 12,434 HGVs

Export: 10,556 HGVs

Total: 22,991

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

ExQ1	Question to:	Question:
		<p>AECOM was asked to undertake an independent selection process to provide an independent opinion of the preferred option for the Sizewell link road. AECOM assessed each route against a number of criteria including:</p> <ul style="list-style-type: none"> • Relief to Communities • Scale of Cost • Minimising Route Mileage • Legacy Benefit • Engineering Impact • Transport Environmental and Safety Topics <p>This independent assessment concluded that Route Option Z scored the best against the assessment criteria and AECOM recommended the route as the preferred option from the four route options assessed.</p> <p>In addition to the independent assessment by AECOM, SZC Co. also commissioned LDA Design Consulting (LDA Design) to undertake an independent appraisal but focussing only on environmental considerations. The LDA Design assessment also concluded that the preferred option was Route Z (South).</p> <p>Further information on these independent reviews of the site selection process is set out at Chapter 4, paragraphs 4.1.23 to 4.1.37 of the Sizewell Link Road Paper (Appendix 5D) of this chapter).</p> <p>Following the DCO application submission, SZC Co has undertaken further assessment and appraisal work on the Sizewell link road options to ensure that the chosen route was the most appropriate route. This further work concludes that Route Z (the Sizewell link road) is the most appropriate route. This further work is summarised at Chapter 4, paragraphs 4.1.38 to 4.1.91 of the Sizewell Link Road Paper (Appendix 5D) of this chapter).</p>
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>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<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>
Al.1.36	The Applicant	<p>Response</p> <p>(i) The use of gas insulated lines was considered but would not be feasible at Sizewell C due to unacceptable impacts on the operability and security of the site. The proposed operational site is extremely compact, thereby minimising overall land take, so all areas above ground would be occupied by buildings, roads or working areas. A number of potential routes were considered for gas insulated lines at high and low level, but in all cases the supporting structures or the lines themselves would impair either the normal operation of the power station or physical security of the site.</p> <p>A Power Export Connection Technical Recommendation Report has been prepared, which looks at the feasibility of the 3 main design solutions:</p> <ul style="list-style-type: none"> • Underground Cable • Gas Insulated Line • Overhead Line <p>Please refer to this report (at Appendix 5E of this chapter) for more detailed assessment of the GIL solution.</p> <p>(ii)The AFRY report was commissioned and is held by Suffolk County Council.</p> <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>

ExQ1	Question to:	Question:
	<p>Response</p>	<p>(i)The only underground solution that could achieve the required power ratings, meet requirements for inspection and maintenance access, and avoid the buildings and structures required within the Sizewell C site would be to install cables in dedicated galleries. However, detailed investigation has shown that there are no feasible options available to introduce additional galleries within the constraints of the site.</p> <p>Construction of an underground gallery solution for Unit 1 would not be feasible. The proximity of Unit 1 to Sizewell B means that constructability and space constraint issues are not surmountable.</p> <p>Construction of an underground gallery solution for Unit 2 could be considered but would not be acceptable due to the impacts on safety and construction schedule. It is also considered that the knock-on impacts on the environment would be unacceptable. Accommodating the gallery within the site could only be achieved by increasing the size of the main platform to the north, resulting in further loss of the Sizewell Marshes SSSI. In addition, the construction schedule would be prolonged by a significant period of time as there would still be insufficient space for all the excavations required to construct the gallery without halting or severely disrupting other construction activities. Furthermore, the reduced reliability of a cable connection introduces nuclear safety concerns, contradicting the need to ensure that risk is As Low As Reasonably Practicable (ALARP). Nuclear safety could be degraded compared to Hinkley Point C, which is not acceptable. A more detailed examination into the safety and programme related risks are set out in the Power Export Connection Technical Recommendation Report at Appendix 5E of this chapter.</p> <p>(ii) The underground cable option would result in additional permanent land take of the Sizewell Marshes SSSI. Although compensatory habitats would be put in place to offset the loss of reedbeds, ditches and wet woodlands from the SSSI based on the layout in the DCO proposals, the extent of compensatory habitats has not got an embedded 'contingency' to offset the additional habitat loss which would be associated with the undergrounding solution. If the undergrounding solution were progressed, the net habitat loss would not be fully compensated for and this would increase the magnitude of effect on SSSI habitats to significant adverse. This would represent a conflict with paragraph 5.3.7 of NPS EN-1, which requires development, as a general principle, to aim to avoid significant harm to biodiversity.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>Moving the northern edge of the platform northwards to accommodate the underground galleries would also reduce the retained SSSI corridor west of the SSSI crossing. SZC Co has already been challenged by all ecological stakeholders on the potential fragmentation effects of introducing the design for the SSSI Crossing at the eastern end of the retained SSSI corridor. Narrowing the retained SSSI corridor to the west of the SSSI crossing would reduce the value of the corridor by: reducing the habitat extent; reducing its functional width to any animals moving through the corridor; and, by bringing both construction and operational disturbance closer to the retained Leiston drain.</p>
<p>Chapter 6 - AR.1 Amenity and recreation</p>		
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> <p>(ii) In order to achieve the necessary mitigation what timeframe for delivery would be required?</p>
	Response	<p>(i) The latest position on the off-site sports facilities is set out in Schedule 10 of the Draft Deed of Obligation (Doc Ref. 8.17(C)). It is intended that these would open around the same time as the accommodation campus but the wording is intended to provide some flexibility in order to balance the benefits of opening the facilities with the need to plan construction works at a time that minimises disturbance for Alde Valley School. For example, we would not want the off-site sports facilities construction to disturb pupils during public exams, so it may be more appropriate for these to open slightly later than the campus rooms.</p> <p>The Main Development Site Flood Risk Assessment (Doc. Ref 5.2A) [AS-018] concludes that this site is at low risk from all sources of flooding. SZC Co. notes ESC's comments on surface water flooding and will design this facility to manage surface water in accordance with the Outline Drainage Strategy (Doc Ref. 6.3 2A (A)) and in particular</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>such that off-site flood risk is not increased. The detailed design and drainage proposals will be subject to approval by East Suffolk Council in accordance with Requirement 5 (Project wide: Surface and foul water drainage) of the draft DCO (Doc Ref. 3.1(C)).</p> <p>(ii) While delivery is necessary mitigation secured by the Deed of Obligation and meaningful in addressing community concerns, it is not necessarily linked to specific milestones of the Project, though would (as set out in Question AR.1.0), SZC Co. intends to link the opening of the off-site sports facilities to the delivery of the accommodation campus, subject to the caveats about disturbance to the school in (i) above.</p>
AR.1.1	<p>The Applicant, ESC, SCC, Leiston and Sizewell PC.</p> <p>Response</p>	<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> <p>(i) and (ii) Volume 2, Appendix 9E (Sport and Leisure Audit and Estimated Demand) of the ES [APP-196] sets out that the proposed facilities are not needed to mitigate for the potential effect on formal sports and leisure provision, but Volume 2, Chapter 9 [APP-195] notes that they would contribute towards community integration and cohesion in a qualitative manner.</p> <p>SZC Co. considers that it would (as set out in Question AR.1.0) provide benefit in being linked to the delivery of the accommodation campus. Therefore, Schedule 6 of the Draft Deed of Obligation (Doc Ref. 8.17(C)) requires ESC in preparing a proposed timetable for the delivery of the sports facilities, to have regard to the planned occupation of the accommodation campus as set out in the Implementation Plan (Doc Ref. 8.4I(A)).</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</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>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>
	<p>Response</p>	<p>(i) The ExA is referred to Figure 2.9 in Chapter 2 (Part 1) of this report for a layout showing the caravan park.</p> <p>Schedule 1 of the Development Consent Order would authorise the development of serviced pitches for up to 400 caravans and 400 temporary car parking spaces at Work No. 1A (ee).</p> <p>(ii) The operational period for the caravan park has been added to the Implementation Plan (Doc Ref. 8.4I(A)), which will be secured by the Draft Deed of Obligation (Doc Ref. 8.17(C)). Schedule 3 sets out that that SZC Co. shall use reasonable endeavours to deliver the caravan park in accordance with the Implementation Plan, unless otherwise agreed with the Accommodation Working Group.</p> <p>Experience from other major civil construction projects requiring substantial NHB civils workers (e.g. Heathrow T5, London Olympics, HPC, Sizewell B) suggests that there will be demand from workers on short-term contracts who bring their own caravans to the area around construction sites, seeking to stay as close to the site as possible.</p> <p>This is a characteristic particularly of earthworks-type roles, but also of civils construction workers in general. At HPC, for example, where earthworks are complete but the project is still largely in the 'civils phase', there are two caravan sites close to the site (private, but with commercial agreements) that have been consistently full throughout the project. There is no project-specific site at Hinkley Point C (if there were, it would likely be popular). Even now (as reported to SEAG in November 2021) there are over 300 workers in caravan accommodation at Hinkley Point C, despite being well past the early years/earthworks phase.</p> <p>The Sizewell C workforce profile sets out that in the early years of the project, there would be less than 2,000 NHB civils construction workers for the majority of the first four years. The civils peak occurs after that – and there would be substantial</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>demand for these types of accommodation at that point. Even over the overall peak year (year seven) there would be between 1,000 and 2,000 civils workers – many of whom will seek caravan accommodation (especially if provided on a convenient, well-managed, secure, safe and site-adjacent location with direct bus links to the site).</p> <p>There is no evidence to suggest that the demand for workers bringing their own caravans would shift towards workers seeking more static caravans towards the peak (there will still be a substantial civils workforce). However, a mechanism to review this demand and respond via the Housing Fund may be appropriate and SZC Co. will consider this to potentially be a role for the tourism element of the Housing Fund.</p> <p>SZC Co. anticipates that the caravan park will be popular with workers as a result of its secure and safe management, regular and direct bus service to the main development site, proximity to both the main development site and Leiston, and the flexibility it offers in booking. It will also be priced to fill. Whilst SZC Co. cannot mandate that workers use the caravan park, it can and will work with contractors to encourage use.</p> <p>(iii) SZC Co. confirms that mobile homes would not be provided and has updated the ES Description of Construction chapter (Doc Ref. 6.14(A)) to confirm that individual caravans shall not exceed 7m in length and 2.55m in width (including external elements).</p> <p>(iv) Volume 3, Appendix 2.2.A, paragraphs 3.4.237 and 3.4.240 of the ES Addendum [AS-202] describes what has been applied for and is the basis for the assessments within in the ES, including Volume 2, Chapter 9 (Socio-economics) [APP-195]. Details of how the caravan park would be delivered through the DCO is set in parts (i) and (ii) of this question. There is considered to be no alternative as mobile homes would not be provided.</p>
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	<p>SZC Co. has agreed with ESC to provide the financial contribution to the Suffolk Coast RAMS set out in their relevant representation [RR-0342] (£149,912). The purpose of this</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>funding is to mitigate for the recreational disturbance at European sites that could potentially be caused by construction workers residing at the accommodation campus and the Land East of Eastlands Industrial Estate (LEEIE) caravan site. SZC Co. consider that this is a robust and highly precautionary contribution because the calculations at paragraphs 1.67 and 1.68 of ESC's RR-0342:</p> <ol style="list-style-type: none">1. Do not allow for the fact that the Zone B tariff of £321.22 per dwelling used in ESC's calculation (from the Suffolk Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS)⁶⁶) is based on there being more than one person residing in each dwelling on average. If the average residential occupancy was 2.4 people for example, this would equate to £133.84 per person and a lower RAMS contribution for accommodation campus and LEEIE based workers.2. ESC's RAMS calculation assumes full occupancy for a 10 year lifespan of the campus on a precautionary basis (see paragraph 1.67 of ESC's RR-0342).3. Construction workers at the accommodation campus and LEEIE have a different profile to typical residents and would use European sites for recreation substantially less than the general public for reasons summarised below. <p>As described at the second bullet point in paragraph 3.3.10 of the Recreational Disturbance Evidence Base (Shadow HRA Report Volume 1 Appendix E Annex A [APP-148]), the workforce will be dominated by men aged 20-50, based on the national breakdown of people employed in the construction industry, and the key sport/recreation characteristics for this demographic group are as follows:</p> <ul style="list-style-type: none">• preference and higher than national average participation in organised/formal sport - main reason is to meet friends;• football and gym are overwhelmingly favoured as activities. The provision of formal recreation facilities for construction workers comprising a gym at the accommodation campus and sports facilities including a full-size 3G football pitch and two MUGAs at Alde Valley School adjacent to Leiston Leisure Centre is described in paragraphs 3.4.218 to 3.4.220 and 3.4.262 to 3.4.264 of Volume 2, Chapter 3 (Description of Construction) of the ES (Doc Ref. 6.14(A));

⁶⁶ ESC (2021) Habitat Mitigation (RAMS). Available at: <https://www.eastsuffolk.gov.uk/planning/developer-contributions/rams/>

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> • work commitments are a significant reason for not undertaking recreation activity; and • other than sport, these groups are less likely to take part in recreation and leisure activities outside of the home. <p>The majority of construction workers will work in shifts, limiting the time when all workers may be looking to undertake recreation activity (first bullet point in paragraph 3.3.10 of the Recreational Disturbance Evidence Base (Shadow HRA Report Volume 1 Appendix E Annex A [APP-148])). Indicative shift patterns are shown in section 1.3 of the Code of Construction Practice Part B(Doc Ref. 8.11(B)).</p> <p>A proportion of shifts will be during the day with '<i>time off</i>' during the hours of darkness when recreational resources at European sites are likely to be less attractive to construction workers because they are remote and unlit.</p> <p>Construction workers based in the accommodation campus and LEEIE would live alone because families would not be allowed to stay at the campus or at the LEEIE (first bullet point in paragraph 3.3.8 of the Recreational Disturbance Evidence Base (Shadow HRA Report Volume 1 Appendix E Annex A [APP-148])) describes this for campus-based workers; families would also not be allowed to stay at the LEEIE caravan site).</p> <p>The majority of these construction workers are likely to return home at weekends/at the end of their working period (paragraphs 3.3.8 and 3.4.20 and of the Recreational Disturbance Evidence Base (Shadow HRA Report Volume 1 Appendix E Annex A [APP-148])). It is during these periods that construction workers would be more likely to go for walks or cycle, when they will not be in the Sizewell C area and will not visit the European sites that could be affected during the construction of Sizewell C.</p> <p>Another reason why the agreed RAMS payment is considered robust and highly precautionary is because it is based on residents at typical dwellings, some of which would have dogs. Dogs are a key source of potential disturbance to wildlife at European sites, and also exercising dogs is a key reason to go for regular walks. Construction workers based at the accommodation campus (paragraph 3.3.18 of the Recreational Disturbance Evidence Base (Shadow HRA Report Volume 1 Appendix E Annex A [APP-148])) and LEEIE would not be allowed dogs at their accommodation. Therefore, dogs would not be a potential source of harm from this source, and these workers would not be undertaking regular (e.g. daily) dog walks.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>East Suffolk</p> <p>RAMS payments in East Suffolk are intended to provide funding to mitigate for all potential harm due to recreational disturbance at European sites. For the Sizewell C Project, in addition to the RAMS payment SZC Co. is proposing a suite of other mitigation measures for construction workers and for people who may be displaced from the area around the construction site to European sites including:</p> <ul style="list-style-type: none">• A new informal car park accessed off the B1122, a surfaced footpath, and approximately 27 hectares of new open access land, including areas where dogs will be allowed to be exercised offlead at Aldhurst Farm (paragraphs 1.2.26 and 1.2.38 of the updated Rights of Way and Access Strategy in Volume 2, Appendix 15I of the ES submitted at Deadline 2 (Doc Ref. 6.3 15I(A)). This car park would be increased to 20 spaces early in the construction phase to allow for additional users of the recreational access network, and funding provision for this is to be included in the Deed of Obligation.• Improvements to Kenton Hills car park including additional spaces, management of vegetation and signage (paragraphs 1.2.24 and 1.2.39 of the updated Rights of Way and Access Strategy in Volume 2, Appendix 15I of the ES submitted at Deadline 2 (Doc Ref. 6.3 15I(A)) . This would provide up to 15 additional parking spaces allowing for greater use of the recreational access network including the permissive footpath network in Kenton Hills.• SZC Co. is in discussion with SCC and ESC on projects which would enhance the right of way and access network, that lie outside the DCO site boundary, which will be funded by SZC Co. through the Deed of Obligation (a draft Deed of Obligation is provided in Doc Ref. 8.17(C)). These will include a number of enhancements outside European sites which will make recreational resources more attractive to use, helping to reduce displacement of people to European sites. <p>Monitoring and Mitigation Plans for European sites are being developed by SZC Co. in consultation with Natural England, the RSPB and the National Trust, setting out how mitigation measures will be implemented where necessary, to ensure that recreational disturbance due to additional visitors arising from Sizewell C does not cause Adverse Effects on the Integrity (AEoI) of European sites. Two draft Monitoring and Mitigation Plans will be submitted into examination at an appropriate deadline and provide further detail. The first is submitted at deadline 2 (see the draft Minsmere Monitoring and</p>

ExQ1	Question to:	Question:
		<p>Mitigation Plan – Walberswick European Sites and Sandlings (North) European Site (Doc Ref. 9.15)). These plans and the RAMS payment RAMS are elements of a broad mitigation package which will ensure that Sizewell C does not cause any AEOI of European sites.</p>
AR.1.4	The Applicant	<p>Land East of Eastlands Industrial Estate</p> <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>
	Response	<p>(i) It is not clear what is meant by '<i>the temporary construction area may be raised by as much as 5.5m above existing ground levels</i>' in the context of the LEEIE. The Temporary Construction Area located primarily to the north and west of the proposed Sizewell Marshes Site of Special Scientific Interest (SSSI) crossing, which would be used to support construction activity on the main platform, including the accommodation campus. This area does not include the LEEIE.</p> <p>The general construction area across the LEEIE is to be either raised or lowered by approximately $\pm 1\text{m}$ against the existing ground levels, not a wholesale raising of 5.5m above existing ground levels.</p> <p>The change in ground height due to stockpiling of topsoil in the north-western corner of the LEEIE is included in the noise assessment, which is described in Volume 2, Chapter 11, Appendix 11B of the ES [APP-204].</p> <p>(ii) Visual effects on residents along Valley Road are assessed within the landscape and visual impact assessment for the main development site at Volume 2, Chapter 13 of the ES [APP-216]. These residents fall within Visual Receptor Group 17 and Representative Viewpoint 32 is located adjacent to the properties. Figure 13.9.32 to Volume 2, Chapter 13 of the ES [APP-221] includes a description of the visual effects for these properties during construction, indicating that the proposed stockpiles would be visible, but that effects would be of Medium-small scale and Adverse. Construction phase parameters based photowires for normal and exceptional parameters at Representative Viewpoint 32 are provided at Figure 13.10.107 [APP-223] and at Figure 18 of</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>Appendix A [AS-050] in response to the ExA's Procedural Decision dated 22 December 2020 [PD-009].</p> <p>The assessment of effects on Visual Receptor Group 17 can be found at Volume 2, Appendix 13F of the ES [APP-217]. This records that the long-term visual effects would generally be of low magnitude, slight (not significant) and adverse. It also records that the visual effects experienced by a small number of residents along Valley Road and Lovers Lane adjacent to the LEEIE are not considered to be overwhelming or overbearing.</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>(i) Yes, that is correct. The meeting was attended by a single commercial fisherman.</p> <p>(ii) The commercial fisherman was representing himself.</p> <p>(iii) 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 [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	Yes, the final bullet point should refer to Appendix 2B.
AR.1.7	SCC	<p>Public Rights of Way</p>

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	No response from SZC Co. is required.
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>
	Response	<p>(i) Statutory purposes of the AONB</p> <p>The emphasis of the AONB Partnership's Relevant Representation relates to loss of access with a particular focus on The Suffolk Coast Path/proposed England Coast Path and that it is these aspects that this response focuses in on, but references to the full Amenity and Recreation assessment are provided.</p> <p>The Countryside and Rights of Way Act 2000 confirms that the purpose of designating AONBs is the conservation and enhancement of the natural beauty of the area.</p> <p>As part of SZC Co's pre-application engagement, discussions between the Suffolk Coast and Heaths AONB Partnership, Suffolk County Council, Suffolk Coastal District Council (now East Suffolk Council) and SZC Co., were held which identified what constitutes the natural beauty and special qualities of the Suffolk Coast and Heaths AONB. The findings</p>

ExQ1	Question to:	Question:
		<p>are presented in Appendix 13 C of Volume 2, Chapter 13 (Landscape and Visual) of the ES [APP-217]. The extensive rights of way network; the areas of designated open access land; and opportunities for a range of active and passive recreational pursuits are identified as Special Qualities Indicators, highlighting their importance to the Suffolk Coast and Heaths AONB and the ability for people to access key landscape types and other assets.</p> <p>Volume 2, Chapter 13 (Landscape and Visual) of the ES [APP-216] presents an assessment of the proposed development during construction and operation on the natural beauty and special qualities of the Suffolk Coast and Heaths AONB which underpin the assessment of the impact on the statutory purpose of the AONB.</p> <p>A detailed assessment of the effects on public access (including effects on rights of way and open access land) within and outside the Suffolk Coast and Heaths AONB is presented in Volume 2, Chapter 15 (Amenity and Recreation) of the ES [APP-267], with relevant details provided below:</p> <p>Loss of public access</p> <p>Paragraph numbers under this heading (loss of public access) refer to the updated Rights of Way and Access Strategy in Volume 2, Appendix 15I of the ES submitted at Deadline 2 (Doc Ref. 6.3 15I(A)) unless otherwise stated.</p> <p>Loss of public access within the AONB during the temporary construction phase will comprise:</p> <ul style="list-style-type: none"> • the temporary closure of the northern section of bridleway E-363/019/0 (Bridleway 19) which runs along the western edge of the AONB. An off-road diversion is provided for this temporary closure. (Paragraph 1.2.22.); • the closure of permissive footpaths in Goose Hill (paragraph 1.2.27) and a short section between Bridleway 19 and the retained permissive footpath network in Kenton Hills (paragraph 1.2.25); • Sandlings Walk would be diverted north along the coast and then west between Minsmere Sluice and Eastbridge (but kept open) due to the above closures (paragraph 1.2.27); and • loss of access to areas of the beach during construction of the sea defences and beach landing facilities (paragraph 1.2.7).

ExQ1	Question to:	Question:
		<p>Temporary closures of PRow E-363/021/0 and the Coast Path (comprising the Suffolk Coast Path, Sandlings Walk, the future England Coast Path) which run along the coast through the main development site, and inland diversions of the Coast Path, may also be necessary for short periods during the construction phase. However, SZC Co. has sought to minimise temporary closures of the PRow E-363/021/0 and Coast Path, and will continue to do so throughout the pre-construction and construction phases. Further detailed design work included in the Additional Submission in January 2021 has identified that PRow E-363/021/0 and the Coast Path would be kept open at all times except in rare circumstances where it is considered unsafe to do so, as noted in paragraphs 2.10.38, 2.10.40 and 2.10.54 of Volume 1, Chapter 2 of the ES Addendum [AS-181].</p> <p>If the Coast Path needs to be temporarily closed for short periods and the inland diversion of the Suffolk Coast Path, Sandlings Walk and future England Coast Path is required during the construction phase it would follow the route shown on Figure 15I.4 of Volume 2 Chapter 15 Appendix 15.I (updated Rights of Way and Access Strategy) of the ES (Doc Ref. 6.3 15I(A)).</p> <p>The following additional permanent provision of linear and area access is provided within, on the edge of or immediately adjacent to the AONB during the construction phase:</p> <ul style="list-style-type: none"> • A new approximately 4.5km long offroad bridleway from Sizewell Gap in the south to the accommodation campus in the north (paragraphs 1.2.15 and 1.2.36). Part of this would accommodate the Bridleway 19 diversion. • A new bridleway link between the above offroad bridleway in the south-east field of Aldhurst Farm and Valley Road (paragraphs 1.2.19 and 1.2.36). • A new footpath connection between the offroad bridleway within the northern field in Aldhurst Farm and Bridleway 19 and the permissive footpath network in Kenton Hills from approximately the second year of the construction phase (paragraphs 1.2.20 and 1.2.36). This would be dedicated as a PRow (bridleway) on the commencement of the operational phase. This is Change 15 described at section b) xii) of Volume 1, Chapter 2 (Main Development Site) of the ES Addendum [AS-181], and shown on Figure 2.2.32 of Volume 2, Chapter 2 (Main Development Site) of the ES Addendum [AS-190]. • A new informal car park, a surfaced footpath, and approximately 27 hectares of new Open Access land, including areas where dogs will be allowed to be exercised offlead (paragraphs 1.2.26 and 1.2.38). This car park would be increased to 20

ExQ1	Question to:	Question:
		<p>spaces early in the construction phase to allow for additional users of the recreational access network, and funding provision for this is to be included in the Section 106 Agreement.</p> <ul style="list-style-type: none"> Improvements to Kenton Hills car park including additional spaces, management of vegetation and signage (paragraphs 1.2.24 and 1.2.39). This would provide up to 15 additional parking spaces allowing for greater use of the recreational access network including the permissive footpath network in Kenton Hills. <p>During operation temporarily closed linear routes would be restored to their existing or new agreed alignments, and the 'coastal margin' would be defined along the coast including on the sea defences (exact area inland of the England Coast Path will be agreed with Natural England) (paragraph 1.2.34). A permanent loss would be short sections of east-west aligned permissive footpath within Goose Hill, with an alternative east-west aligned permissive footpath provided (paragraph 1.2.32).</p> <p>Loss of access during the construction phase has been minimised and alternative and additional routes and areas provided.</p> <p>Compromised experience for those using routes or areas</p> <p>Information is provided in response to Question AR.1.8 (ii) in this chapter.</p> <p>Proposed mitigation</p> <p>Proposed mitigation for effects on recreational receptors is described in section 15.5 of Volume 2, Chapter 15 (Amenity and Recreation) of the ES [APP-267]. During the construction phase this includes:</p> <ul style="list-style-type: none"> Measures set out in the updated Rights of Way and Access Strategy in Volume 2, Appendix 15I (Amenity and Recreation) of the ES (Doc Ref. 6.3 15I(A)) submitted at Deadline 2. Key measures include: <ul style="list-style-type: none"> improved and new linear and area access described above; minimising the need for temporary path closures and diversions, and where these are unavoidable providing alternative routes so as to reduce to a minimum any disruption or loss of amenity; and the Coast Path would be kept open at all times except in rare circumstances where it is considered unsafe to do so. This is a substantial improvement to the position in the original DCO application where temporary closures including closure for approximately six months during construction of the BLF

ExQ1	Question to:	Question:
		<p>and a temporary diversion inland was assumed (see paragraph 3.4.68 of the updated Volume 2 Main Development Site Chapter 3 Description of Construction (Doc Ref. 6.14(A)).</p> <ul style="list-style-type: none"> • Minimising and managing additional traffic on roads that could affect recreational receptors through a suite of measures listed in paragraph 15.5.30 of Volume 2, Chapter 15 (Amenity and Recreation) of the ES [APP-267], including: providing contractor accommodation at the main development site; park and ride facilities for construction workers; bus services for construction workers; provision of two BLF's and a railway connection to the main development site to maximise deliveries by sea and rail and minimise deliveries by road; a freight management facility to manage the flow and route of HGVs on the highway network; and a package of highway improvements. • A number of the mitigation measures set out in Table 3.1 of Part B of the Code of Construction Practice (Doc Ref. 8.11(B)) will reduce noise at source. • Measures to mitigate adverse effects on visual amenity including: retention of existing vegetation where possible; screen planting; temporary earth bunds, fencing/construction hoarding to screen lower level construction activity; limiting the heights of construction elements; and controlling light pollution. <p>During operation all temporarily diverted PRow would be reinstated to their original or new routes. The Coast Path would run through the naturalistic coastal grassland/dune setting east of the new hard coastal defence, within the accessible 'coastal margin' which will be designated by Natural England under the Marine and Coastal Access Act 2009. The improved and new routes are summarised in the updated Rights of Way and Access Strategy in Volume 2, Appendix 15I (Amenity and Recreation) of the ES (Doc Ref. 6.3 15I(A)) submitted at Deadline 2) as follows:</p> <ul style="list-style-type: none"> • enhanced north-south recreational routes through the creation of a 4.5km off-road multi-user bridleway for equestrians, cyclists and pedestrians. This includes off-road routes where existing rights of way and the Sustrans cycle route currently run along roads, and the creation of new routes where none exist at present; • a new off-road bridleway from Valley Road, connecting to the new off-road bridleway described above;

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> • a new bridleway connection across Lovers Lane between the off-road bridleway within Aldhurst Farm and bridleway 19 adjacent to Kenton Hills; • the new linear and area public access created at Aldhurst Farm forming part of the planning permission for the construction of the new wetlands (reference DC/14/4224/FUL), including the expanded car park, a definitive footpath and approximately 27ha of Open Access land; • a new formalised permissive footpath from Kenton Hills car park, connecting to the extensive permissive footpath network in the woodland and to the Sandlings Walk and the Coast Path; • the provision of additional spaces at Kenton Hills car park, surface improvements, selective vegetation removal to create a more open environment and improvements to signage; and • a permanent new footpath north of Leiston connecting two existing PRoW and Abbey Lane. <p>SZC Co. has sought to minimise adverse effects and maximise enhancement for recreational receptors as far as reasonably possible through design and mitigation. During the operational phase the Sizewell C Project would provide permanent enhancement to recreational access within the AONB.</p> <p>(ii) The assessment of effects on recreational receptors within and outside the AONB during the construction and operational phases has been assessed in Volume 2, Chapter 15 (Amenity and Recreation) of the ES [APP-267]. This identifies that there would be adverse effects on some recreational receptors within the AONB.</p> <p>Consistent with the requirements of NPS EN-1, the assessment of effects on the AONB has been undertaken as part of the LVIA given its designation is routed in the value of the landscape. The assessment is recorded in Volume 2, Chapter 13 (Landscape and Visual) of the ES [APP-216] as described further below. Volume 2, Chapter 15 (Amenity and Recreation) of the ES [APP-267] does not provide an assessment of effects on the AONB as a recreational area, as the AONB is not of itself a recreational receptor, albeit recreation activity occurs within its defined area.</p> <p>However, the status of the AONB as a nationally designated landscape has been accounted in the assessment of the value of resources (e.g. PRoW) used by receptors identified in the Amenity and Recreation assessment and within paragraphs 15.6.5 to</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>15.6.16 of Volume 2, Chapter 15 (Amenity and Recreation) of the ES [APP-267]. The value of these resources, combined with susceptibility of receptors, fed into the assessment of sensitivity in accordance with the methodology (see Table 1.4 of Volume 1, Appendix 6K (Amenity and Recreation Legislation and Methodology) of the ES [APP-171]).</p> <p>For example, users of the Sandlings Walk, Suffolk Coast Path and future England Coast Path (paragraph 15.6.6), and Regional Cycle Route 41/42, National Cycle Route 1 and the Suffolk Coastal Cycle Route (paragraph 15.6.11 of Volume 2, Chapter 15 (Amenity and Recreation) of the ES [APP-267]) are all assessed to be of high value because they pass through the AONB. PROW, Open Access Land, registered common land, permissive footpaths and the beach within the AONB are all of high value 'because recreation is of great importance to the AONB' (paragraph 15.6.7).</p> <p>The assessment of effects on recreational receptors within the AONB within Volume 2, Chapter 15 (Amenity and Recreation) of the ES [APP-267] has informed the assessment of effects on the AONB natural beauty and special quality indicators and the overall effects on the AONB at paragraphs 13.6.131 to 13.6.150 (construction phase) and paragraphs 13.6.304 to 13.6.321 (operational phase) of Volume 2, Chapter 13 (Landscape and Visual) of the ES [APP-216]. Effects on recreational receptors are assessed under the special quality 'health and wellbeing' in Table 13.14 (construction phase) and Table 13.17 (operational phase) of Volume 2, Chapter 13 of the ES [APP-216].</p>
AR.1.9	SCC, ESC	<p>AONB PROW</p> <p>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?</p>
	Response	No response from SZC Co. is required
AR.1.10	SCC, ESC	<p>Accommodation Campus</p> <p>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?</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	No response from SZC Co. is required
AR.1.11	SCC, ESC	<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>
	Response	No response from SZC Co. is required
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>(i) Please see response in Appendix 6A – Response to ExQ1 AR.1.12 to this chapter.</p> <p>(ii) Two monitoring and mitigation plans are in preparation, in consultation with Natural England, the National Trust and RSPB and other stakeholders and drafts are to be submitted at an appropriate deadline. These are:</p> <ul style="list-style-type: none"> • Minsmere Monitoring and Mitigation Plan- Walberswick European Sites and Sandlings (North) European Site, a draft is submitted at Deadline 2 (Doc Ref. 9.15); and • Monitoring and Mitigation Plan for Sandlings (Central) and Alde, Ore and Butley Estuaries European Sites (to be submitted at a future deadline).

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>SZC Co. has held consultation meetings with Natural England, the National Trust and RSPB to discuss these plans, and Natural England, the National Trust and RSPB have provided comments on drafts of the Minsmere Monitoring and Mitigation Plan - Walberswick European Sites and Sandlings (North) European Site which have been addressed in the plan submitted at Deadline 2 (Doc Ref. 9.15).</p> <p>Monitoring of recreational use and disturbance at European sites to inform the need for further mitigation is an important part of these plans. SZC Co. is commissioning surveys of existing recreational users of European sites, which we are aiming to commence in early summer 2021, and will be continued during the pre-construction period to record current levels of use. Surveys will be continued during the construction and early operational phases to record changes to inform the need for mitigation and the potential nature of any such mitigation, as set out in the plans submitted or to be submitted.</p> <p>A response on the assessment of tourism effects and the proposed Resilience Funds for RSPB Minsmere and National Trust Dunwich Heath is set out in response to Question SE.1.13 in Chapter 23 (Part 6) of this report. Discussions are ongoing with both parties to agree the scope and quantum of these funds which will be secured in the Schedule 13 of the Deed of Obligation (latest draft Doc Ref. 8.17(C)).</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	No response from SZC Co. is required.
AR.1.14	The Applicant, SCC	<p>PROW</p> <p>The Ramblers Association [RR-1005] have expressed concern regarding the impacts on the local PROW network. Please respond to the concerns identified.</p>
	Response	<p>The Ramblers Association relevant representation [RR-1005] describes what the Ramblers Association will provide in representations to be made on behalf of the Ramblers Association, stating <i>'we will comment on the effect of the proposed development on the public rights of way network'</i>. It does not express concern on the impacts on the local PROW network. No further relevant representations have been made by the Ramblers Association.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>The Ramblers Association relevant representation RR-1005 does state 'we will say how the proposed development will affect the beauty of the countryside' but does not provide any evidence or information to support this.</p> <p>Effects on the appearance and character of the landscape, including visual effects on users of the PRow network, for the main development site and associated development sites are assessed in detail in the following Landscape and Visual chapters of the ES: Volume 2 Chapter 13 [APP-216], Volume 3 Chapter 6 [APP-360], Volume 4 Chapter 6 [APP-390], Volume 5 Chapter 6 [APP-421], Volume 6 Chapter 6 [APP-457], Volume 7 Chapter 6 [APP-490], Volume 8 Chapter 6 [APP-520] and Volume 9 Chapter 6 [APP-551].</p> <p>Effects on the recreational amenity of users of the PRow network are assessed in detail in the following Amenity and Recreation chapters of the ES: Volume 2, Chapter 15 [APP-267], Volume 3 Chapter 8 [APP-366], Volume 4 Chapter 8 [APP-397], Volume 5 Chapter 8 [APP-429], Volume 6 Chapter 8 [APP-464], Volume 7 Chapter 8 [APP-497], Volume 8 Chapter 8 [APP-526] and Volume 9 Chapter 8 [APP-558].</p>
AR.1.15	The Applicant, SCC	<p>PROW</p> <p>[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.</p>
	Response	<p>The proposed diversion of Bridleway 19 runs from at the western end of Sandy Lane where it meets Lovers Lane, to the northern end of Bridleway 19 where it joins Eastbridge Road. Existing bridleways (Bridleways 19 (E-363/019/0) and E-363/013/0) currently run along the carriageway of Lovers Lane between Sandy Lane and the B1122 Abbey Road (see Figure 15I.1 of the updated Rights of Way and Access Strategy in Volume 2, Appendix 15I of the ES submitted at Deadline 2 (Doc Ref. 6.3 15I(A))). There is currently no safe walking, cycling or horse riding route segregated from the carriageway along this section of Lover's Lane. The alternative proposed diversion within Aldhurst Farm will provide an off-road route for equestrians, cyclists and pedestrians which is safer than the existing on-road bridleways. Paragraph 1.2.12 of of the updated Rights of Way and Access Strategy in Volume 2, Appendix 15I of the ES submitted at Deadline 2 (Doc Ref. 6.3 15I(A)) explains that the proposed diverted bridleway route includes provision for</p>

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

ExQ1	Question to:	Question:
		<p>controlled and uncontrolled road crossings suitable for equestrians, cyclists and pedestrians, and a level crossing would be provided in connection with the construction phase rail route.</p> <p>The section of the proposed off-road bridleway between Sandy Lane and Sizewell Gap would be entirely new, and provide an off-road route for equestrians, cyclists and pedestrians as a safer alternative to using the public highway on Sandy Lane and Sizewell Gap. Currently there is a narrow footway along the eastern side of Lover’s Lane and a broader footway and cycleway on the south side of Sizewell Gap.</p> <p>The off-road bridleway will be set back from the roads and screened by vegetation as far as possible. The design of the bridleway and its road crossings have been developed with reference to British Horse Society design guidance and following several rounds of public consultation which received written and in person responses from local horse riders. New highway crossings will include signalised Pegasus crossings which offer the highest degree of safety to equestrians, enabling them to wait in a dedicated area until traffic has stopped at a red signal before crossing. Please see Volume 2, Appendix 15I, Figure 15I.1 (Amenity and Recreation) of the ES (Doc Ref. 6.3 15I(A)) for the locations and types of proposed road crossings. The detail on the specification for the crossings will be agreed with SCC.</p> <p>The southern end of the proposed off-road bridleway exits onto Sizewell Gap, and cyclists and pedestrians will be able to cross onto the existing off-road cycleway and footway south of the road. This connects to Leiston and Sizewell, and bridleways south of Sizewell Gap. SZC Co. will consult SCC on equestrian use of this road crossing and section of Sizewell Gap.</p> <p>The width and surface type of the new bridleway will be suitable for equestrians, cyclists and pedestrians, and the principle of providing 3m of paved path plus 2m of grass surface has been agreed with SCC. The detailed specification will be agreed with SCC.</p>
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>

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

ExQ1	Question to:	Question:
	Response	<p>An Ecology and Landscape Management Plan was submitted as part of the original Aldhurst Farm Habitat Creation planning permission (East Suffolk Council reference DC/14/4224/FUL). This plan detailed the scheme objectives, proposed habitats, habitat and landscape management creation and management practices. The plan was subject to consultation with technical stakeholders and has benefited from technical guidance specifically on habitat creation and management provided by the Environment Agency; Natural England, SCC; Suffolk Coastal District Council (now East Suffolk Council); Suffolk Wildlife Trust and the RSPB. This plan sets out in detail how the site will be managed to ensure that the environmental and landscape objectives are realised as required by Conditions 2 and 20(b) of planning permission reference DC/14/4224/FUL.</p> <p>The Aldhurst Farm Ecology and Landscape Management Plan is being updated to account for public access arrangements submitted to the local planning authority pursuant to Condition 25 of the Aldhurst Farm planning permission (DC/14/4224/FUL) to ensure the long term ecological objectives of the site remain valid.</p> <p>(ii) Condition 25 of the original planning application (DC/14/4224/FUL) requested that 'a plan setting out future public access arrangements across the site shall be submitted for approval by the local planning authority within 3 years of completion of the planting and habitat creation (September 2016). Access arrangements shall then be carried out in accordance with the approved plan'. [Reason: to open up parts of the site for quiet public recreation, in a manner that does not compromise the agreed habitat management objective].</p> <p>The submitted scheme was subject to consultation with East Suffolk Council, Suffolk County Council, Natural England and Suffolk Wildlife Trust and provides approximately 27ha of off-lead dog walking Open Access land to the south of the PROW.</p> <p>As required by Conditions 2 and 20(b) of planning permission reference DC/14/4224/FUL, the Aldhurst Farm Ecology and Landscape Management Plan sets out the habitat typology across Aldhurst Farm. The majority of Aldhurst farm, outside of the wetland habitat, will ultimately comprise grassland, and heath with areas of scrub and scattered trees. Such habitat types are relatively robust and would accommodate the exercising of dogs off the lead. Once scrub and scattered trees have developed scrub nesting bird species will be relatively secure from casual disturbance.</p> <p>The main potential conflict is likely to arise with dogs off the leads causing disturbance to ground nesting bird species such as skylark which have already started to colonise the</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>newly grassed areas. Therefore, the approved public access strategy excludes public access from land to the north, and a field south of the wetland habitat, ensuring 42ha (including the 6ha of wetland habitat) of undisturbed land free from public access to provide a refuge for species such as ground nesting birds and reptiles, whilst also buffering the sensitive wetland habitat. Fencing to secure and restrict access to these land parcels is in place, as implemented under condition 25 of planning permission reference DC/14/4224/FUL.</p> <p>The proposed Bridleway 19 diversion (associated with the Sizewell C DCO) within the east and northern edge of the Aldhurst Farm site would be fenced to prevent public access to the grassland areas.</p> <p>Wetland habitat such as the created reedbed and ditch habitat, is more sensitive. Therefore, all public access is excluded from the 6ha of wetland habitat. Fencing to ensure that access is prevented is already in place.</p> <p>By being welcoming to walkers and dog walkers, and providing information on the wildlife and habitat within Aldhurst Farm, it is envisaged that the public are more likely to respect and adhere to access restrictions and to pro-actively seek to avoid disturbing wildlife, but patterns of access, and the success of signage and access restrictions will be reviewed periodically to inform the need for any remedial action in respect of disturbance to wildlife within the no access areas.</p> <p>All future monitoring and management is set out in the Aldhurst Farm Ecology and Landscape Management Plan.</p>
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	<p>The additional parking will be secured through the Deed of Obligation (the latest draft is provided in (Doc Ref. 8.17(C)).</p>
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>

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

ExQ1	Question to:	Question:
		(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?
	Response	No response from SZC Co. is required.
AR.1.19	ESC, SCC	<p>Community Impact Report (CIR)</p> <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>
	Response	No response from SZC Co. is required.
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>
	Response	No response from SZC Co. is required.
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>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	<p>Response</p>	<p>SZC Co. does not consider that, in light of the complexity of the assessment and the time period over which the construction would last, it would be reasonable to assume that the significance of effect could be greater than that which has been concluded. SZC Co. is confident in the assessments within each Amenity and Recreation chapter of the ES and are satisfied they are precautionary. The methodology was consulted on with statutory and non-statutory consultees as summarised in Table 1.3 of Volume 1, Appendix 6K (Amenity and Recreation Legislation and Methodology) of the ES [APP-171]. SCC has agreed in the Statement of Common Ground with the methodology for the assessment of impacts on amenity and recreation including tranquillity, as detailed in Volume 1 Appendix 6K of the ES [APP-171] (Doc Ref. 9.10.12 Table 4.2, AR2 and AR18).</p> <p>SCC has agreed that the assessment conclusions for the main development site are robust and appropriate, with the exception of three matters where discussions are ongoing (Doc Ref. 9.10.12 Table 4.2, AR3, AR4, AR5 and AR6).</p> <p>The assessments presented in the Amenity and Recreation chapters of the ES have followed a robust and thorough process in accordance with the methodology in Volume 1, Appendix 6K (Amenity and Recreation Legislation and Methodology) of the ES [APP-171]. The duration of the construction period has been accounted for in the assessments. The duration of the construction phase is defined as long-term, falling within the 10-25 years long-term time frame defined at paragraph 1.3.35 of Volume 1, Appendix 6K (Amenity and Recreation Legislation and Methodology) of the ES [APP-171].</p> <p>The assessments were undertaken by LDA Design, by experienced professional staff, and peer reviewed by an experienced Director at LDA Design. The assessments were reviewed by SZC Co.'s EIA team and legal advisors, before being finalised by LDA Design.</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>

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

ExQ1	Question to:	Question:
		<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>
	Response	<p>SZC Co. has been working closely with SCC, ESC and Wickham Market Parish Council (WMPC) to develop a package of improvements for the village that will widen footways, improve pedestrian crossing facilities and control traffic speeds through the careful application of footway build-outs and kerb re-alignment. As part of the scheme proposals SZC Co. proposes to rationalise car parking along the B1078 through Wickham Market, creating safe places for pedestrians to cross, improving visibility from property accesses and creating highway geometry that encourages slower speeds.</p> <p>(i) Yes. Traffic Regulation Orders will be required to modify the current parking restrictions along the B1078 in Wickham Market.</p> <p>(ii) On the B1078 between Border Cot Lane and Spring Lane, the peak number of vehicles parked along the High Street during a parking occupancy survey in 2019 was recorded as 22; the future capacity would be 17 (loss of five spaces). The capacity of the long parking bay along High Street between Spring Lane and Lower Street would be reduced from 12 to 10 spaces – however the parking survey recorded a maximum of 10 cars parked along the kerbside east of Spring Lane at peak, suggesting that the future design would be sufficient to accommodate demand. On Border Cot Lane parking for seven cars will be provided on the southern side between the High Street junction and Riverside View. This represents a reduction of approximately 3 cars compared to the existing situation, taking into account the presence of crossovers already present. There would be no change in parking provision west of Riverside View.</p> <p>(iii) During high parking demand periods (typically late evening and overnight), a small number of drivers would need to find alternative parking within Wickham Market. The 2019 parking survey showed spare capacity on side-roads. Barhams Way was found to have adequate spare on-street parking capacity for displaced parking, with a public footpath linked directly back to the B1078 High Street (around 120m in length).</p> <p>(iv) The majority of parking along the B1078 in Wickham Market is unmarked. No blue-badge spaces are marked. The scheme proposals include marked parking bays, and so could incorporate marked blue badge parking bays, should that be required.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>SZC Co. recognises that loss of parking is an important issue for WMPC and continues to work with the Parish to minimise any parking loss. SZC Co. is currently seeking acceptance from the Parish to present the scheme proposals to the community through a public consultation process in the summer.</p> <p>The Wickham Market scheme would be delivered by SCC and funding secured through Deed of Obligation (latest draft of the Deed of Obligation provided in Doc Ref. 8.17(C)).</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> <p>(ii) what mitigation if any would be secured to ensure that the effects are kept below a significant level?</p>
	Response	<p>(i) The Site Selection report [APP-591] sets out the site requirements and filter stages that SZC Co. has progressed to identify Wickham Market as the preferred option for the southern park and ride site.</p> <p>A number of refinements to the design were made in response to the Stage 4 consultation comments received that aim to improve both the character and amenity of the residents of Wickham Market. Those refinements include:</p> <ul style="list-style-type: none"> • refinements to the lighting design including incorporation of measures to reduce light spill; and • with regards to reducing delay through Wickham Market, SZC Co. has been working with the Parish Council to bring forward a public realm improvement scheme within the public highway which would represent the first phase of the implementation of the Wickham Market Neighbourhood Plan (rather than temporarily removing on-street parking on the B1078 or constructing a diversion route via Valley Road and Easton Road) <p>(ii) Any additional mitigation would be secured through the Deed of Obligation (latest draft of the Deed of Obligation is provided in Doc Ref. 8.17(C)). The public realm improvement scheme would address elements of the pedestrian safety, and cycling, walking and</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>disability access routes policies of the draft Wickham Market Neighbourhood Plan, as well as deliver a number of the potential improvement works identified in the transport and movement section of the Neighbourhood Plan. Measures are currently exploring the introduction of village gateways, pedestrian crossings, narrowing of roads/widening of pedestrian routes, and demarcation of parking bays.</p>
AR.1.24	The Applicant, SCC, ESC	<p>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.</p>
	Response	<p>SZC Co. acknowledges the concerns raised by local residents and discussions have been on-going regarding this matter during public consultation and since submission of the DCO Application. Recent helpful discussions with SCC Highways has confirmed that a vehicular bridge is viable in this location when combined with a reduction in speed limit. Although SZC Co. considers that the current DCO proposals would provide sufficient connectivity between Theberton and Saxmundham and would maintain access to Theberton Hall, SZC Co. does see merit in maintaining vehicular access along Pretty Road to assist with local connectivity and to enhance landowner access to fields either side of the Sizewell link road.</p> <p>In response to the concerns raised, SZC Co. is therefore intending to revise the Pretty Road bridge proposals so that vehicular access across the Sizewell link road in this location is maintained. SCC have been made aware of this intention and are supportive of the amendment in principle. Please see the Notification Report (Doc Ref. 9.27) submitted at Deadline 2 for further detail.</p>
AR.1.25	The Applicant, SCC	<p>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. Please respond to these concerns setting out how you consider the effects are mitigated.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	Schedule 16 of the Draft Deed of Obligation (latest draft is provided in Doc Ref. 8.17(C)) identifies a Marlesford and Little Glemham Improvement Contribution to be used by SCC for the design and implementation of local improvements to mitigate Sizewell C impacts. The proposed improvements include new 30mph speed limit through Marlesford and extension of the existing 40mph speed limit, traffic calming, gateway features, new and wider footways and crossings. The Applicant considers that these measures adequately mitigate any potential effects.
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	<p>(i) The reference to the high potential for combined effects from the northern park and ride is set out in paragraph 1.6.16 of the Equality Statement [APP-158] with specific reference to the Sai Grace Ashram.</p> <p>The assessment of noise and vibration associated with the construction and use of the northern park and ride site, as set out in Volume 3, Chapter 4 of the ES [APP-354] and subject to the mitigation set out in the Code of Construction Practice (Doc Ref 8.11(B)) no significant adverse effects were identified.</p> <p>Table 4.1 in Volume 3, Chapter 4 of the ES [APP-354] identifies the sensitivities of a range of receptor types, including buildings in religious use, which are considered to be low sensitivity, due to their predominantly indoor usage and non-permanent occupation. If the building is currently also in use as a residential dwelling, it would be considered to be of medium sensitivity, which would be consistent with the assessment in the ES. The conclusion that there will be no significant adverse effects due to noise and vibration is not considered to be altered by the Sai Grace Ashram, irrespective of whether it is also in use as a residential dwelling.</p> <p>The air quality assessment for the Northern Park and Ride concludes that the air quality effects are predicted to be negligible and not significant at all receptors near the Northern</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>Park and Ride, during construction, operation and removal and reinstatement of the site. No mitigation beyond the measures set out within the CoCP is required.</p> <p>Volume 3, Appendix 5A (Dust Risk Assessment) of the ES [APP-358] and Section 3.3 of Volume 1, Chapter 3 (Northern Park and Ride) of the ES Addendum [AS-182] report the air quality effects at receptors near the Northern Park and Ride.</p> <p>(ii) SZC Co. note that no significant adverse noise or air quality effects would be felt so no additional mitigation is required.</p>
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>
	Response	No response from SZC Co. is required.
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>The Applicant has now updated Volume 2, Chapter 3 (Description of Construction) of the ES (Doc Ref. 6.14(A)) to include Table 3-9, which sets out the name of the parking facility, parameter zone, number of spaces, predominant vehicle type and the relevant operational period for clarity. All of this information was contained within the previous version of the chapter but has been pulled together into a standalone table. All of these parking facilities are secured via Requirement 8 of the draft DCO (Doc Ref. 3.1(C)).</p>

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

ExQ1	Question to:	Question:
AR.1.29	The Applicant, ESC, SCC	Leiston 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.
	Response	SZC Co. has worked closely with SCC and Leiston Town Council (LTC) to develop a scheme for the town which proposes improvements to footways, public realm, cycle infrastructure and junctions. The package of improvements align with highway network changes put forward by LTC, including the conversion of B1122 Main Street and High Street to one-way eastbound and southbound. The one-way route is designed to allow cyclists to continue to travel in both directions along this route. To accommodate the scheme, the B1122 Main Street arm of the B1119 / B1122 / B1069 junction would be for traffic exiting the junction only, which should result in an improvement in capacity and efficiency. An on-demand cycle stage is proposed for cyclists approaching the junction from Main Street. The Leiston scheme proposals have received broad support from Council, and the public are expected to be consulted on proposals in the Summer of 2021. The Leiston scheme would be funded by SZC Co. through a defined section 106 contribution (see Schedule 16 to the Draft Deed of Obligation (Doc. Ref. 8.17(C))). The proposed scheme will also be supported by a road signage strategy for the town which will direct traffic on the appropriate routes to site to avoid using the town centre and King George Avenue. LEEIE will be used in the Early Years of the project as a temporary park and ride site for workers and also a control point to manage the flow of vehicles onto Sizewell Gap Road. SZC Co. and the Town Council have also discussed opportunities for the Community Fund (as detailed in the Deed of Obligation) to help deliver some of the wider cultural and social aspirations of the Town Council.
AR.1.30	The Applicant, ESC, SCC	Leiston 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.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	The Leiston Town Council proposal to stop vehicular traffic along Valley Road has been taken into account within the improvements summarised in Question AR.1.29 in this chapter. SZC Co. supports this initiative which has no negative impacts for the development in the area.
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>
	Response	<p>Improvements for cyclists</p> <p>An uncontrolled bridleway crossing will be included at this location, as shown in the updated Rights of Way and Access Strategy (Volume 2 Appendix 15I Figures 15I.2 and 15I.3) of the ES submitted at Deadline 2 (Doc Ref. 6.3 15I(A)). The detail on the specification for the crossing, will be agreed with SCC.</p> <p>Cyclist safety at the Kenton Hills /Lovers Lane junction</p> <p>LTC’s Relevant Representation (dated 20 September 2020) was submitted before SZC Co.’s ES Addendum submitted in January 2021 which includes a crossing over Lovers Lane at this location, between the new off-road bridleway in Aldhurst Farm and Bridleway 19 in Kenton Hills. This is Change 15 described at section b) xii) of Volume 1, Chapter 2 (Main Development Site) of the ES Addendum [AS-181], and shown on Figure 2.2.32 of Volume 2, Chapter 2 (Main Development Site) of the ES Addendum [AS-190]. During the construction phase this will be a pedestrian permissive footpath, and Bridleway 19 north of Kenton Hills Car Park will be temporarily closed for the construction phase as shown on the Access and Rights of Way Plans Sheet 2 of 27 [AS-113]. During the operation phase this crossing and the footpath link will be dedicated as a Public Right of Way (bridleway).</p> <p>Surfacing for walkers along the beach during construction activities (also see response to Question AR.1.36(iii) in this chapter)</p> <p>SZC Co. has been in dialogue with SCC and Natural England on the specification of the Coast Path ((comprising the Suffolk Coast Path, Sandlings Walk, the future England Coast Path and PRoW E-363/021/0) through the main development site along the coast during the construction and operational phases. The specification would be confirmed as part of</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		the footpath implementation plan submitted pursuant to Requirement 6A of the Development Consent Order (Doc. Ref 3.1(C)).
AR.1.32	The Applicant, SCC	<p>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.</p>
	Response	<p>The Freight Management Facility plans for approval [APP-053] shows the proposed general arrangement plan of the Freight Management Facility and its access junction on Old Felixstowe Road. The access is located on the outside of a slight bend in an otherwise straight road, which means that there is good intervisibility between HGVs exiting the Freight Management Facility and cyclists on Old Felixstowe Road.</p> <p>Furthermore, the presence of a right turn lane for traffic entering the Freight Management Facility means that HGVs entering from the direction of Felixstowe Docks have good forward visibility of eastbound cyclists which minimises the risk of any potential collision.</p> <p>The junction of the A1156 and Old Felixstowe Road similarly has good intervisibility between the major and minor arms. The additional HGV demand at the Seven Hills junction generated by the presence of the Freight Management Facility will be small compared to existing levels.</p>
AR.1.33	The Applicant, ESC, SCC	<p>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.</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 workers and what mitigation would be secured to address these community effects.</p>
	Response	Please see the response to Question CI.1.11 in Chapter 12 (Part 3).

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	<p>(i) All workers would be required to have a good standard of English language to work on the Sizewell C Project, regardless of their first language. All personnel would be expected to carry out basic training which includes site access, security and emergency plan requirements, as part of the nuclear site licence requirements (Licence Condition (LC) 10), and be demonstrably competent under LC12 to be able to carry out their work. All tests and training, including site induction, must be carried out in English and workers would have to demonstrate the required language proficiency.</p> <p>Volume 2, Chapter 9 (Socio-Economics) of the ES [APP-195], Table 9.49 sets out that the UK construction workforce has a high level of English language proficiency. However, as a contingency measure, SZC Co. would work with Tier 1 contractors to ensure translation services are available in case needed. This would not be to carry out day-to-day roles but for ad hoc issues such as, for example, house purchases, school place applications or a medical issue where the UK system may be different and vocabulary may be unfamiliar.</p> <p>Translation services may be delivered in house by the Tier 1 contractors (via multi-lingual staff) or a specialist agency but the Sizewell C Project will not mandate a particular approach as different companies will manage this in different ways, noting that Tier 1s are typically international companies used to supporting workers moving across different countries. Therefore this measure will not be secured.</p> <p>(ii) Tier 1 contractors are most likely to be international or national companies. Therefore, in the case of the former, require workers with specialist skills to move to the Sizewell C Project from outside the UK. Tier 2s and 3s are more likely to be regional or local companies and are not expected to require translation services over and above what they require in their current business activities. However, if a particular Tier 2 or 3 contractor</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>did require additional translation services, SZC Co. would expect their Tier 1 company to cascade down the translation support required.</p> <p>(iii) The proportion of the workforce to be provided by Tier 1 companies will vary over the course of the construction phase, and also by company.</p>
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	No response from SZC Co. is required.
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>(iii) SZC Co. has been in dialogue with SCC and Natural England on the specification of the Coast Path (comprising the Suffolk Coast Path, Sandlings Walk, the future England Coast Path and PRow E-363/021/0) through the main development site along the coast during the construction and operational phases. An unsealed surfaced path will be provided, with a minimum width of 1.5m, with a maximum gradient of 1:21. The specification to be agreed with SCC will continue under the temporary BLF. (Also see response to Question AR.1.31 in this chapter). The specification would be confirmed as part of the footpath implementation plan submitted pursuant to Requirement 6A of the Development Consent Order.</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>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		(ii) Does the Applicant agree this would represent a reasonable figure for additional visitor numbers?
	Response	The National Trust does not give a figure of 88,000 additional visitors in their relevant representation [RR- 877] so SZC Co. is unsure what this figure relates to and is unable to respond to this question without further clarity.
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> <p>Response</p> <p>In the early years, SZC Co. has assessed 1,500 construction workers at the main development site, of whom 600 would live in caravans on the LEEIE and would be bussed to site, and 65 workers living in the local area would walk or cycle. The remaining 835 workers would drive and park either on the main site car park or the LEEIE park and ride site (then catch a bus to the main development site along with those workers living in caravans). In addition, there would be construction workers driving to each of the associated development construction sites.</p> <p>At peak construction, SZC Co. has assessed 7,900 construction workers at the main development site, of whom 3,000 would live in campus/caravan accommodation and 1,183 would take a direct bus to site. The remaining 3,717 workers would drive and park either on the main site car park or at one of the two park and ride sites. In addition there would be 580 associated development workers at the main development site, of which 159 would take a direct bus to site. The remaining 421 workers would drive and park either on the main site car park or at one of the two park and ride sites. Finally there would be 20 workers driving to the work at the Freight Management Facility.</p> <p>In the operational phase, SZC Co. has assessed 900 workers at the main development site, all of whom would drive and park directly on site. Based on the shift rotas we have assumed only 95% of staff would be 'on shift' on an average day.</p> <p>The workers who would be travelling by car in each assessed phase (with car sharing assumptions applied), for at least part of their journey to work, are summarised in the</p>

ExQ1	Question to:	Question:																					
		<p>table below. The worker and vehicle numbers will be clarified in the Consolidated Transport Assessment (Doc Ref. 8.5(B)).</p>																					
		<table border="1"> <thead> <tr> <th data-bbox="775 371 1055 576" rowspan="2">Construction Site</th> <th data-bbox="1055 371 1514 576" rowspan="2">Parking area</th> <th colspan="2" data-bbox="1514 371 1816 491">Construction workers</th> <th colspan="2" data-bbox="1816 371 2098 491">Associated development workers</th> </tr> <tr> <th data-bbox="1514 491 1641 576">Workers</th> <th data-bbox="1641 491 1816 576">Cars</th> <th data-bbox="1816 491 1951 576">Workers</th> <th data-bbox="1951 491 2098 576">Cars</th> </tr> </thead> </table>	Construction Site	Parking area	Construction workers		Associated development workers		Workers	Cars	Workers	Cars											
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ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

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AR.1.39	The Applicant	<p>CoCP</p> <p>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.</p>																																																												
	Response	<p>Table 7.1 of CoCP (Doc Ref. 8.11(B)) has been amended to read 'advanced notification would be given of the diversion of PROW in accordance with section 3(f) of Part A of this CoCP, Advanced Notice of Works'.</p>																																																												



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

Chapter 7 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](#)

Chapter 8 HRA.1 [Habitats Regulations Assessment \(HRA\)](#)

ExQ1	Question to:	Question:
Chapter 7 - 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:</p> <ul style="list-style-type: none"> (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>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:</p> <ul style="list-style-type: none"> (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? (ii) where is the northern limit of the Sizewell Marshes SSSI? It appears to touch the area we describe in (i).

ExQ1	Question to:	Question:
	<p>Response</p>	<p>Appendix 7A of this chapter has been prepared to provide a detailed response to the questions raised. Appendix 7A also identifies the terrestrial and marine SSSIs, SACs, SPAs, Ramsar site(s), MCZs and other non-statutory designations they consider are of relevance to the Sizewell C Project on a site by site basis.</p> <p>The HRA Working Group was consulted on the draft Stage 1 HRA Screening assessment. Written responses were received from Natural England and the MMO (amongst others), and those relevant to the European scoping and screening exercises are summarised in Table 3.1 of the Shadow HRA Report [APP-145]. These comments were taken into account in the Shadow HRA process and, therefore, the European sites included in the Shadow HRA process were agreed through this consultation.</p> <p>(i) Figures 7.1 to 7.8 in Appendix 7A have been prepared to show the spatial extent of each designated area in relation to the main development site and each of the associated development sites boundaries.</p> <p>(ii) Tables 7.1 to 7.8 and Annex 7A to 7H of Appendix 7A have been prepared to provide reasons for the designation of each site.</p> <p>(iii) The Applicant has agreed that Natural England will provide the answer to section (iii) of this question</p> <p>In response to the labelling questions, the Applicant has prepared Figure 7.9 (included within Appendix 7A). This provides clarity on the extents of the Sizewell Marshes SSSI, Minsmere-Walberswick Heaths and Marshes SSSI and the Potton Halls Fields SSSI.</p> <p>Whilst the question has been answered in full above the Applicant has prepared an online tool which can be used to view the boundaries of all the designations identified within Appendix 7A. This can be accessed using the following hyperlink: https://eeuk.alytics.com/sizewellc-digitales-mds/map-explorer. This enables the user to select each of the designations independently, or overlaid over other selected map layers. The map layers available to view on this tool are:</p> <ul style="list-style-type: none"> • Main Development Site Boundary; • Special Area Of Conservation (SAC); • Special Protection Area (SPA); • Site Of Special Scientific Interest (SSSI); • Ramsar Site; • County Wildlife Sites; and

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> • Marine Area of Conservation. <p>The Applicant would be happy to provide the ExA with guidance on how to use this software should it be required.</p>
Bio.1.1	Natural England	<p>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.</p>
	Response	<p>No response is required from the Applicant.</p>
Bio.1.2	Natural England	<p>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.</p>
	Response	<p>No response is required from the Applicant.</p>
Bio.1.3	EA, The Applicant	<p>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.</p>
	Response	<p>The Applicant has developed a Statement of Common Ground (SoCG) with the Environment Agency and the latest version was submitted into Examination at Deadline 2 (Doc Ref. 9.10.4). Section 2 provides the current position of the parties in relation to all matters of interest to the Environment Agency.</p>
Bio.1.4	The Applicant, ESC	<p>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:</p> <p><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 dedicated methods statements to be delivered along with the Construction Environmental Management Plan."</i></p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	<p>Response</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> <p>The Applicant has already shared the confidential ecology surveys reports with <i>bone fide</i> ecology stakeholders, including Natural England and East Suffolk Council. A full list of the confidential ecology reports is as follows:</p> <ul style="list-style-type: none"> • Volume 2, Appendix 14A of the ES [APP-225] • Volume 2, Appendix 14C3A of the ES [APP-256] • Volume 2, Appendix 14C3B of the ES [APP-257] • Volume 5, Appendix 7A.5A of the ES [APP-428] • Volume 3, Appendix 2.9.A1 of the ES Addendum [AS-207] • Sizewell B Relocated Facilities Volume II Appendix 6.2 Badger Survey Report] <p>The CoCP (Doc Ref 8.11(B)) is secured by Requirement 2 of the draft DCO (Doc Ref. 3.1(C)) and requires the undertaker to appoint an Ecological Clerk of Works (ECoW). One of the ECoW's roles would be to oversee the carrying out of surveys and ensure that the information resulting from any surveys is handled in an appropriate manner specific to that information. This will involve considering current legislation, policy and guidance on how the different types of information must be held and how they can be used and shared. Specifically, information will be made available to those with a legitimate need to view that specific information, including those with regulatory functions requiring this information.</p> <p>In the event that the DCO is transferred in accordance with Article 9 of the draft DCO (Doc Ref. 3.1(C)), the transferee would become the undertaker of the DCO and still be bound by Requirement 2 to provide an ECoW. Transfer of information from SZC Co. to the future undertaker would be done in compliance with all legislation governing the transfer of sensitive information.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
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>
	Response	<p>SZC Co. has provided Appendix 7B to address the substantive part of this and the next two questions, as suggested.</p> <p>Specifically in relation to this question, SZC Co. has taken '<i>the site</i>' to mean the Sizewell Marshes SSSI and has addressed the relevant features of that site in Table 1 of Appendix 7B.</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	<p>SZC Co. has provided Appendix 7B to address the substantive part of this question, along with Bio 1.5 and Bio 1.7, as suggested.</p> <p>Specifically in relation to this question, SZC Co. addressed the relevant features in Table 2 of Appendix 7B.</p>
Bio.1.7	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.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</p>

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

ExQ1	Question to:	Question:
		<p>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.</p>
	Response	<p>SZC Co. has provided Appendix 7B to address the substantive part of this question and the previous two questions, as suggested. Specifically in relation to this question, SZC Co. addressed the relevant features in Table 2 of Appendix 7B.</p> <p>The Applicant considers that in order to comply with their duties in s.41 of the Natural Environment and Rural Communities Act 2006¹, the Secretary of State (SoS) should review the mitigation measures proposed and the extent to which they are secured and come to a view on the ability of these measures to ensure that the conservation status of these species will not be compromised.</p> <p>The steps outlined in these measures will preserve and, in some cases, enhance the conservation of the Section 41 species and habitats within the main development site and associated development site boundaries which will allow the SoS to comply with their duties to promote the taking of others of such steps.</p>
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>

¹ Parliament of the United Kingdom, Natural Environment and Rural Communities Act 2006, London. 2006

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

ExQ1	Question to:	Question:
	Response	<p>The Habitats Directive Regulations², the EIA Regulations³ and the Water Framework Directive⁴ are different pieces of legislation and require different considerations. Whilst applying these legal regimes may mean that there is overlap in the evidence/information which is considered, given the difference in the various regimes it is appropriate to conduct separate assessments.</p> <p>(i) SZC Co. confirms that the information in the Reports, whether factual, professional, assessments or otherwise has been fully and properly taken into account in the terrestrial ecology chapters of the ES. In relation to the '<i>biodiversity reports</i>' mentioned in the question, SZC Co. takes these to mean the biodiversity net gain reports. SZC Co. confirms that the information in the Reports, whether factual, professional, assessments or otherwise has been fully and properly taken into account in these reports so far as is necessary (the relevance is limited).</p> <p>(ii) SZC Co. confirms that there are no likely significant environmental effects in the Reports which have not been addressed and described in the ES.</p>
Bio.1.9	The Applicant	<p>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.</p> <p>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.</p>

² Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (Habitats Directive). Official Journal of the European Communities. 1992

³ Parliament of the United Kingdom, The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (as amended), London, 2017

⁴ Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	<p>Response</p>	<p>As identified by the ExA every chapter of the ES identifies the relevant primary and tertiary mitigation (i.e. embedded and good practice measures) of relevance to the specific assessment. Primary and tertiary mitigation are considered to form part of the proposed development. Therefore, the initial assessment of effects reported in the technical topic chapters of the ES takes account of these measures; and these measures need to be secured.</p> <p>Primary mitigation is often referred to as '<i>embedded mitigation</i>' and includes modifications to the location or design to mitigate impacts. These measures become an inherent part of the proposed development. On this basis these measures are secured typically through securing mechanisms such as DCO Article 3 (Scheme design), Requirement 5 to Requirement 24 (Doc Ref. 3.1(C)). Tertiary mitigation would be required regardless of any EIA assessment, as it is imposed, for example, as a result of legislative requirements and/or standard sectoral best practices. This mitigation is detailed within the CoCP (Doc Ref. 8.11(B) and other DCO application documents (please see response to Question Bio.1.17 in this chapter) and typically secured by Requirement 2 (CoCP) of the draft DCO (Doc Ref. 3.1(C)).</p> <p>To demonstrate that all necessary controls and mitigation have been identified within the DCO application and are secured, SZC Co. submitted and subsequently updated the Mitigation Route Map (Doc Ref. 8.12(B)).</p> <p>The Mitigation Route Map is structured by development site to provide an audit trail of the controls and mitigation considered within the Environmental Statement and related assessment documents. This also enables the ExA to identify how the measures relevant to each of the sites are secured in the DCO and the Draft Deed of Obligation (formally Section 106 Agreement) (Doc Ref. 8.17(C)).</p> <p>Within the Mitigation Route Map, each identified mitigation measure has been assigned a unique reference to enable a description of the measure to be identified along with the impact that it is proposed to mitigate and how the measures are to be secured.</p>
Bio.1.10	The Applicant	<p>[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</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>which is relevant for all works where an ECoW is proposed and the Applicant should address it accordingly.</p> <p>Response</p> <p>The appointment of an ECoW is secured for all sites by Requirement 2 of the Draft DCO (Doc Ref. 3.1(C)) for works to be undertaken in general compliance with the CoCP (Doc Ref. 8.11(B)).</p> <p>The CoCP, Parts B and C, Section 6 (Doc Ref. 8.11(B)) submitted to examination at Deadline 2 have been updated to include the following details:</p> <p><u>ECoW qualifications</u></p> <p>The ECoW will be a full member of the Chartered Institute of Ecologists and Environmental Managers (CIEEM) and will have at least 5 year’s professional experience, with at least one year’s experience in delivering on site mitigation for major construction projects, including contractor supervision.</p> <p><u>The authority of the ECoW and criteria used in relation to works</u></p> <p>The ECoW will advise and assist the Contractor in avoiding, minimising and mitigating adverse ecological effects. The Contractor consults with the ECoW prior to undertaking works which could have an adverse effect and considers the ECoW’s advice at all times.</p> <p>Where the ECoW disagrees with works being undertaken by the Contractor, which could lead to a breach in the CoCP, or DCO Requirement, or measures detailed in the ES, or a protected species licence, the ECoW will inform SZC Co. [or the SZC Co. Environment Manager] immediately. On advice of the ECoW the SZC Co. Environment Manager may halt the works or parts thereof.</p>
Bio.1.11	The Applicant	<p>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.</p> <p>Response</p> <p>Where the Applicant uses the term ‘inherently’ this has been used to explain that impacts determined within other topic chapters of the ES have been used to inform the ecological assessment. For example, the impacts associated with noise, lighting, air quality and water environment, as identified within other topic chapters of the ES, have been used to inform the</p>

ExQ1	Question to:	Question:
		<p>assessment of effects on Important Ecological Features (IEFs). Therefore, a separate interrelationship effects assessment is not required, as impacts from other topic chapters have been considered within the ecological assessment already.</p> <p>This phraseology has been used in various sections of the associated development sites ES chapters as follows:</p> <p><u>Volume 3, Chapter 7 of the ES (northern park and ride) [APP-363]:</u></p> <ul style="list-style-type: none"> • Construction, Inter-relationship effects, paragraph 7.6.43 • Operation, Inter-relationship effects, paragraph 7.6.61 • Removal and reinstatement, Inter-relationship effects, paragraph 7.6.75 <p><u>Volume 4, Chapter 7 of the ES (southern park and ride) [APP-394]</u></p> <ul style="list-style-type: none"> • Construction, Inter-relationship effects, Paragraph 7.6.29 • Operation, Inter-relationship effects, Paragraph 7.6.44 • Removal and reinstatement, Inter-relationship effects, Paragraph 7.6.52 <p><u>Volume 5, Chapter 7 of the ES (two village bypass) [APP-425]</u></p> <ul style="list-style-type: none"> • Construction, Important Ecological Features: Water Vole, Inter-relationship effect, paragraph 7.6.116 • Operation, Important Ecological Features: Water Vole, Inter-relationship effect, paragraph 7.6.170 <p><u>Volume 6, Chapter 7 of the ES (Sizewell link road) [APP-461]</u></p> <ul style="list-style-type: none"> • Construction, Inter-relationship effects, Paragraph 7.6.85 • Operation, Inter-relationship effects, paragraph 7.6.128 <p><u>Volume 7, Chapter 7 of the ES (Yoxford roundabout and other highway improvements) [APP-494]</u></p> <ul style="list-style-type: none"> • Construction, Inter-relationship effects, paragraph 7.4.75 • Operation, Inter-relationship effects, paragraph 7.4.97 <p><u>Volume 8, Chapter 7 of the ES (freight management facility) [APP-523]</u></p>

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> • Construction, Inter-relationship effects, paragraph 7.6.28 • Operation, Inter-relationship effects, paragraph 7.6.45 • Removal and reinstatement, Inter-relationship effects, paragraph 7.6.53 <p>Volume 9, Chapter 7 of the ES (rail) [APP-555]</p> <ul style="list-style-type: none"> • Construction, Inter-relationship effects, paragraph 7.6.56 • Operation, Inter-relationship effects, paragraph 7.6.75 • Removal and reinstatement, Inter-relationship effects, paragraph 7.6.89 <p>It is noted that this statement also applies to the assessment of effects for the main development site, presented within Volume 2, Chapter 14 of the ES [AS-033].</p>
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>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<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>
	<p>Response</p>	<p>Further details on the assessment criteria used in the ecological assessment is provided within Volume 1, Appendix 6J of the ES [APP-171]. As set out within paragraphs 1.3.24 to 1.3.25, according to CIEEM guidelines⁵, significance of effects is identified with regard to an appropriate geographical scale, which means that minor effects could be significant at a local level, which is contrary to the standard EIA methodology.</p> <p>However, not all minor effects identified within the ecological assessment are significant at a local level. Instead, the assignment of significance involves a judgement of the geographical extent of the impact and the size of the species population or area of habitat affected. Therefore, in addition to the effect category, a conclusion on the significance of that effect is stated each time within the ES.</p>
<p>Bio.1.13</p>	<p>The Applicant</p>	<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>

⁵ CIEEM. 2018. Guidelines for EcIA in the United Kingdom and Ireland. Terrestrial, Freshwater, Coastal and Marine. Winchester: CIEEM

ExQ1	Question to:	Question:
		<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>
	<p>Response</p>	<p>A standardised approach to the assessment of inter-relationship effects has been taken across each of the terrestrial ecology and ornithology assessments presented within the ES that follows the methods of assessment set out within Volume 1, Appendix 6J of the ES [APP-171]. Therefore, the assessment presented considers the magnitude of impacts and value/sensitivity of resources/receptors that could be affected in order to classify effects. In the case of the inter-relationship assessment, consideration has been given to the combined magnitude of the different impacts of the proposed development on an individual important ecological feature to identify the inter-relationship effect on the important ecological feature.</p> <p>Inter-relationship effects are known to be difficult to quantify, and in respect of bats several approaches have been employed to ensure potential impacts are mitigated and then to draw assessment conclusions.</p> <p>Firstly, for each impact and for all sites, mitigation is proposed to reduce the resultant effect to a level at which individual impacts are not considered likely to have a significant effect. For example, at each site, given the lighting and noise control measures which will be in place, the risks of individual effects arising at any one time are greatly reduced. In turn, this reduces the likelihood of adverse noise and lighting effects occurring simultaneously and so minimising the potential for significant adverse in-combination or inter-relationship effects.</p> <p>Secondly, as is outlined in Volume 3, Appendix 2.9.B of the ES Addendum [AS-208], a comparable site, Hinkley Point C, was assessed, and the success of the approaches on that site to address noise and lighting impacts were reviewed. This provides additional evidence that in-combination impacts could be kept to a level that will not result in a significant in combination effect.</p> <p>Thirdly, for the main development site, new habitats which are not impacted by noise or light have been created. This will minimise the potential impact upon species populations across the wider EDF Energy estate.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>Fourthly, for several sites, a suite of monitoring is proposed within the Terrestrial Ecology Monitoring and Mitigation Plan [REP1-016], secured by Requirement 4 of the draft DCO (Doc Ref. 3.1(C)), which will allow any individual impacts or any unforeseen individual or in-combination impacts to be identified and addressed by remedial measures.</p> <p>In summary, inter-relationship effects on bats relating to noise, lighting and habitat loss are considered to be <i>'not significant'</i> due to the primary and tertiary mitigation measures that are embedded into the scheme design. With the implementation of primary/tertiary mitigation and secondary mitigation (monitoring), residual effects (individually, minor adverse or negligible) are not considered to be significant and the inter-relationship of these residual effects, in this instance at the southern park and ride, is not considered to be significant.</p> <p>For barbastelle on the main development site, a moderate adverse (significant) effect is predicted during construction arising from habitat fragmentation. This is due to the proposed removal of an area (Goose Hill plantation woodland) known to be utilised by barbastelle between areas to the north-east and south-west of the construction area. There are retained and new commuting areas through the site meaning that bats will be able to traverse the site, however, one part of the site (Goose Hill) known to be used by barbastelle will be fragmented. This is not considered an in-combination effect, as it is the removal of the habitat in this area that is the primary cause of the fragmentation.</p> <p>As outlined in the updated bat assessment, Volume 3, Appendix 2.9.B of the ES Addendum [AS-208], in paragraph 8.2.120, the in-combination effect of the lighting and noise upon bats utilising the retained and created commuting routes is considered not significant for the main development site.</p>
Bio.1.14	The Applicant	[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.
	Response	Statutory and non-statutory designated site study areas have been identified in Table 7.4 on page 18 of Volume 5, Chapter 7 of the ES [APP-425]. 'N/A' against the survey area column indicates that information was gathered by desk study only and so a survey area was not relevant.

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	<p>(i) SZC Co has re-visited the reference stated. The reference material includes the two statements to 'unmanaged woodland'. Based on the wording earlier within the literature, it could be suggested that the 50% figure is referring to 'managed' woodland and that the 60% figure is referring to 'unmanaged' woodland. However, this is an assumption. It would appear that the reference material at the original source contains this error. Link provided: http://www.apis.ac.uk/overview/ecosystems/overview_woodlands.htm</p> <p>(ii) and (iii) Paragraphs 7.6.4 and 7.6.10 (of Volume 5, Chapter 7 of the ES [APP-425]) refer to changes in air quality as not significant for Foxburrow Wood County Wildlife Site (CWS) and the lowland mixed deciduous woodland present along the scheme corridor as a result of the primary and tertiary mitigation measures to be implemented. In addition, the</p>

ExQ1	Question to:	Question:
		<p>air quality assessment (Volume 5, Chapter 5 of the ES) [APP-418] predicted the total nitrogen deposition that Foxburrow Wood would experience as follows:</p> <ul style="list-style-type: none"> • Foxburrow Wood is predicted to experience a total nitrogen deposition of 16.4 kgN/ha/Yr for the 2023 future baseline year without two village bypass, 16.3 kgN/ha/Yr for the 2028 future baseline year and 16.3 kgN/ha/Yr for the 2034 future baseline year. • Foxburrow Wood CWS is predicted to experience a total nitrogen deposition of 16.4 kgN/ha/Yr during the construction phase of the Sizewell C Project (2023). • Foxburrow Wood CWS is predicted to experience a total nitrogen deposition of 17.4 kgN/ha/Yr during both the 2028 average day and busiest day scenarios. • Foxburrow Wood CWS is predicted to experience a total nitrogen deposition of 17.2 kgN/ha/Yr during the operational year of the Sizewell C Project. <p>In relation to impacts upon Foxburrow Wood, it is noted that the historic background deposition rates have been materially higher than current rates.</p> <p>The air quality modelling work carried out to inform the assessment has assumed a worst case scenario as in reality, it is expected that the transition to electric vehicles will progressively reduce emissions to air from vehicles whilst other energy related changes will also reduce background concentrations. Therefore, based on this scenario NOx and N deposition can be expected to fall considerably. However, this is not assured and timescales of these changes are unknown so a worst case has been assumed and air quality modelling has factored in continued use of petrol/diesel cars.</p> <p>In the case of Foxburrow Wood, the baseline deposition rate is already forecast to be 60-70% above the minimum part of the critical load range (i.e. c. 16-17 kgN compared to a minimum critical load of 10 kgN) and this is likely to have been the case for decades (for example nitrogen deposition trend data on the UK Air Pollution Information System for the area around Minsmere illustrates a generally flat trend for nitrogen deposition to forest from 2005-2018) such that the vegetation is already likely to have materially changed and adapted with the abundance of the most sensitive species reducing in response excess levels of nitrogen. However, the surveys of the woodland have shown that despite the elevated levels, some ancient woodland ground flora indicator species, such as bluebell and wild garlic (Ramsons) remain and have continued to persist under these conditions.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>Whilst woodland habitats can be adversely affected by increased nitrogen deposition dose-response data (published in Natural England Commissioned Report 210 and summarised in Table 21 of that report⁶) indicate that for species-richness many habitats see a lessening effect from further nitrogen deposition when nitrogen is already in excess as the major changes in species composition have already occurred. Moreover, responses to further nitrogen in a given woodland can vary dependent upon other parameters such as the ground flora, drainage, canopy cover which can intercept light and rainfall.</p> <p>The terrestrial ecology and ornithology assessment reviewed the potential changes in total nitrogen deposition associated with the new road and given the context described above, concluded that the overall impact of air quality on Foxburrow Wood CWS would be a negligible adverse effect, which is considered to be not significant.</p> <p>iv) The situation in relation to woodland habitats along the Sizewell link road route corridor is much the same as that identified above for the Two Village Bypass. Critical load thresholds are between 10 and 20 kgN/ha/yr. Based on the data presented within Volume 5, Chapter 5 of the ES, the data presented is within the critical load threshold with no exceedances. In addition, the air quality modelling work carried out to inform the assessment has assumed a worst case scenario as it is expected that the transition to electric vehicles will progressively reduce emissions to air from vehicles whilst other energy related changes will also reduce background concentrations. Therefore, based on this scenario NOx and N deposition can be expected to fall. However, this is not assured and timescales of these changes are unknown so a worst case has been assumed and air quality modelling has factored in continued use of petrol/diesel cars.</p> <p>The terrestrial ecology and ornithology assessment reviewed the potential changes in total nitrogen deposition associated with the new road and given the context described above, concluded that the overall impact of air quality on broad-leaved woodland along the Sizewell link road route corridor would be a negligible adverse effect, which is considered to be not significant.</p>

⁶ Natural England Commissioned Report 210, Assessing the effects of small increments of atmospheric nitrogen deposition (above the critical load) on semi-natural habitats of conservation importance, 2016 [Online] <http://publications.naturalengland.org.uk/file/6431114569711616>

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	<p>The commitments made in relation to monitoring of sites, habitats and species and also the monitoring of the success of mitigation measures such as habitat establishment or bat boxes are described in the Terrestrial Ecology Monitoring and Mitigation Plan (TEMMP) [REP1-016], submitted at Deadline 1 and secured by Requirement 4 of the draft DCO (Doc Ref. 3.1(C)). The Applicant believes that this document serves to address the question in full. Further details are given in the response to Question Bio.1.145 in this chapter.</p>
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.

ExQ1	Question to:	Question:
	<p>Response</p>	<p>SZC Co. has provided Appendix 7C of the chapter to address the substantive part of this question. Appendix 7C describes the tertiary mitigation relevant to the terrestrial ecology and ornithology assessments on a site by site basis and confirms whether the measures are included within the CoCP (Doc Ref. 8.11(B)).</p> <p><u>(i) and (iii) In summary:</u></p> <p>Main development site: The Applicant can confirm that Part B of the CoCP (Doc Ref. 8.11(B)) does not provide full details of all tertiary mitigation relevant to terrestrial ecology and ornithology. Paragraph 6.1.2 of the Part B of the CoCP (Doc Ref. 8.11(B)) identifies that a group of mitigation strategies, draft licences and non-licensable method statements were appended to Volume 2, Chapter 14 of the ES [AS-033] and Volume 2, Chapter 2, Section 2.9 of the ES Addendum [AS-181]. As specified in the updated CoCP submitted at Deadline 2 (Doc Ref. 8.11(B)), an Environment Review Group (ERG) is proposed to be established and secured by the Draft Deed of Obligation (Doc Ref. 8.17(C)). The mitigation strategies would be submitted to the ERG for approval prior to relevant construction works commencing. Where protected species licences are required, SZC Co. will ensure that such licences are sought from Natural England prior to relevant works commencing. Therefore, full details are not included within the CoCP.</p> <p>The Applicant notes that detail has been included in the within Part B of the CoCP for the following, which will require licenses for the advanced works and prior to construction:</p> <ul style="list-style-type: none"> • Deptford Pink (translocation works) • Natterjack toad capture and relocation as well as exclusion from the works area • Water vole displacement and potential capture and relocation • Badger sett exclusion • Bat roost loss and mitigation • Otter resting site disturbance <p>The CoCP does make reference to draft mitigation licences, method statements and mitigation strategies and their objectives, but does not include full details.</p> <p>The tertiary measures that are not included within Part B of the CoCP (Doc Ref. 8.11(B)), but are included within the appendices to the ES or ES Addendum. As stated above these would be subject to review and agreement by the ERG (as required). The existing draft documents comprise:</p> <ul style="list-style-type: none"> • Protected species licenses:

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> • Deptford Pink included at Appendix 2.9.C1 of the ES Addendum [AS-209]; • Badger included at Volume 2, Appendix 14C3B of the ES [APP-225] • Natterjack Toad included at Appendix 2.9.C3 and 2.9.C4 of the ES Addendum [AS-209]; • Water Vole included at Appendix 2.9.C5 of the ES Addendum [AS-209]; and • Otter included at Volume 2, Appendix 14C10 of the ES [APP-252]. <p>Non-licensable method statements:</p> <ul style="list-style-type: none"> • Great Crested Newt included at 2.9.C2 of the ES Addendum [AS-209]; • Reptile included at Volume 2, Appendix 14C2B of the ES [APP-252]; • Otter included at Volume 2, Appendix 14C10 of the ES [APP-252]. • Mitigation Strategies • Bat included at Volume 2, Appendix 14C1A of the ES [APP-252]; • Reptile included at Volume 2, Appendix 14C2A of the ES [APP-252]; • Badger included at Volume 2, Appendix 14C3A of the ES [APP-252]; • Water Vole included at Volume 2, Appendix 14C6B of the ES [APP-252]; and • Natterjack Toad included at Volume 2, Appendix 14C7A of the ES [APP-252]. <p>Associated development sites:</p> <p>As with the Part B, Part C of the CoCP (that provides details of measure relevant to the associated development sites) (Doc Ref. 8.11 (B)) does not include full details of all tertiary mitigation relevant to terrestrial ecology and ornithology. Part C of the CoCP has been prepared to provide standard guidance across all associated development sites. It does not include measures that are specific to any associated development site. These site specific measures are included within the draft licences and draft non-licensable method statements were appended to Volumes 3 to 9, Chapter 7 of the ES [APP-363, APP-394, APP-425, APP-461, APP-494, APP-523 and APP-555] and Volume 1, Chapters 3, 4, 5, 6 and 9, of the ES Addendum [AS-182, AS-183, AS-184, AS-185 and AS-188]. As specified in the updated CoCP submitted at Deadline 2 (Doc Ref. 8.11(B)), an Environment Review Group (ERG) is proposed to be established and secured by the Draft Deed of Obligation (Doc Ref. 8.17(C)). The mitigation strategies would be submitted to the ERG for approval prior to relevant construction works commencing. Where protected</p>

ExQ1	Question to:	Question:
		<p>species licences are required, SZC Co. will ensure that such licences are sought from Natural England prior to relevant works commencing. Therefore, full details are not included within the CoCP.</p> <p>In addition, the following detail was not been included within the Part C of the CoCP [AS-273], but has been included within the updated CoCP submitted at Deadline 2 (Doc Ref. 8.11(B)):</p> <ul style="list-style-type: none"> • measures relating to lighting; • hedgerow and general retained vegetation protected measures. Tree protection measures are included; and • seasonal timings of works. <p>The tertiary measures that are not included within Part C of the CoCP (Doc Ref. 8.11(B)), but are included within the appendices to the ES. As stated above these would be subject to review and agreement by the ERG (as required). The existing draft documents comprise:</p> <p><u>Northern park and ride:</u></p> <p>Draft protected species licenses:</p> <ul style="list-style-type: none"> • Great Crested Newt included at Volume 3, Appendix 7A5A of the ES [APP-364]. <p>Non-licensable method statements:</p> <ul style="list-style-type: none"> • Bat included at Volume 3, Appendix 7A6A of the ES [APP-364]; and • Reptile included at Volume 3, Appendix 7A6B of the ES [APP-364]. <p><u>Southern park and ride:</u></p> <p>Non-licensable method statements:</p> <ul style="list-style-type: none"> • Bats included at Volume 4, Appendix 7A5A of the ES [APP-395]; and • Reptiles included at Volume 4, Appendix 7A5B of the ES [APP-395]. <p><u>Two village bypass:</u></p> <p>Draft protected species licenses:</p> <ul style="list-style-type: none"> • Badger included at Volume 5, Appendix 7A5A of the ES [APP-426]; and • Water Vole included at Volume 5, Appendix 7A5B of the ES [APP-426]. <p>Non-licensable method statements:</p>

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> • Bat Volume 5, Appendix 7A6A of the ES [APP-426]; • Great Crested Newt included at Volume 5, Appendix 7A6B of the ES [APP-426]; • Otter included at Volume 5, Appendix 7A6C of the ES [APP-426]; and • Reptile included at Volume 5, Appendix 7A6D of the ES [APP-426]. <p><u>Sizewell link road:</u></p> <p>Draft protected species licenses:</p> <ul style="list-style-type: none"> • Great Crested Newt included at Volume 6, Appendix 7A5A of the ES [APP-462]. <p>Non-licensable method statements:</p> <ul style="list-style-type: none"> • Reptile included at Volume 6, Appendix 7A6B of the ES [APP-462]; and • Bats included at Volume 6, Appendix 7A6A of the ES [APP-462]. <p><u>Freight management facility:</u></p> <p>Non-licensable method statements:</p> <ul style="list-style-type: none"> • Bats included at Volume 8, Appendix 7A4A of the ES [APP-524]; and • Reptiles included at Volume 8, Appendix 7A4B of the ES [APP-524]. <p><u>Rail:</u></p> <p>Draft protected species licenses:</p> <ul style="list-style-type: none"> • Bats included at Volume 9, Appendix 7A5 of the ES [APP-556]. <p>Non-licensable method statements:</p> <ul style="list-style-type: none"> • Great Crested Newt included at Volume 9, Appendix 7A6A of the ES [APP-556]; and • Reptiles included at Volume 9, Appendix 7A6B of the ES [APP-556]. <p>(ii) Volume 1, Chapter 6 of the ES [APP-177] sets out the approach to mitigation that has been applied throughout the ES. Tertiary mitigation covers measures that would be required regardless of any EIA, as the measures are required, for example, as a result of legislative requirements and/or standard sectoral practices. The legislative requirements in relation to terrestrial ecology and ornithology are derived from the following:</p> <ul style="list-style-type: none"> • Convention on Biological Diversity (CBD)⁷;

⁷ United Nations. 1992. Convention of Biological Diversity.

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

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> • Convention on Wetlands of International Importance especially as Waterfowl Habitat 1971⁸; • Directive 2009/147/EC of the European Parliament and of the Council on the conservation of wild birds (Birds Directive)⁹; • Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora (Habitats Directive)¹⁰; • Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention)¹¹; • Convention on the Conservation of Migratory Species of Wild Animals (Bonn Convention)¹²; • Wildlife and Countryside Act (W&CA)¹³; • Conservation of Habitats and Species Regulations (Habitat Regulations)¹⁴; • Countryside and Rights of Way (CRoW) Act¹⁵; • Natural Environment and Rural Communities (NERC) Act¹⁶; • Hedgerows Regulation¹⁷; • Protection of Badgers Act¹⁸;

⁸ UNESCO. 1971. The Convention on Wetlands of International Importance (Ramsar Convention).

⁹ European Parliament and of the Council. Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds (Bird Directive). Official Journal of the European Union. 2009

¹⁰ Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (Habitats Directive). Official Journal of the European Communities. 1992

¹¹ European Council. 1979. The Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention).

¹² United Nations Environment Programme. 1979. The Convention on the Conservation of Migratory Species of Wild Animals (Bonn Convention).

¹³ Wildlife and Countryside Act, as amended. 1981. (Online) Available from <http://www.legislation.gov.uk/ukpga/1981/69>

¹⁴ Statutory Instruments 2017 No. 1012. The Conservation of Habitats and Species Regulations 2017

¹⁵ Countryside and Rights of Way Act. 2000. (Online) Available from <http://www.legislation.gov.uk/ukpga/2000/37/contents>

¹⁶ Parliament of the United Kingdom, Natural Environment and Rural Communities Act 2006, London. 2006

¹⁷ The Hedgerows Regulations. 1997. (Online) Available from: <http://www.legislation.gov.uk/uksi/1997/1160/contents/made>

¹⁸ Protection of Badgers Act. 1992. (Online) Available from: <http://www.legislation.gov.uk/ukpga/1992/51/contents>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> • UK Biodiversity Action Plan BAP (now superseded by the "UK Post-2010 Biodiversity Framework."¹⁹; • Planning Practice Guidance²⁰; • Government's 25 Year Environment Plan²¹; • National Planning Policy Framework (NPPF)²²; and • National Policy Statements (NPS) for Energy Infrastructure²³.
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	<p>The wording which includes '<i>available literature</i>' is associated with the earlier paragraph 7.6.28 in which Volume 6, Chapter 7 of the ES [APP-461] states '<i>The behaviour of great crested newts during their terrestrial phase is relatively poorly understood</i>^{24 25}'.</p> <p>Professional judgement, which is based on previous project experience and holding a large number of development licenses, has been applied to determine that '<i>it is unlikely that a large proportion of individuals within the existing population would be killed or injured [as a result of incidental mortality]</i>'. The Sizewell link road corridor holds a relatively large</p>

¹⁹ Joint Nature Conservation Committee and Defra. 2012. UK Post-2010 Biodiversity Framework.

²⁰ Ministry of Housing, Communities & Local Government. Planning Practice Guidance.

²¹ HM Government. A Green Future: Our 25 Year Plan to Improvement the Environment. 2018

²² Department for Communities and Local Government. 2018. National Planning Policy Framework. February 2019

²³ National Policy Statements for energy infrastructure: National Policy Statement for Energy (EN-1) and National Policy Statement for Nuclear Power Generation (EN-6). July 2011. Available from: <https://www.gov.uk/government/publications/national-policy-statements-for-energy-infrastructure>

²⁴ S. Gubbay (2007) Defining and Managing Sabellaria spinulosa Reefs: Report of an Inter-Agency Workshop 1-2 May, 2007. JNCC Report No. 405.

²⁵ T. Beebee, & R. Griffiths. 2000. The New Naturalist. Amphibians and Reptiles. Harper Collins

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>population of great crested newts with a widely distributed series of breeding ponds and a diverse range of terrestrial habitats. In these circumstances and given the design and primary and tertiary mitigation measures being proposed, including advanced translocations where required, it is reasonable to conclude that incidental mortality (i.e. that associated with vehicle collisions and similar) would only affect a small part of the population.</p> <p>A draft licence application for Great Crested Newts is appended to the ES as Volume 2, Appendix 14C9A of the ES [APP-252] and updated as part of the ES Addendum at Volume 3, Appendix 2.9.C2 [AS-209] and a further application will be made to Natural England in summer 2021. The application will draw on further population surveys being undertaken in spring 2021 to inform the licence and to finalise the detailed mitigation proposals.</p>
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	<p>In an earlier paragraph 7.5.4 of Volume 6, Chapter 7 of the ES [APP-461], the primary mitigation in relation to lighting impacts is defined as follows in relation to the Sizewell link road:</p> <p><i>“The route of the proposed development would be mostly unlit, thereby maintaining a dark corridor, minimising the potential impacts to nocturnal species. To ensure road safety, lighting would be provided at the A12 and B1122 roundabouts. The remaining junctions would have low minor road flows and be similar to existing unlit rural junctions and would be unlit to minimise light spill. Operational lighting design would be compliant with relevant highway standards, and where possible would be chosen to limit stray light.</i></p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p><i>Guidance within the latest Institution of Lighting Professionals Guidance Note: Bats and artificial lighting in the UK^{26 27} would be followed as far as possible. These measures would minimise impacts on nocturnal species, such as bats that may use the nearby tree lines, or habitats for roosting or foraging, and would also maximise the use of reinstated 'bat crossing points'.</i></p> <p>Similarly, tertiary mitigation is defined in paragraph 7.5.8 as follows: <i>"Construction lighting, where required, would be provided at the minimum luminosity and would be designed, positioned and/or directed so as not to unnecessarily intrude on adjacent ecological receptors or habitats. Such measures could include (but not limited to) shielding of luminaires to reduce backward spill of light or use of sensors or timing devices to automatically switch off lighting where appropriate and provision of closed boarded fencing where the site abuts retained woodland. This would minimise impacts on nocturnal species such as bats that may use the nearby tree lines or habitats for commuting, roosting or foraging."</i></p> <p>A later paragraph 7.6.83 provides general context to the ways in which artificial lighting affects bats, both positive (e.g. foraging around light sources) or negative (e.g. light avoidance). The mitigation outlined above, will minimise the potential adverse impacts identified.</p> <p>The conclusion drawn in paragraph 7.6.84 and is quoted in the question is that <i>'For these reasons the bat assemblage in this location is likely to have a low sensitivity to increases in light levels'</i>. This is based primarily on the extent of the proposed lighting, which is minimal and will be designed to minimise attraction of insects (with warm light with no UV content). The only locations with lighting on the proposed Sizewell link road are the A12 and B1122 roundabouts, with other areas being kept dark. Given this, the sensitivity of bats to the proposed lighting is considered low.</p> <p>The sentence would perhaps have been more appropriately phrased as <i>'For these reasons the bat assemblage in this location is likely to have a low sensitivity to the lighting proposed'</i>.</p>

²⁶ B. Pearce et al (2007). Recoverability of Sabellaria Spinulosa Following Aggregate Extraction. Aggregate Levy Sustainability Fund MAL0027. Marine Ecological Surveys Limited. Bath, UK.

²⁷ Institution of Lighting Professionals (2018). Bats and artificial lighting in the UK. Guidance Note 08/2018. ILP/BCT

ExQ1	Question to:	Question:
		<p>This phraseology is used elsewhere in the ES in relation to bats and lighting and in each in case the intent is the same, that being to explain that the sensitivity of bats to the <i>proposed lighting</i> is low, as follows:</p> <p>In relation to the rail elements of the Sizewell C Project (Volume 9, Chapter 7 of the ES [APP-555]), the assessment follows the same logic. Paragraph 7.5.4 states:</p> <p><i>"Operational lighting would be limited to the B1122 (Abbey Road) level crossing and the level crossing at Buckleswood Road. The remaining rail route extension would be unlit. The lighting design for the proposed development would use light fittings chosen to limit stray light. These measures would minimise impacts on nocturnal species such as bats that may use the nearby tree lines or habitats for roosting or foraging".</i></p> <p>Paragraph 7.5.7 then states:</p> <p><i>"...temporary construction lighting would be controlled to minimise light spill on surrounding habitats. The lighting design would use light fittings chosen to limit stray light and minimise impacts on sensitive species. The lighting would also be designed to minimise the visibility from sensitive receptors off-site. This would minimise impacts on nocturnal species such as bats that may use the nearby tree lines or habitats for commuting, roosting or foraging".</i></p> <p>Paragraphs 7.6.45 and 7.6.46 then outline the potential impacts upon bats resulting from lighting in the absence of mitigation. The assessment of the sensitivity of the bats is in relation to the proposed lighting, which will be designed to minimise both attraction of insects and minimise avoidance of lit areas (with warm light with no UV content), by reducing light spill and keeping the majority of areas dark.</p> <p>For the northern park and ride (Volume 3, Chapter 7 of the ES [APP-363]), primary mitigation, as described in section 7.5 of this chapter, includes a 20m buffer between the site and Little Nursery Wood. The operational lighting design will ensure that light levels along the eastern edge of Little Nursery Wood do not exceed 0.1 lux. Close-boarded fence would be installed to prevent light-spill into adjacent Little Nursery Wood. The lighting design for the proposed development would use light fittings chosen to limit stray light.</p> <p>Paragraph 7.6.40 outlines the potential impact to bats in the absence of mitigation. Considering the mitigation which will be in place, including light of a colour designed to minimise impacts to bats, sensitivity to the proposed lighting is considered low.</p>

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

ExQ1	Question to:	Question:
		<p>For the southern park and ride (Volume 4, Chapter 7 of the ES [APP-394]), it is stated in Table 7.3 that <i>‘Primary mitigation (described in section 7.5) has been included so that there is a 10 metre (m) buffer between the proposed development, and any external woodland, and a close-boarded fence wherever the proposed development abuts woodland. The operational lighting design has ensured that light levels at the red line boundary do not exceed 0.1lux’.</i></p> <p>The potential impacts outlined in paragraph 7.6.26 present the impacts in the absence of mitigation. Considering the mitigation in place, including light of a colour designed to minimise impacts to bats, the sensitivity of bats to the <i>proposed</i> lighting is considered low.</p> <p>For the main development site (Volume 2, Chapter 14 of the ES [AS-033]), the Lighting Management Plan (Volume 2, Appendix 2B of the ES [APP-182]) and the updated bat impact assessment, included in Volume 3, Appendix 2.9.B of the ES Addendum [AS-208], outlines how light will be controlled. In line with these documents, the impact for lighting has been assessed as minor adverse (not significant).</p> <p>For the two village bypass (Volume 5, Chapter 7 of the ES [APP-425]), Primary mitigation is defined in paragraph 7.5.4 as:</p> <p><i>“The route of the proposed development would be mostly unlit, thereby maintaining a dark corridor and minimising the potential impacts to nocturnal species. To ensure road safety lighting would be provided at the A12 western roundabout and the A12/A1094 eastern roundabout extending north to highlight the junction to approaching vehicles. The remaining junctions would have low minor road flows, and be similar to existing unlit rural junctions, and would therefore be unlit to minimise light spill. Operational lighting design would be compliant with relevant highway standards and where possible would be chosen to limit light spill. Guidance within the latest Institution of Lighting Professionals Guidance Note: Bats and artificial lighting in the UK²⁸ ²⁹would be followed as far as possible. These measures would minimise impacts on nocturnal species such as bats that may use the nearby tree lines or habitats for roosting or foraging.”</i>Tertiary mitigation is stated in paragraph 7.5.7 as:</p>

²⁸ S. Gubbay (2007) Defining and Managing Sabellaria spinulosa Reefs: Report of an Inter-Agency Workshop 1-2 May, 2007. JNCC Report No. 405.

²⁹ Institution of Lighting Professionals (2018). Bats and artificial lighting in the UK. Guidance Note 08/2018. ILP/BCT

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p><i>“Construction lighting, where required, would be provided at the minimum luminosity and would be designed, positioned and/or directed so as not to unnecessarily intrude on adjacent ecological receptors or habitats. Such measures could include (but not limited to) shielding of luminaires to reduce backward spill of light or use of sensors or timing devices to automatically switch off lighting where appropriate and provision of closed boarded fencing where the site abuts retained woodland. This would minimise impacts on nocturnal species such as bats that may use the nearby tree lines or habitats for commuting, roosting or foraging.”</i></p> <p>Paragraphs 7.6.85 and 7.6.86 outline potential impacts from lighting in the absence of mitigation. The potential impacts outlined in paragraph 7.6.26 present the impacts in the absence of mitigation. Considering the mitigation in place, including light of a colour designed to minimise impacts to bats, sensitivity of bats to the <i>proposed</i> lighting is considered low.</p> <p>For the Yoxford roundabout site (Volume 7, Chapter 7 of the ES [APP-494]), primary mitigation is stated in paragraph 7.4.38 as:</p> <p><i>“Operational phase lighting would be designed to achieve a balance between providing lighting appropriate for all road users whilst seeking to minimise light-spill into adjacent habitats. Operational lighting design will be compliant with relevant highway standards and use light fittings chosen to limit stray light. Guidance within the latest Institution of Lighting Professionals (ILP) Guidance Note: Bats and artificial lighting in the UK^{30 31} would be followed as far as possible.”</i></p> <p>Considering the nature of the Yoxford roundabout works, impacts from lighting are considered not significant.</p> <p>For the freight management facility, (Volume 8, Chapter 7 of the ES [APP-523]), primary mitigation (in paragraph 7.5.4) states: <i>“Lighting would be provided at the perimeter, and parking areas, for security and safety reasons. Lanterns would utilise LED based light fittings to ensure energy efficiency with zero-degree tilt, and lighting columns along the perimeter would use demountable shields to reduce backward spill of light. To further assist on mitigating obtrusive light, a Central Management System has been</i></p>

³⁰ Parliament of the United Kingdom, The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2020

³¹ Institution of Lighting Professionals (2018). Bats and artificial lighting in the UK. Guidance Note 08/2018. ILP/BCT

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p><i>proposed for the lighting which would be capable of dimming of parts of the site independently from other parts (with the site envisaged to be divided in 6-8 main sections), as usage changes through the day. Guidance within the latest Institution of Lighting Professionals Guidance Note^{32 33} would be followed as far as possible. These measures would minimise impacts on nocturnal species such as bats that use the nearby tree lines or habitats for roosting or foraging."</i></p> <p>Paragraphs 7.6.25 and 7.6.26 outline the potential impacts to bats from lighting in the absence of mitigation. Considering the mitigation proposed, the sensitivity of the bats to the proposed lighting is considered low.</p>
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>The County Wildlife Site (CWS) designation is recognition of a site's high wildlife value within the County context and is typically made by the local planning authorities. Site selection criteria vary but in general, these sites support important or threatened species and habitats that are local and national priorities for conservation including the habitat types listed on Section 41 of the NERC Act³⁴. While Section 41 habitats are frequently found within CWSs, it is not a 'mandatory criterion' for CWS selection.</p> <p>The sentence in paragraph 7.4.6 should be considered as a 'rule of thumb', rather than an absolute, when valuing CWSs, In Volume 8, Chapter 7 of the ES [APP-523], the relevant CWSs are considered to be of county importance (under the CIEEM guidelines) and of medium importance (under the EIA-specific methodology).</p> <p>The CWSs within 2km of the freight management facility all have Section 41 habitats described on their citations, as provided in Volume 8, Appendix 7A of the ES [APP-524].</p>

³² British Standards Institution (2012). B2 5837: 2012 'Trees in relation to design, demolition and construction – Recommendations'

³³ Institution of Lighting Professionals (2018). Bats and artificial lighting in the UK. Guidance Note 08/2018. ILP/BCT

³⁴ Parliament of the United Kingdom, Natural Environment and Rural Communities Act 2006, London. 2006

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

ExQ1	Question to:	Question:
Bio.1.21	The Applicant	[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 ³⁵ (now superseded by the 'UK Post-2010 Biodiversity Framework ³⁶)". Will the Applicant please explain why the former document is referred to if it has been superseded
	Response	Although the UK Biodiversity Action Plan (BAP) has been superseded, the lists of priority species and habitats from the UK BAP remain in use. They have been used to draw up statutory lists of priority species and habitats in England, hence reference to the UK BAP is included within the ES.
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	"BEEMS TR523" is the internal document reference ID for the Coastal Processes Monitoring and Mitigation Plan . This was submitted as part of the January 2021 submission - Volume 3: Environmental Statement Addendum Appendices; Chapter 2 main development site; Appendix 2.15. A Coastal Geomorphology and Hydrodynamics [AS-237]
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?

³⁵ Countryside and Rights of Way Act. 2000. (Online) Available from <http://www.legislation.gov.uk/ukpga/2000/37/contents>

³⁶ The Hedgerows Regulations. 1997. (Online) Available from: <http://www.legislation.gov.uk/uksi/1997/1160/contents/made>

ExQ1	Question to:	Question:
	<p>Response</p>	<p>The State of Nature Report³⁷ has classified species being at risk of extinction as those on the GB specific IUCN Red List which are considered to be Critically Endangered, Endangered or Vulnerable.</p> <p>This Report includes 440 plants, 232 fungi and lichens, 111 vertebrates and 405 invertebrates. The species categorised as at risk of extinction have been cross referenced with the survey results to ascertain how many of these species have been recorded within or adjacent to the site during baseline surveys and if any are species likely to be at risk of a significant adverse effect, in the context of the ES.</p> <p>Of the 1188 species considered at risk of extinction in the State of Nature report, the following have been recorded on the main development site and/or the associated development sites:</p> <ul style="list-style-type: none"> • Four plant species were recorded within and adjacent to the main development site boundary; Deptford Pink (<i>Dianthus armeria</i>), Red-tipped Cudweed (<i>Filago lutescens</i>), Divided Sedge (<i>Carex divisa</i>) and Tubular Water-dropwort (<i>Oenanthe fistulosa</i>). • No lichens or bryophytes that fit this criteria were recorded during baseline surveys of the coastal habitats. • 13 invertebrate species that fit this criteria were recorded within the main development site boundary and adjacent areas; a Carabid beetle (<i>Ophonus parallelus</i>), a crane fly (<i>Erioptera meijerei</i>), Grayling butterfly (<i>Hipparchia semele</i>), Norfolk Hawker dragonfly (<i>Aeshna isoceles</i>), orange-horned green colonel soldierfly (<i>Odontomyia angulata</i>), a Pompilid wasp (<i>Evagetes pectinipes</i>), a Sciomyzid fly (<i>Anticheta brevipennis</i>), small spotwing snailkiller fly (<i>Psacadina vittigera</i>), white admiral butterfly (<i>Limenitis Camilla</i>), white-letter hairstreak butterfly (<i>Satyrium w-album</i>), a wolf spider (<i>Hygrolycosa rubrofasciata</i>), yellow downlooker snipefly (<i>Rhagio strigosus</i>), Zerny's spotwing snailkiller fly (<i>Psacadina zernyi</i>). • No reptile species recorded on site fit this criteria. • 32 bird species that fit this criteria were recorded within the bird survey areas (boundaries of the main development site and associated development sites and adjacent and wider habitats); black redstart (<i>Phoenicurus ochruros</i>), black-headed gull (<i>Chroicocephalus ridibundus</i>), black-tailed godwit (<i>Limosa limosa</i>), Caspian gull

³⁷ The State of Nature Partnership. The State of Nature Report. 2019 [Online] Available at: <https://nbn.org.uk/wp-content/uploads/2019/09/State-of-Nature-2019-UK-full-report.pdf>

ExQ1	Question to:	Question:
		<p>(<i>Larus cachinnans</i>), cuckoo (<i>Cuculus canorus</i>), curlew (<i>Numenius arquata</i>), Dartford warbler (<i>Sylvia undata</i>), dunlin (<i>Calidris alpina</i>), Eurasian bittern (<i>Botaurus stellaris</i>), fieldfare (<i>Turdus pilaris</i>), great black-backed gull (<i>Larus marinus</i>), greenfinch (<i>Chloris chloris</i>), herring gull (<i>Larus argentatus</i>), house martin (<i>Delichon urbicum</i>), kestrel (<i>Falco tinnunculus</i>), kittiwake (<i>Rissa tridactyla</i>), little tern (<i>Sternula albifrons</i>), marsh tit (<i>Poecile palustris</i>), mistle thrush (<i>Turdus viscivorus</i>), moorhen (<i>Gallinula chloropus</i>), nightingale (<i>Luscinia megarhynchos</i>), northern lapwing (<i>Vanellus vanellus</i>), pintail (<i>Anas acuta</i>), redshank (<i>Tringa tetanus</i>), redwing (<i>Turdus iliacus</i>), shelduck (<i>Tadorna tadorna</i>), starling (<i>Sturnus vulgaris</i>), stone-curlew (<i>Burhinus oedicephalus</i>), tree sparrow (<i>Passer montanus</i>), turtle dove (<i>Streptopelia turtur</i>), woodcock (<i>Scolopax rusticola</i>) and woodlark (<i>Lullula arborea</i>).</p> <ul style="list-style-type: none"> • Four mammal species (European hedgehog (<i>Erinaceus europaeus</i>), water vole (<i>Arvicola amphibius</i>), serotine (<i>Eptesicus serotinus</i>) and barbastelle (<i>Barbastella barbastellus</i>)) that fit the criteria were recorded or are assumed present within the main development site and, in some cases, the associated development site boundaries. • Fungi species that fit this criteria may be present, however, this is currently unknown. A desk study and field survey are planned for 2021 as set out in response to Question Bio.1.24 in this chapter. <p>At the main development site, the impacts on the plant, invertebrate, bird and mammal species that fit the criteria are assessed in Volume 2, Chapter 14 of the ES [AS-033]. The assessment considers the effects on these species to be as follows:</p> <ul style="list-style-type: none"> • The effects on plant species (Section 14.7) considered at risk of extinction are minor adverse, which is considered not significant, except for the effect of direct land take on Deptford Pink, which is moderate adverse (significant). A Deptford Pink Method Statement was submitted with the ES Addendum (Volume 3, Appendix 2.9.C1) of the ES Addendum [AS-209] which outlines the plan to translocate this species and which was updated in January 2021. Further details are also provided at Question Bio.1.71 in this chapter. • The effects on invertebrate species (Section 14.8) that fit the criteria in The State of Nature report are mostly minor adverse, and considered not significant. This includes the effect of land take on Norfolk Hawker, the protection of which is described in the Freshwater Fish and Aquatic Invertebrate Mitigation Strategy included at Appendix A to the CoCP (8.11(B)). One species, <i>Evagetes pectinipes</i>, A Pompilid

ExQ1	Question to:	Question:
		<p>wasp which is considered RDB1 (an old classification analogous to IUCN Endangered) is part of the invertebrate assemblage recorded within Sizewell Shingle Beaches where the effect of direct land take is moderate adverse (significant), due to the fragmentation of coastal habitats whilst the sea defence was being built and re-instated.</p> <ul style="list-style-type: none"> • The effects on the bird species considered at risk of extinction (Section 14.12) are considered no more than minor adverse, and not significant. • Of the mammal species that fit the criteria, European hedgehog were scoped out of the detailed assessment due to its widespread distribution in Suffolk and planned tertiary mitigation measures to safeguard this species (Table 14.68). The effects on water vole are minor adverse, considered not significant (Section 14.14c). The effects on bats (Section 14.13) are considered minor adverse, and not significant, except for fragmentation effects on barbastelle which are moderate adverse, and considered significant, in the short term reducing to not significant after construction. <p>Of the species recorded that are subjected to significant adverse effects:</p> <ul style="list-style-type: none"> • the Deptford Pink Method Statement [AS-209] includes a plan to collect and propagate the seeds of the plant in case translocation fails providing resilience to the success of continued presence within the area (see Question Bio.1.71 in this chapter). • The habitats that support <i>Evagetes pectinipes</i>, while subjected to some fragmentation, are extensive north and south along the coast and so this species is unlikely to become extinct in the local area. • For barbastelle on the main development site, a moderate adverse (significant) effect is predicted during construction arising from habitat fragmentation. This is due to the proposed removal of an area (Goose Hill plantation woodland) known to be utilised by barbastelle between areas to the north-east and south-west of the construction area. During the construction phase, there would be retained and new commuting areas through the site meaning that bats will be able to traverse the site. The fragmentation effects on barbastelle arise only during the construction phase and mitigation plans, including retaining dark corridors, will provide routes for this species to cross the site during construction. The habitat restoration and creation will mitigate for this impact in the operational phase.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>At the associated development sites, the impacts on the species that fit the criteria are assessed in the following documents:</p> <ul style="list-style-type: none">• Northern park and ride - Volume 3, Chapter 7 of the ES [APP-363]• Southern park and ride - Volume 4, Chapter 7 of the ES [APP-394]• Two village bypass - Volume 5, Chapter 7 of the ES [APP-425]• Sizewell link road - Volume 6, Chapter 7 of the ES [APP-461]• Yoxford and other Hhghway improvements - Volume 7, Chapter 7 of the ES [APP-494]• Freight management facility - Volume 8, Chapter 7 of the ES [APP-523]• Rail - Volume 9, Chapter 7 of the ES [APP-555] <p>The assessment considers the effects on these species to be as follows:</p> <ul style="list-style-type: none">• The breeding and wintering bird assemblage, which included species that for the extinction criteria, were scoped out of detailed assessment at northern park and ride, southern park and ride, Yoxford roundabout, freight management facility and green rail route.• The effects on the breeding bird assemblage recorded at two village bypass and Sizewell link road, which includes species considered at risk of extinction, are considered to be minor adverse, and not significant.• The effect of habitat loss and disturbance on serotine and/or barbastelle is considered to be minor adverse, and considered not significant. northern park and ride, southern park and ride, two village bypass, Sizewell link road and green rail route• Effects on water vole, recorded within habitats on two village bypass, are minor adverse, and considered to be not significant.• European hedgehog were scoped out of the detailed assessment for each associated development site due to its widespread distribution in Suffolk and planned tertiary mitigation measures to safeguard this species <p>It is concluded than none of the species considered at risk of extinction by the State of Nature report will become extinct on a local scale (or greater scale) as a result of the Sizewell C proposals.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
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>
	Response	<p>The ES desk study undertaken in 2016 which used the Suffolk Biodiversity Information Services identified two species, <i>Cyrtidula hippocasta</i> and <i>Cladonia chlorophaea</i> (both of which were classified as 'fungus' on the desk study return and both of which were noted as being Nationally Scarce).</p> <p><i>C. hippocasta</i> is a lichenous fungi which is found throughout Suffolk and <i>C. chlorophaea</i> is an aggregate group of lichens, which was identified during the targeted lichen survey (see Volume 2, Annex 14A3.4 of the ES [APP-229]).</p> <p>No species of fungi are mentioned on the citations for designated and non-designated sites within and surrounding the main development site and so fungi were not considered further in the scope of the EIA.</p> <p>A technical note on fungi, including an updated desk study, to include the three species listed, a fungi habitat assessment, and a follow up fungi survey for the main development site will be undertaken in 2021, which will address Mr Mahler's relevant representation. The results of these two studies will be provided to examination at suitable deadlines.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
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	The four updated Biodiversity Net Gain Reports [REP1-004 , REP1-017 , REP1-018 , and REP1-019] submitted into Examination at Deadline 1 address this point. Please also see the answers to Question Bio.1.260-1.272 below.
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	<p>The underlying concern of this point in [RR-0904] appears to be that the author considers the transport strategy to be unduly biased toward road/rail based transport. Representation [RR-0904] was made following the initial May 2020 DCO submission, but prior to the January 2021 Additional Submission. The January 2021 submission has significantly increased the proposed use of marine transport routes over the May 2020 submission.</p> <p>The May 2020 submission was developed around an Integrated Transport Strategy [APP-175] (paragraph 4.3.47) The proposals included the permanent BLF described in [APP-180] (paragraph 2.4.66) and [APP-184] (paragraph 3.4.52). At that time, the permanent BLF was proposed as the import route for AILs (discrete and large single loads). Other construction-phase goods and materials were proposed to be brought to site by road and rail (e.g. [APP-184] paragraph 3.3.18). The Applicant had tested and consulted on other alternatives to the proposed permanent BLF, and selected the BLF option to support the transport strategy at that time [APP-190] (paragraphs 6.2.97/ 6.2.98).</p> <p>The January 2021 Additional Submission recognised the potential to increase utilisation of the marine transport route [AS-181] (paragraph 2.2.54). This included increasing the quantity of AILs that could be delivered via the permanent BLF [AS-181] (paragraph</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>2.2.55), and introducing the temporary BLF as an additional route for marine import of bulk materials and possibly other cargo [AS-181] paragraph 2.2.68.</p> <p>SZC Co considers that, at the May 2020 submission alternatives to the short-jetty BLF had been considered and the most appropriate solution had been selected given the transport strategy at that time. Through the January 2021 submission, SZC Co. has significantly increased marine transport through the introduction of the temporary BLF and the enhancement of the permanent BLF, to reduce road-based transport demands.</p>
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	<p>SZC Co. will respond fully once Mr McDonald has responded. SZC Co. provides the following initial response:</p> <p>The impacts on birds associated with the two new roads (i.e. the Sizewell link road and two village bypass) are considered in the following documents:</p> <ul style="list-style-type: none"> • Sections 7.3 e and f in Volume 6, Chapter 7 Terrestrial Ecology and Ornithology of the ES [APP-461] for the Sizewell link road; and • Paragraphs 7.3.4 and 7.3.5 in Volume 5 Chapter 7 Terrestrial Ecology and Ornithology of the ES [APP-425] for the two village bypass <p>The impacts pathways which are considered in the assessments, include the following:</p> <ul style="list-style-type: none"> • habitat loss (land take); • habitat fragmentation (including connectivity); • incidental mortality of species; • disturbance effects (comprising light, noise and visual effects); • changes in water quality; • alteration of local hydrology and hydrogeology; and • changes in air quality. <p>Mitigation measures for birds are considered in the following paragraphs:</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> • 7.6.45 – 7.6.58 in Volume 6, Chapter 7 of the ES, Terrestrial Ecology and Ornithology [APP-461] for the Sizewell link road; and • 7.6.54 – 7.6.61 in Volume 5, Chapter 7 of the ES, Terrestrial Ecology and Ornithology of the ES [APP-425] for the two village bypass.
Bio.1.28	<p>Michael Taylor [RR-0792], The Applicant</p> <p>Response</p>	<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> <p>The Applicant makes the following comments:</p> <p><u>Cooling Water Systems:</u></p> <p>The Hinkley Point C (HPC) project has identified that installation of an Acoustic Fish Deterrent (AFD) system is not feasible nor required from an environmental perspective and is seeking to vary the Water Discharge Activity (WDA) permit to remove the need to install an AFD. The Environment Agency position is that the AFD is required to ensure no impact on the Severn Estuary European Marine Site (under the Habitats Regulations). An appeal against non-determination of the WDA permit variation is currently in progress with an inquiry start date of 8 June. The Sizewell C Project has not proposed an AFD system on the basis that it is not required to mitigate the effects of the proposed cooling water system. In any event, determination of the DCO application will be based on the environmental information submitted with the application and is independent of the appeal process at HPC.</p> <p>The cooling water system intake and outfall tunnels are buried several tens of metres below the seabed and will be constructed by tunnel boring machines. They can have no impact on coastal processes. Four cooling water intake heads (2 per intake tunnel) and two cooling water outfall heads will be placed >3k from the shore, beyond the Sizewell-Dunwich Bank and will not impact coastal processes (as detailed in Section 20.10 of Volume 2, Chapter 20 (Coastal Geomorphology and Hydrodynamics) of the ES [APP-311]).</p> <p>Dredged material will be disposed of locally in a designated disposal area to be licenced by the Marine Management Organisation (MMO) (as described in Schedule 20 of the draft DCO (Doc Ref. 3.1(C))). Sediment quality has been tested to demonstrate that there would be no impact on the local ecology and additional sediment sampling and analysis will need to be conducted prior to disposal.</p>

ExQ1	Question to:	Question:
		<p>The proposed development has considered and assessed the potential impacts from dredge-related activities and the construction and operation of the cooling water system on marine ecology and fisheries receptors in Sections 22.6 to 22.11 in Volume 2, Chapter 22 (Marine Ecology and Fisheries) of the ES [APP-317] and the residual effects including mitigation measures are detailed in Section 22.13 of [APP-317], as updated by Volume 1, Chapter 2 of the ES Addendum [AS-181]. The potential impact of the cooling water system on coastal geomorphology and hydrodynamics receptors is assessed in Section 20.10 of Volume 2, Chapter 20 (Coastal Geomorphology and Hydrodynamics) of the ES [APP-311]. The effects of future climate change and warming sea temperatures in relation to thermal discharges is also considered in Sections 22.6 to 22.11 in [APP-317] for marine ecology and fisheries receptors. As stated in [APP-317], future entrainment temperatures were considered for the following scenarios accounting for predicted future warming based on UK Climate Projections 09 (UKCP09) rather than UKCP18 as future sea temperatures are not included in the current UKCP18 marine climate predictions.</p> <p>The potential impacts from the proposed development activities during construction, commissioning and operational phases on marine receptors (including designated features) from an Environmental Impact Assessment (EIA) context have been considered and assessed in [APP-311, APP-314, APP-317 and AS-181]. Designated features in the shadow Habitats Regulations Assessment (HRA) [APP-145], as updated by the shadow HRA Addendum [AS-173], are assessed in a HRA context against the conservation objectives of each relevant designated site.</p> <p><u>Ecology</u></p> <p>An assessment of effects on terrestrial ecology and ornithology is presented within Volume 2, Chapter 14 [AS-033] and Volumes 3-9, Chapter 7 of the ES [APP-363, APP-394, APP-425, APP-461, APP-494, APP-523, APP-555] with additional information submitted to the Examining Authority as summarised within the ES Addendum [AS-181 to AS-188]. Whilst SZC Co. recognises that there will be impacts on terrestrial ecology and ornithology, the Project has sought to minimise effects, where possible, and embed mitigation and enhancements within design. During construction, works will be carefully managed to minimise impacts on ecology. Species-specific mitigation plans and method statements have been developed for all protected species found to be using the site.</p>

ExQ1	Question to:	Question:
		<p>Following completion of construction works, the temporary construction area at the main development site would be restored to a new landscape founded on the concept of establishing the Suffolk Coast and Heaths AONB landscape in microcosm, by creating a mosaic of some of its most valued habitats. Once fully established, this habitat 'mosaic' would have a higher biodiversity value than the existing habitats, specifically as existing extensive arable areas would be replaced with new grasslands, heathland, woodlands and scrub. Further details are set out in the Main Development Site Design and Access Statement [APP-585 to APP-587 and Doc Ref. 8.1Ad2] and the Outline Landscape and Ecology Management Plans for the main development site [REP1-010], two village bypass [AS-262 and AS-263] and the Sizewell link road [AS-264 and AS-265]. Once the habitats are established, the Biodiversity Net Gain Reports (refer to the updated reports included within [REP1-004 ,REP1-017 ,REP1-018 , and REP1-019]) demonstrate that a net gain of over 19% across the development would be achieved.</p>
Bio.1.29	Stuart Checkley [RR-0997], The Applicant	<p>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.</p>
	Response	<p>SZC Co. responds to the main points in Mr Checkley's representation at RR-0997 as well as those made in Mr Naylor's representation at RR-0944, as the list of issues raised in this comment is a combination of the matters raised in those two representations, as follows:</p> <ul style="list-style-type: none"> • Effects of extracting water for concrete: Potable (mains) water would be used for the production of concrete. Northumbrian Water Limited (NWL) has indicated that it expects to be able to supply the Sizewell C Project from existing licensed capacity within its Northern/Central Water Resource Zone. There is an abstraction sustainability investigation is underway to determine what the sustainable abstraction would be. To reduce the mains water demand, treated wastewater from Sizewell B and Sizewell C would be used, where appropriate, for example in dust suppression, wheel washes and so forth. It is not proposed to abstract water for concrete production at the main development site. Water for concrete production is considered in Appendix 8.4K (Site Water Supply Strategy) of the Planning Statement [APP-601]. An updated Water Supply Strategy was provided at Appendix 2.2.D of Chapter 2 of the ES Addendum [AS-202].

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> • Effects of dewatering within the Main Construction Area and impacts on wetlands: A low permeability cut-off wall would be constructed around the area within which the deep excavations would take place to construct the foundations of the power station and associated underground structures. This is an important mitigation measure that would enable the excavation area to be temporarily dewatered without causing uncontrolled drawdown of the water table outside and which is monitored to agreed limits. These potential effects on the terrestrial water environment, including water levels, are considered in Volume 2, Chapter 19 (Groundwater and Surface Water) of the ES [APP-297]. • Cumulative effects: Specific aspects of the proposed development, such as the SSSI crossing and the dewatering, were represented in the numerical model used to inform the assessment of predicted changes to groundwater and surface water. Details of the development aspects represented in the numerical modelling are presented in Section 4.3 of Volume 2, Appendix 19A (Numerical Modelling Report) of the ES [APP-298]. On this basis, the conclusions of the assessment would remain as identified within the ES. It should also be noted that the following features mentioned in the relevant representations are not or are no longer proposed as part of the proposed development: <ul style="list-style-type: none"> i. extraction of water to make concrete for the proposed buildings; and ii. division of the Sizewell and Minsmere Marshes by the proposed causeway for the next 10- 12 years. • SSSI Crossing and related wetland impacts: The original causeway over culvert proposal included in the May 2020 DCO application would have increased slightly the depth of flooding that would occur naturally across parts of Minsmere nature reserve in the event of a coastal flooding event because a portion of the incoming flood water would be deflected north by the physical presence of the causeway. The corollary was that the depth of flood water within Sizewell Marshes SSSI in such an event would have been slightly less. The proposed single span bridge proposed as Change 6 in the January 2021 change submission [AS-105] (accepted in April 2021) would only have a marginal effect in such circumstances, because the culvert has been replaced by a bridge. • Marsh harrier compensation area: The approach to marsh harrier habitat compensation is described in the response to Question Bio.1.48 in this chapter.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> • Platform elevation and sea defences: The platform level for the power station has been set at 7.3m AOD which, in combination with the proposed sea defences whose crest level would be set at 12.6m AOD, protect the power station from flooding in a design basis 1:10,000 year coastal flooding event over the lifespan of the power station. The sea defences have been designed so that they can be raised to a height of 16.4m AOD (excluding landscaping) in the future if required. This is then secured through Requirements 12B and 12C of the draft DCO (Doc Ref. 3.1(C)). • Transport strategy/traffic congestion: Construction traffic impacts have been assessed in detail and the proposals include a number of significant mitigation measures to minimise disruption. This includes a commitment to transport at least 40% of construction materials to site by sustainable modes (rail and sea). The January 2021 change submission [AS-105] includes proposals for a temporary BLF (Change 2) to maximise the amount of bulk aggregate transported by sea. A Two village bypass is proposed to minimise impacts on the A12. Effects on tourism have been assessed in the ES and a Tourism Fund is proposed as part of the Draft Deed of Obligation (Doc Ref. 8.17(C)) in order to address any residual effects on tourism. In addition, a resilience fund is proposed as part of the Draft Deed of Obligation following discussions with the RSPB.
Bio.1.30	<p>The Applicant</p> <p>Response</p>	<p>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.</p> <p>At the time of the DCO submission a more detailed design of the HCDF was not available. This is not unusual and does not prevent the assessment of either its role in flood protection or its potential impacts on the environment because the key parameters that define those assessments <i>are</i> known. The design of the HCDF has continued and been refined (for example Change 9 in Volume 1, Chapter 2 of the ES Addendum [AS-181]). A document providing the illustrative detailed design, including plans and drawings, has been submitted at Deadline 2 (Doc Ref. 9.13). An additional design principle has been</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		added to the Design and Access Statement (Doc Ref. 8.1Ad2 (A)) to minimise its seaward extent and further controls will be secured at a future deadline.
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	The route of the Two village bypass avoids all ancient woodlands, including Foxburrow Wood (refer to Figures 5.2.1 to 5.2.5 of the ES Addendum [AS-197]). There is a 15m buffer zone between the western edge of Foxburrow Wood and the excavations to create the cutting for the bypass to the west (refer to paragraph 5.6.7 of Volume 1, Chapter 5 of the ES Addendum [AS-184]).
Bio.1.32	The Applicant, Natural England, ESC, SCC	<p>Many IPs raise concerns about the shingle beach, including that it is a County Wildlife Site.</p> <p>Please will the Applicant and NE include in their SoCG the following:</p> <ul style="list-style-type: none"> (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. <p>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.</p> <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>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<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	<p>SZC Co. would like to clarify the position presented in the ES on amount of habitat loss from the Suffolk Shingle Beaches CWS. The 38.83ha mentioned in paragraph 14.7.187 of Volume 2, Chapter 14 of the ES [AS-033] refers to the size of the entire CWS and not the amount of habitat lost.</p> <p>The construction of the new coastal defences, as well as the establishment of the Sizewell C main platform, would require the removal of the existing habitats within the footprint of these structures.</p> <p>The loss of habitats is estimated to be of approximately 2.91ha of vegetated shingle and 4.04ha of vegetated sand dunes from within the CWS (approximately 18% of the designated area).</p> <p>Primary mitigation, described in paragraph 14.7.188 [AS-033] would store existing surface layers of shingle and sand substrate (and seedbank) to place on the new coastal</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>defence to allow re-establishment and recolonization of habitats. Therefore, in the short term, habitat loss is expected to be temporary. Re-instated habitats would approximately amount to 3.95ha of vegetated shingle and 5.08ha of vegetated sand dune (paragraph 14.7.86).</p> <p>Paragraph 14.7.188 describes the success of re-instating coastal habitats following the construction of Sizewell B. A 2008 report 'Environmental Product Declaration of electricity from Sizewell B nuclear power station'³⁸ notes that:</p> <p><i>"The shingle beach in front of the power station was extensively disturbed during construction. The area has been restored and replanted with plant communities taken from the site prior to construction, propagated and then replanted. No regular, comparable botanical monitoring has subsequently been undertaken so it is difficult to assess the success of the project and many factors may have influenced the plant communities which are now present."</i></p> <p>While this report does not assess the success of the re-instatement compared with pre-construction habitats, surveys undertaken on the coastal habitats east of Sizewell B on behalf of Suffolk Wildlife Trust in 2003 (Volume 2, Annex 14A3.3 of the ES [APP-229]) recorded a mosaic of vegetation communities within the shingle habitat which included species indicative of vegetated shingle such as Sea Pea (<i>Lathyrus japonicus</i>). While this survey does not elude to the success of the re-establishment of habitats following Sizewell B, they are of similar make up and contiguous with habitats to the north and south of the survey area and therefore success can be assumed.</p> <p>A new coastal defence will be constructed and will also comprise a sacrificial shingle barrier with sandy cap in front of the new main sea defence, used to defend the Sizewell C power station. The role of the sacrificial dune would be to minimise coastal erosion and release sediment to the beach face, which would only be activated during a storm event. It is likely that the dune would occasionally be eroded and require repair in order to maintain its volume (as detailed in paragraph 14.4.12 of Volume 2, Chapter 14 of the ES [AS-033]).</p>

³⁸ EDF Energy. No date. Environmental Product Declaration of electricity from Sizewell B nuclear power station. [Online]. Available at: https://www.edfenergy.com/sites/default/files/sizewell_epd_full.pdf

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>Paragraph 14.7.189 sets out the implications of future sea level rises and that in the absence of monitoring and some potential maintenance, the habitats established would likely be more susceptible to erosion in a shorter timeframe. The long-term implications for the coastal shingle habitats have been considered as part of the assessment and needs to be considered in the context of natural processes associated with predicated sea level rises. The effect of habitat loss, looking at the long term, is moderate adverse which is considered significant.</p> <p>This coastal habitat supports important plant species, such as Deptford Pink (<i>Dianthus ameria</i>), and invertebrate assemblages of national importance. Deptford Pink surveys are on-going to map the location and extent of the population of this species and mitigation measures proposed in a Deptford Pink Method Statement (Volume 3, Appendix 2.9.C1 of the ES Addendum [AS-209]) to translocate this species. Volume 2, Chapter 14 of the ES [AS-033] (paragraphs 14.8.65 – 14.8.67) states the effect of coastal habitat loss on the associated invertebrate assemblages supported within this area would be moderate adverse, which is considered significant, due to the fragmentation of coastal habitats whilst the sea defence was being built and re-instated.</p> <p>The approach to the reinstatement and monitoring of these habitats will be discussed between SZC Co. and Natural England. However, the scope of Natural England’s matters of interest within the SoCG to date, in relation to sites, has been on the statutorily designated sites, such as the relevant SAC, SPA, Ramsar sites and the SSSIs and not the non-statutory sites such as the Suffolk Shingle Beaches CWS. So whilst restoration of the beach habitats is touched upon in the SOCG (Doc Ref. 9.10.7), this is primarily by way of reference to the impacts on coastal processes.</p>
Bio.1.33	<p>Dominic Woodfield [RR-0314]</p> <p>Response</p>	<p>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.</p> <p>No response from the Applicant is required. However, the four updated Biodiversity Net Gain Reports [REP1-004 ,REP1-017, REP1-018, and REP1-019] submitted into Examination at Deadline 1 are relevant to this point. Please also see the answers to Questions Bio.1.260-1.272 below.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
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.
	Response	The Applicant has created a large area of dry grassland and heathland on former arable fields in the Studio Fields area, which has already been colonised by a population of Grayling butterflies. In addition, Grayling has also been recorded at Aldhurst Farm where habitat creation and enhancements have been carried out by the Applicant. This new population, as well as retained areas of coastal habitats, such as areas east of Sizewell B mean that there is no risk of local extinction. Once the new sea defences for Sizewell C have been constructed and new the coastal habitats established over these areas, as described in the oLEMP for the main development site [REP1-010], Graylings would be expected to recolonise these re-established habitats from adjacent areas [REP1-010].
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	<p>The ecological surveys undertaken by Arcadis have adhered to best practice guidelines and have been undertaken by suitably experienced and qualified ecologists.</p> <p>The main development site has been subject to extensive ecological surveys since 2012 and the Sizewell link road and the two village bypass were surveyed for relevant species groups during 2019-2020. Further surveys have been undertaken of sites, as relevant, in 2021 to inform protected species license applications and finalise mitigation details.</p> <p>Any limitations due to the restricted access by landowners have been noted as a limitation in all reporting where relevant and this included no access to Mr Grant's land for ecological surveys in 2019. These were subsequently undertaken in 2020.</p> <p>The Applicant will reserve comment on Mr Grant's surveys until those have been shared through the examination. The Applicant will provide a second response upon receipt of the data and reporting, provided by Mr Grant.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
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	<p>The Applicant has reviewed the relevant representation from Dr Abbott and provides the following response in relation to the question.</p> <p>Loss of SSSI habitat</p> <p>The development will result in approximately 10ha of temporary and permanent loss of reedbed, ditch, wet woodland and fen meadow habitats from Sizewell Marshes SSSI.</p> <p>Reedbed and ditch habitat loss has been mitigated for with the creation of such habitats at Aldhurst Farm, completed in 2016, (refer to paragraph 14.4.11 of Volume 2, Chapter 14 of the ES [AS-033]) which has developed and matured and now supports water vole, otter and important bird species such as nesting marsh harrier. As stated in paragraph 14.7.127, in 2015 Natural England were confident that wetland creation at Aldhurst Farm would provide satisfactory compensation in quality and quantity for the permanent loss of reedbed habitats at Sizewell Marshes SSSI. Further reedbed creation will be implemented in the north of the main development site in order to include a wetland component in the marsh harrier habitats compensation area.</p> <p>A Fen Meadow Strategy (Volume 3, Appendix 2.9.D of the ES Addendum [AS-209]) has been developed which commits to provide appropriate compensation measures to mitigate the permanent loss of approximately 0.46ha of M22 fen meadow from the SSSI. This includes planned creation of fen meadow at three sites; Benhall, Halesworth and Pakenham amounting to at least 4.5ha of M22 fen meadow habitat with management plans to secure this habitat in the long term. This strategy also includes contingency provisions should M22 habitat not be established after 10 years.</p> <p>A Wet Woodland Strategy [REP1-020] has been developed addressing the compensatory habitats required for the permanent loss of 3.06ha of wet woodland from Sizewell Marshes SSSI. This includes the provision of 0.7ha of wet woodland creation in the north of the main development site and at least 2.36ha of wet woodland creation across the Benhall and Pakenham fen meadow sites which would be established by Year</p>

ExQ1	Question to:	Question:
		<p>10 with a long term management plan in place to secure this habitat for the operational lifetime of Sizewell C Project.</p> <p>Impacts on species mentioned in the relevant representation</p> <p>The species referenced in the relevant representation have been considered through impact assessment within Sections 14.7 – 14.14 of Volume 2, Chapter 14 of the ES [AS-033]. Of the individual species mentioned in RR-0320, white admiral butterfly has not been assessed individually but as part of the invertebrate assemblage within Goose hill, where the effect of land take was considered minor adverse, and therefore not significant. White admiral inhabits woodlands with large patches of Bramble and presence of Honeysuckle and while a proportion of Goose hill will be removed, remaining areas will retain suitable habitat for this species, albeit over a smaller area. The oLEMP [REP1-010] defines additional woodland areas and hedgerows which in the long term, i.e. in the operational phase of Sizewell C, would be suitable for white admiral and facilitate greater north-south movement for this and other woodland invertebrates, through the EDF Energy estate.</p>
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	<p>Please see response to Question CG.1.16 in Chapter 10 (Part 3) of this report which pertains to the same RR-1206 and issue.</p> <p>Please refer to responses to Questions CG.1.14(i) and CG.1.16 (Part 3) of this report, which explain that the impacts to geomorphology are highly localised and, in the case of potential disruption to shingle transport, mitigated. These points provide the reasons why there is no pathway to impact at or south of Thorpeness for geomorphic receptors during the construction and decommissioning phases of the project.</p>
Bio.1.38	MMO, Natural England, The Applicant	<p>(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.)</p> <p>(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.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>Please will the Applicant in answering draw attention to any provisions of the application documentation which address the question</p> <p>(iii) Please state whether or not any other provisions of the MCA 2009 are relevant and if so, how.</p> <p>(iv) Is the MMO content that there is no separate assessment for the Orford Inshore MCZ?</p>
	Response	<p>Section 125 of the Marine and Coastal Access Act 2009³⁹ sets out the general duties of public authorities in relation to MCZs. Sub-section 1 applies to any public authority having any function the exercise of which is capable of affecting (other than insignificantly) (a) the protected features of an MCZ; (b) any ecological or geomorphological process on which the conservation of any protected feature of an MCZ is (wholly or in part) dependent.</p> <p>Subsection 2 provides that every public authority to which this section applies must (in so far as is consistent with their proper exercise) (a) exercise its functions in the manner which the authority considers best furthers the conservation objectives stated for the MCZ; and (b) where it is not possible to exercise its functions in a manner which furthers those objectives, exercise them in the manner which the authority considers least hinders the achievement of those objectives.</p> <p>Section 126 is written in similar terms but applies where a public authority has the function of determining an application (whenever made) for authorisation of the doing of an act and the act is capable of affecting (other than insignificantly) (i) the protected features of an MCZ; (ii) any ecological or geomorphological process on which the conservation of any protected feature of an MCZ is (wholly or in part) dependent.</p> <p>Neither section 125 nor 126 apply here because any potential effects are insignificant, as has been set out in Volume 2, Chapter 22 of the ES [AS-035].</p> <p>The Orford Inshore Marine Conservation Zone (MCZ) is located approximately 16km south-east of the main development site and 14km from the Alde Ore estuary. The site is composed of subtidal mixed sediments that form important nursery and spawning grounds</p>

³⁹ Parliament of the United Kingdom, Marine and Coastal Access Act 2009, London, 2009

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>for some species of fish, including Dover sole, lemon sole and sandeels. Burrowing anemones, sea cucumbers, urchins, starfish and nationally important shark species are found at the site. The area is an important foraging area for seabirds. Harbour porpoise pass through the site. The protected features at the site are '<i>subtidal mixed sediments</i>'. No other protected features are identified.</p> <p>The proposed development is not predicted to have any effect on the subtidal mixed sediments which are the protected features of the MCZ or any effect on any ecological or geomorphological process on which the conservation of the subtidal mixed sediments is (wholly or in part) dependent. There will be no effects as the MCZ is situated beyond the zone of influence (ZOI) for development impacts. There are no other MCZs which are relevant to the Application'.</p>
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	The Applicant notes that whilst they are identified as a respondent the question is posed to the MMO and Environment Agency. The Applicant will provide any further context at Deadline 3, once it has had regard to the responses from the MMO and Environment Agency.
Bio.1.40	Suffolk Coastal Acting for Resilience [RR-1172], The Applicant	<p>[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?</p> <p>Please will Suffolk Coastal Acting for Resilience explain why they consider that the seven experts have not signed off the report of their views?</p> <p>Please will the Applicant comment on Suffolk Coastal Acting for Resilience's comment referred to above.</p>
	Response	<p>SZC Co. considers that the content referred to and citations made appear to be from Appendix 20A of Volume 2 of the ES [APP-312].</p> <p>All seven experts actively contributed to the Expert Geomorphological Assessment (EGA) process and five of them contributed to authoring the report. Their inputs to the EGA</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>process were documented and have been explained in reporting that supports Section 7 of Appendix 20A of Volume 2 of the ES [APP-312].</p>
<p>Part 2 - Biodiversity and ecology (terrestrial) - Main Development Site</p> <p>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 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</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>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>	<p>The four parts of the question (a), (b), (c) and (d) are addressed individually below. In addition, a table which summarises the policy position relating to biodiversity and ecology matters for the main development site and the associated development sites is presented in Appendix 7D of this chapter.</p> <p>This response should be read alongside the NPS Accordance Table (Doc Ref. 9.14).</p> <p><u>(a)</u></p> <p>The omission of policies 4.2.1, 4.3, 4.10.2, 5.3.3, 5.3.4 from Table 14.1 Volume 2 Chapter 14 [AS-033] was not in error. The approach taken throughout the ES was to reference NPS policies^{40 41} which applied to all sites within Volume 1, Appendix 6J [APP-171] and then identify any additional policies which only applied to the specific site within the relevant site chapter.</p> <p>To provide clarity commentary on the position with regards to the identified requirements is provided below and within Appendix 7D of this chapter:</p> <ul style="list-style-type: none"> • Policy 4.2.1: has been included as part of the assessments for all sites and the details set out in response to this policy is included with Volume 1, Appendix 6J [APP-171]. The response provided is applicable to main development site. • Policy 4.3: A Shadow HRA [APP-145 to APP-152, AS-173 to AS-178 and Doc Ref. 5.10 Ad2] has been prepared for the Sizewell C Project. This policy is addresses at a project level and is therefore included within Volume 1, Appendix 6J [APP-171] and not within any site chapters.

⁴⁰ National Policy Statements for energy infrastructure: National Policy Statement for Energy (EN-1). July 2011

⁴¹ National Policy Statement for Nuclear Power Generation (EN-6). July 2011

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> • Policy 4.10.2: this policy specifically refers to air quality and water quality in relation to human health and has been addressed in detail in Volume 2, Chapter 12 [APP-212], Chapter 19 [APP-297] and Chapter 28 [APP-346] of the ES. Potential impacts associated with changes in air and water quality have been considered in relation to flora and fauna Important Ecological Features and the relevant technical chapters have also been cross referred to as relevant. As this has been considered within all assessments it is only identified within Volume 1, Appendix 6J [APP-171] and not within any site chapters. In addition, Details of the primary and tertiary mitigation which would result in the implementation of pollution control systems, both during construction, operation and removal are outlined in Volume 2, Chapter 14 of the ES [AS-033], Section 14.4., Section 14.4. • Policy 5.3.3: As this policy has been considered within all assessments it is only identified within Volume 1, Appendix 6J [APP-171] and not within any site chapters. • Policy 5.3.4: This policy should have been included in Table 14.1. Volume 2, Chapter 14 of the ES [AS-033], as well as the TEMP [REP1-016] and oLEMP [REP1-010] detail mitigation measures but also enhancement measures which will increase the sites overall value for local biodiversity. Biodiversity Net Gain (BNG) is addressed in the appropriate BNG reports (see also the answers to Questions Bio.1.33 and Bio 1.260-272), which demonstrate net gain across the project as a result of the habitat proposals associated with the project. <p>(b) and (c)</p> <p>As set out within the response to (a), the approach taken throughout the ES was to reference NPS policies which applied to all sites within Volume 1, Appendix 6J [APP-171] and then identify any additional policies which only applied to the specific site within the relevant site chapter. The inconsistencies are therefore a result of some policies only being relevant to the assessment presented within Volume 2, Chapter 14 of the ES [AS-033].</p> <p>For the policies not included within Table 14.1 or 14.2 of Volume 2, Chapter 14 of the ES [AS-033], the following comments are made:</p> <ul style="list-style-type: none"> • Policy 3.9.3: the requirements of policy 3.9.3 have been met as part of the terrestrial and ornithological environmental assessment as the construction of the

ExQ1	Question to:	Question:
		<p>new power station does consider the ground water regime and its effects on terrestrial/ coastal habitats.</p> <ul style="list-style-type: none"> • Policy 3.9.4: the Shadow HRA [APP-145 to APP-152, AS-173 to AS-178 and Doc Ref. 5.10 Ad2] considers internationally important habitats and species that may be affected by the development with the terrestrial ecology and ornithological assessment covering the nationally designated sites. In addition, a cumulative effects assessment [APP-572 to APP-580 and AS-189] has been produced and submitted as part of the DCO application. The requirements of this policy have been met. • Policy 3.9.6: The requirements for this policy have been met as part of the environmental assessment through the ES and HRA. The scheme design has been developed to avoid and minimise impacts to sensitive areas across the site as well as avoiding/ minimising pollution and disturbance of wildlife. The construction and operational layout plans show the scheme design in further detail and locations of key working areas and associated welfare/ site infrastructure. The scheme design has been developed to also maximise opportunities of permeability for species during the construction phase. The project in the long-term, during its operational phase will result in an overall Biodiversity Net Gain. • Policy C.8.52: As noted above in response to queries around the inclusion of policy 4.3, C.8.52 specifically refers to Shadow HRA Report [APP-145 to APP-152, AS-173 to AS-178 and Doc Ref. 5.10 Ad2]. The Shadow HRA Report has been cross referred to within the ES chapter as relevant but the ES chapter does not specifically 'undertake the shadow HRA' and this has been addressed separately. The Shadow HRA Report has been cross referred to within the ES chapter as relevant but the ES chapter does not specifically 'undertake the shadow HRA' and this has been addressed separately [APP-145 to APP-152, AS-173 to AS-178 and Doc Ref. 5.10 Ad2]. • Policy C.8.53: See response to point C.8.52 above. • Policy C.8.63: Mitigation and Management Plans have been produced which have been specifically drafted for elements of the Sizewell Marshes SSSI which would be impacted by the proposals at the main development site. In addition, the scheme design has been adapted to minimise impacts on the SSSI as the application now includes a clear-span bridge structure rather than a culvert design. In addition, off-site compensatory habitat creation sites are included and

ExQ1	Question to:	Question:
		<p>all mitigation and compensatory measures will be subject to long-term monitoring throughout the construction and operational phases. Further details are captured within the Fen Meadow Strategy [AS-209], the Wet Woodland Strategy [REP1-020], the oLEMP [REP1-010] and TEMMP [REP1-016].</p> <p>(d)</p> <p>The following NPS policies have been omitted from one or various Terrestrial Ecology and Ornithology Chapters based on a consideration of their direct relevance to the site in question:</p> <ul style="list-style-type: none"> • EN-1 4.2.1: This policy is identified within Volume 1, Appendix 6J of the ES [APP-171], but is not specified in any of the Terrestrial Ecology and Ornithology Chapters as this policy as simply requires an Environmental Statement to be produced and this has been addressed. As this policy is not site specific it has not been included within any of the site chapters. • EN-1 4.3: As this policy is generic and applicable across all sites, it should only be included within Volume 1, Appendix 6J [APP-171]. This policy has been addressed at a project level through the preparation of the shadow HRA [APP-145 to APP-152, AS-173 to AS-178 and Doc Ref. 5.10 Ad2]. • EN-1 4.10.2: The policy has not been referenced in any of the Terrestrial Ecology and Ornithology chapters but is referenced in Volume 1, Appendix 6J of the ES [APP-171]. This policy was omitted as it is not site specific it has not been included within any of the site chapters. The ES addresses the requirements of the policy and provides details of the primary and tertiary mitigation which would result in the implementation of pollution control systems, both during construction, operation and removal and reinstatement, are detailed within individual chapters. • EN- 1.5.3.3: This is not referenced in Volume 2, Chapter 14 of the ES [AS-033] , however it is included in Volume 1, Appendix 6J of the ES and the other Terrestrial Ecology and Ornithology Chapters. As this is generic and applicable across all sites, it should only be included within Volume 1, Appendix 6J [APP-171]. • EN- 1.5.3.4.: As this policy is generic across all terrestrial ecology and ornithology assessments, it has only been referenced in Volume 1, Appendix 6J of the ES [APP-171],. This policy has been addressed as the primary and tertiary mitigation,

ExQ1	Question to:	Question:
		<p>outlined in each chapter describes how the project will conserve and enhance biodiversity.</p> <ul style="list-style-type: none"> • EN-6 1.7.4: This is referenced in every associated development site Terrestrial Ecology and Ornithology Chapter and Volume 1, Appendix 6J of the ES [APP-171], but not Volume 2, Chapter 14 of the ES [AS-033]. As this is generic and applicable across all sites, it should only be included within Volume 1, Appendix 6J [APP-171]. • EN-6 3.9.3: This policy is referenced in Volume 2, Chapter 14 of the ES [AS-033] but not any of the associated development site terrestrial ecology and ornithology chapters as the associated development sites are not considered to have any impacts on coastal habitats. The potential effects on water quality are assessed in Volumes 3 to 9, Chapter 12, Groundwater and Surface Water, for each associated development site. • EN-6 3.9.4: As this policy is generic across all terrestrial ecology and ornithology assessments, it has only been referenced in Volume 1, Appendix 6J of the ES [APP-171]. Each chapter provides an extensive baseline assessment of the nationally and internationally important habitats and species and therefore each chapter addresses the requirements of this policy. • EN-6 3.9.6: As this policy is generic across all terrestrial ecology and ornithology assessments, it has only been referenced in Volume 1, Appendix 6J of the ES [APP-171]. While not specifically referenced, the site boundaries have been restricted to avoid the most sensitive habitats. Primary and tertiary mitigation measures which detail measure to avoid or minimise impacts to ecology have been described. As these details are included within each of the chapters, the requirements of this policy are considered to be addressed. • EN-6 A.7.4: This policy is referenced in Volume 1, Appendix 6J of the ES [APP-171] and within each associated development site, but is omitted from the main development site ES Chapter [AS-033]. As this is generic and applicable across all sites, it should only have been included within Volume 1, Appendix 6J [APP-171]. • EN-6 Annex C.8.52: The policy is referenced in the main development site ES Chapter [AS-033]. The policy is not referenced in the Terrestrial Ecology and Ornithology associated development site chapters. This is an omission and it should have only been referenced in Volume 1, Appendix 6J [APP-171] as it is

ExQ1	Question to:	Question:
		<p>generic across all terrestrial ecology and ornithology assessments. The associated development site chapters address the requirements of this policy by providing details of the European designated sites within 5km of the site and describing the effects on specific designated features that would be affected..</p> <ul style="list-style-type: none"> • EN-6 C.8.53: The policy is referenced in Volume 1, Appendix 6J [APP-171], northern park and ride, southern park and ride, freight management facility, Yoxford roundabout and green rail route Terrestrial Ecology and Ornithology chapters. As this is generic and applicable across all sites, it should only have been included within Volume 1, Appendix 6J [APP-171]. • EN-6 C.6.54: The policy is referenced in Volume 1, Appendix 6J [APP-171] and all associated development site Terrestrial Ecology and Ornithology ES Chapters. As this is generic and applicable across all sites, it should only have been included within Volume 1, Appendix 6J [APP-171]. • EN-6 C8.60: The policy is only relevant to the terrestrial ecology and ornithology assessment at the main development site [AS-033]. It is referenced in incorrectly in all Terrestrial Ecology and Ornithology chapter, other than the southern park and ride (Volume 4, Chapter 7 [APP-394]) and the Sizewell link road (Volume 6 Chapter 7 [APP-461]) assessments. • EN-6 C8.61: The policy is generic across all terrestrial ecology and ornithology assessments and should only have been referenced in Volume 1, Appendix 6J [APP-171]. • EN-6 C.8.62: This policy is only referenced in the main development site Terrestrial Ecology and Ornithology ES chapter [AS-033]. This is correct as it is the only part of the Sizewell C Project that would result in landtake from Sizewell Marshes SSSI. • EN-6 C.8.63: This policy is only referenced in the main development site Terrestrial Ecology and Ornithology ES chapter [AS-033]. This is correct as it is the only part of the Sizewell C Project that would result in landtake from Sizewell Marshes SSSI. • EN-6 C8.65: This policy is referenced in Volume 1, Appendix 6J [APP-171] and the two village bypass ES Chapter (Volume 5, Chapter 7 of the ES) [APP-425] only. As this is generic and applicable across all sites, it should have only been included within Volume 1, Appendix 6J [APP-171].

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
Bio.1.42	The Applicant	<p>[APP-224], para 14.3.8. The Study area.</p> <p>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.</p>
	Response	<p>Road safety analysis identified potential highway safety issues at two locations. Highway safety measures at this junction will be secured by an obligation in the Draft Deed of Obligation (Doc. Ref. 8.17(C)). An assessment of the potential ecological effects of the highway safety measures is included within Table 7.4 of Volume 7, Chapter 7 of the ES [APP-494].</p> <p>The development proposed at the A140 and B1078 junction and B1078/B1079 junction are described within Volume 7, Chapter 2 of the ES [APP-480] and are shown on Volume 7, Figure 2.6 [APP-482].</p> <p>The environmental screening study presented within Table 7.4 of Volume 7, Chapter 7 of the ES [APP-494] identified that all construction works would be undertaken within the existing highway boundary and that minor improvements, comprising improvements of visibility splays and provisions of signage and road markings. Overall, as identified in Table 7.4, it is considered there would be no impact upon terrestrial ecology or ornithology and it was screened out of further assessment.</p>
Bio.1.43	The Applicant	<p>[APP-224] para 14.4.5 – tertiary mitigation within the EDF Energy estate.</p> <p>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.)</p> <p>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.</p> <p>Please will the Applicant:</p> <p>(a) specify which land they consider is covered by the “ambition” statement, and</p> <p>(b) how they propose this ambition should be secured in the DCO.</p>

ExQ1	Question to:	Question:
		<p>Please will Natural England do the same.</p>
	<p>Response</p>	<p>A plan of the EDF Energy estate is included in the Design and Access Statement at Figure 2.1 [AS-261].</p> <p>(a) A series of agreements are being negotiated between EDF Energy Nuclear Generation Limited (ENGL) and NNB Generation Company (SZC) Limited (SZC Co.) in relation to the EDF Energy Estate as shown in Figure 1.1 in the Design and Access Statement (Doc Ref. 8.1Ad2 (A)). These agreements fulfil a number of roles including the acquisition of parts of the EDF Energy Estate by the Applicant and ongoing management of the applicable parts of the EDF Energy Estate which fall outside the Order Limits to a standard envisaged by the 'ambition' statement. These agreements will be completed before works commence under the Order to ensure that the Applicant has the necessary control over the relevant parts of the EDF Energy estate to enable the proposed tertiary mitigation to be carried out in accordance with the Order.</p> <p>(b) The proposals within the Application include landscape and ecological features that have either avoided, minimised or mitigated effects arising and these are detailed in the ES and secured through the approved plans or other commitments and controls (e.g. the oLEMP) to be imposed through the DCO. It is these schemes that have informed the Biodiversity Net Gain assessment that demonstrates that the Project will deliver an overall gain of 19%.</p> <p>Furthermore, the Draft Deed of Obligation (Doc Ref. 8.17(C)) includes the obligations to secure the mitigation and compensation measures that meet the planning tests. Separately, SZC Co. is seeking to explore additional legacy and enhancement measures beyond those to be secured in the DCO through an environment trust. Please refer to our response to question LI.1.49 for details.</p> <p>The delivery of the '<i>ambition statement</i>' is not necessary to make the proposed development acceptable in planning terms, those measures are already secured through</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		the measures described above. It is not necessary that this 'ambition' is secured in the DCO in order to meet the planning tests, rather it is something that SZC Co. is delivering in order to provide legacy benefits.
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	The Applicant refers the ExA to Article 5 of the draft DCO (Doc Ref. 3.1(C)), which provides the mechanism for SZC Co. to switch from Sizewell B relocated facilities permission 1 or Sizewell B relocated facilities permission 2 to Work No. 1D or 1E under the DCO. The effect of this is that any mitigations secured by condition which require ongoing compliance would then be governed by the equivalent requirement under the DCO. The ExA is referred to Appendix 14C - DCO Drafting Note 3 and the response to Question DCO.1.22 in Chapter 14 (Part 4) of this report for more detail on this.
Bio.1.45	The Applicant	[APP-224] para 14.4.10 bullet 4 – primary mitigation. 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	<p>No significant hydrological effects are predicted on any of the designated habitats during either the construction or operational phases of Sizewell C (refer to Volume 2, Chapter 19 of the ES [APP-297]). This conclusion is not dependent upon the proposed hydrological monitoring and the implementation of prescriptive control measures.</p> <p>Continued hydrological monitoring is proposed, as outlined in Volume 3, Appendix 2.14.A (Water Monitoring and Response Strategy) of the ES Addendum [AS-236]. This states that the purpose of continued monitoring is to demonstrate that changes in the water environment are consistent with the impact assessment. The Water Monitoring and Response Strategy, together with Requirement 7 of the draft DCO (Doc Ref. 3.1(C)), commits to the development of a Water Monitoring Plan, which would include trigger levels and actions.</p> <p>The Water Monitoring Plan would be prepared by SZC Co. and submitted to East Suffolk Council for their approval, following consultation with relevant stakeholders. Recognising that timely intervention will be required if an unacceptable change is observed, the</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>strategy sets out the approach to mitigation, which will be further detailed in the Water Monitoring Plan.</p> <p>The Water Monitoring and Response Strategy defines the specific measures that will be secured by Requirement 7 of the draft DCO (Doc Ref. 3.1(C)) and which will be incorporated into a water monitoring plan, along with the relationship to the environmental permits and licences that would be necessary. The anticipated permits, licences and consents are outlined in the Schedule of Other Consents, Licences and Agreements document [APP-153], setting out the relevant legislation and approving body in each case.</p> <p>Together these measures provide a robust and effective framework of controls for the management of water levels for the duration of the project.</p>
Bio.1.46	The Applicant	<p>[APP-224] para 14.4.10 bullet 4 – primary mitigation.</p> <p>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.</p>
	Response	<p>The Eels Regulations Compliance Assessment was provided as an appendix to the Marine Ecology and Fisheries Chapter of the ES - Volume 2, Appendix 220 of the ES [APP-332].</p>
Bio.1.47	The Applicant	<p>[APP-224] – para 14.4.10 bullet 5 – primary mitigation, the SSSI crossing.</p> <p>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.</p>
	Response	<p>A full set of drawings relating to the current single span bridge proposals included in the Accepted Changes (April 2021) [PDA-004 and PDA-005] were submitted in response to the Rule 17 letter of 25 February 2021 [PD-012].</p> <p>However, as stated in the answer to Question G.1.32 in Chapter 2 (Part 1) of this report, in response to feedback from stakeholders following the Accepted Changes</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>(April 2021), a design review was commissioned to determine if the structure could be optimised to further reduce impacts on Sizewell Marshes SSSI. In response to ecological concerns raised by stakeholders, SZC Co. has further optimised the design and proposes to reduce the width of the bridge to approximately 15m once the power station has been built. This would be achieved by removing part of the bridge deck. It is also proposed to raise the soffit level of the bridge in response to stakeholder feedback. Updated indicative plans and further details will be submitted at Deadline 4. Requirement 12C of the draft DCO will be updated at the same time to secure primary mitigation.</p> <p>Appendix 7E of this chapter provides three figures which provide the ecological context to the location of the crossing. A new set of figures will be provided for Deadline 4 to align with updated design details referred to above.</p>
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> <ul style="list-style-type: none"> (a) The significance of the marsh harrier – this should cover policy, legal, ecological and any other relevant aspects (b) How it is affected by the Proposed Development? (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 (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” (e) the need for and role of any other areas for marsh harriers which are proposed (including Westleton) (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. (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.) (g) Any uncertainties over the success of replacement foraging (or other) areas for the marsh harrier and the probabilities of success

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<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>
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 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.</p>
Bio.1.50	The Applicant	<p>[APP-224], para 14.4.11.</p> <p>Please will the Applicant supply a plan showing the location of the habitats to be created.</p> <p>The Operational Landscape Masterplan for the EDF Energy estate (Figure 2.2.41 of the ES Addendum [AS-191]) is included within both the Design and Assess Statement Addendum as Figure 2.1 [AS-261] and the Biodiversity Net Gain Report for the main development site [REP1-004] as Figure 2 identifies the habitat creation areas in the Sizewell area.</p> <p>The offsite fen meadow compensation sites at Benhall, Halesworth and Pakenham are described in the Fen Meadow Strategy included in Volume 3, Appendix 2.9.D of the ES Addendum [AS-209]. The off-site wet woodlands created will be provided at the two fen meadow sites of Benhall and Pakenham as described in the Wet Woodland Strategy [REP1-020] submitted at Deadline 1.</p> <p>The commitments made in relation to monitoring of sites, habitats and species and also the monitoring of the success of mitigation measures such as habitat establishment or bat boxes are described in the Terrestrial Ecology Monitoring and Mitigation Plan</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		(TEMMP) [REP1-016], submitted at Deadline 1 and secured under Requirement 4 of the draft DCO (Doc Ref. 3.1(C)).
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	<p>The wetland components of Adlhurst Farm were completed in 2016 and were created as part of primary mitigation measures as compensatory habitat for the loss of reedbed and ditch habitats from within Sizewell Marshes SSSI which will arise from direct land take associated with the construction of the main platform.</p> <p>The wetland habitat creation will also mitigate the effect of direct land take on the following ecological receptors associated with such habitats, as described within Volume 2, Chapter 14 of the ES [AS-033]:</p> <ul style="list-style-type: none"> • Invertebrate assemblages (paragraph 14.8.20). • Bird assemblage (including Schedule 1 species) (paragraphs 14.12.33 and 14.12.39-14.12.54). • Foraging bats (paragraphs 14.13.40, 14.13.158, 14.13.248). • Water voles (paragraph 14.14.47) (The site is considered to be a suitable water vole receptor site for translocation from the Sizewell C main platform area in paragraph 14.4.11. However the 2020 draft license update included at Volume 3, Appendix 2.9.C5 of the ES Addendum [AS-209] indicates that translocation of water voles may not be required and using displacement techniques is likely to be more suitable.) <p>The creation of dry Sandlings grassland on former arable land at Aldhurst Farm is considered primary mitigation as part of the reptile mitigation strategy included at Volume 2, Appendix 14C2A of the [APP-252] to receive reptiles translocated from habitats lost from the construction of Sizewell C. The creation of dry Sandlings grassland on former arable land at Aldhurst Farm is considered primary mitigation as part of the reptile mitigation strategy included at Volume 2, Appendix 14C2A of the [APP-252] to receive reptiles translocated from habitats lost from the construction of Sizewell C. The relocation of reptiles through translocation is part of the tertiary mitigation measures.</p> <p>This new grassland habitat will also provide primary mitigation for the effect of direct land take on the following ecological receptors associated with such habitats:</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> • Invertebrate assemblages (Paragraph 14.8.55). • Bird assemblage (14.12.57) (including foraging Barn Owl (paragraph 14.12.41)). • Foraging bats (paragraphs 14.13.40, 14.13.158, 14.13.248). <p>Three of the southern fields within the new grassland areas at Aldhurst Farm have recently been opened to the public to provide access to this area and to mitigate the potential of recreational displacement approach in the HRA context. These open access areas at Aldhurst Farm will provide alternative areas for dog walking in the event that users of the Sizewell Beach (or from elsewhere in the Sizewell C environs) are displaced. This is anticipated to reduce the extent of displacement to nearby European Sites and so reduce the potential for adverse recreational impacts to sensitive habitats and species in those areas.</p>
Bio.1.52	The Applicant	<p>[APP-224] para 14.4.12.</p> <p>Please will the Applicant state where the monitoring and mitigation plan referred to is secured in the dDCO.</p>
	Response	<p>The Coastal Processes Monitoring and Mitigation Plan was submitted as part of the Application Change Request (see Volume 3, Appendix 2.15.A the ES Addendum [AS-237]). It is secured as DCO Requirement 7A and Marine Licence Condition 17 (see Doc Ref. 3.1(C)).</p>
The next set of questions address construction effects on plants and habitats, paragraphs 14.7.22 – 14.7.223		
Bio.1.53	The Applicant	<p>[APP-224] para 14.7.24.</p> <p>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.</p>
	Response	<p>Requirement 5 of the draft DCO (Doc Ref. 3.1(C)) requires that details of the surface and foul water drainage system be submitted to and approved by ESC and SCC before a relevant stage of the Authorised Development can commence. Paragraph 2 of Requirement 7 states that the drainage details shall be based on sustainable drainage principles and be in accordance with the Drainage Strategy. This will therefore ensure that the principles and commitments made in the Outline Drainage Strategy (see Doc Ref. 6.3 2A(A)) are delivered.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
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).
	Response	Volume 2, Chapter 14 of the ES [AS-033] paragraph 14.7.31 is not intended to indicate that all piling for the permanent BLF would be carried out from a rig placed on the HCDF. As rightly implied by the ExA question this would require plant with exceptional reach capacity. Volume 2, Chapter 14 of the ES [AS-033] paragraph 14.7.31 should be construed as 'it is likely to be using a cantilever method, <i>progressing outward along the part-completed pier</i> from the HCDF'.
Bio.1.55	The Applicant	[APP-224] para 14.47. Please indicate how the recreation and amenity strategy is secured.
	Response	Reference to Amenity and Recreation Strategy at paragraph 14.7.46 of Volume 2, Chapter 14 of the ES [AS-033] should be to the Rights of Way and Access Strategy , which can be found at Volume 2, Appendix 15I of the ES (Doc Ref. 6.3 15I(A)). The Rights of Way and Access Strategy is secured in the following way: The Rights of Way and Access Strategy accompanies the Rights of Way Plans and will help to inform the footpath implementation plans required pursuant to article 15(1) of the draft DCO (Doc Ref. 3.1(C)). The Rights of Way Strategy (Doc Ref. 6.3 15I(A)) sets out more detail on the public rights of way closures and diversions on the main development site, which have been carefully incorporated into the design and construction planning of the proposed development. The Rights of Way Strategy (Doc Ref. 6.3 15I(A)) therefore forms part of the primary (i.e. embedded) mitigation of the project.
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.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	This is a typographical error within [AS-033] and should read as Plate 1.2 in Appendix 14B1 which is on page 33 of the document.
Bio.1.57	The Applicant, Natural England	<p>[APP-224], section C.a.a.c, especially paras 14.7.62; 65 and 67.</p> <p>(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.</p> <p>(b) Is NE content with these measures?</p> <p>(c) To what extent is the continued operation of the Minsmere Sluice needed?</p> <p>(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.</p>
	Response	<p>(a) No significant hydrological effects are predicted on the Minsmere European Site or other habitats during either the construction or operational phases (refer to Volume 2, Chapter 19 of the ES [APP-297]). This conclusion is not dependent upon the proposed hydrological monitoring and the implementation of prescriptive control measures.</p> <p>Continued hydrological monitoring is proposed, as outlined in the Sizewell C Water Monitoring and Response Strategy (Volume 3, Appendix 2.14.A of the ES Addendum [AS-236]). This states that the purpose of continued monitoring is to demonstrate that changes in the water environment are consistent with the impact assessment. Recognising that timely intervention will be required if an unacceptable change is observed, the strategy sets out the approach to mitigation. The Water Monitoring and Response Strategy and the the Water Monitoring Plan define the specific measures that will be secured by Requirement 7 of the draft DCO (Doc Ref. 3.1(C)), along with the relationship to the environmental permits and licences that would be necessary. The Water Monitoring Plan would be prepared by SZC Co. and submitted to East Suffolk Council for their approval, following consultation with relevant stakeholders. Together these provide a robust and</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>effective framework of controls for the management of water levels for the duration of the project.</p> <p>(b) No response is required from the Applicant.</p> <p>(c) SZC Co. recognises concerns of stakeholders regarding the long-term viability of Minsmere Sluice. It neither owns the structure nor has included it within the proposed order limits.</p> <p>No significant hydrological effects are predicted in the vicinity of Minsmere Sluice (refer to Volume 2, Chapter 19 of the ES [APP-297]). Minsmere Sluice is an Environment Agency owned and maintained structure that controls drainage from the Minsmere New River, Leiston Drain and Scott's Hall Drain. It provides controls and limits the ingress of salt water and is tide locked when water levels in the North Sea are high. At low tide drainage of the upstream fluvial system via Minsmere Sluice is via gravity. As set out in (d) below, the Minsmere Sluice was refurbished in 2013 with a 50-year design life and the ongoing operation is set out in the coastal policy.</p> <p>(d) SZC Co. notes that the Shoreline Management Plan (SMP) policy⁴² for the wider coast (MIN12.3 and MIN12.4) in the vicinity of Minsmere Sluice is managed realignment, whereas the position for Minsmere Sluice is for it to be maintained. Consistent with the policy stated in the SMP, the Environment Agency refurbished Minsmere Sluice in 2013 and this work was completed with a 50 year design life. This is the current policy for coastal management that the Sizewell C Project will need to comply with.</p>
Bio.1.58	The Applicant, Natural England	<p>[APP-224], para 14.7.79 – dust deposition and Minsmere European Site.</p> <p>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?</p>
	Response	<p>Dust control measures are identified in Volume 2, Chapter 12: Air Quality [APP-212], and Outline Dust Management Plan (Volume 2, Appendix 12A of the ES [APP-213]). The Outline Dust Management Plan describes the approach to dust mitigation that has been assumed for the purposes of Environmental Impact Assessment (EIA). The dust</p>

⁴² Suffolk Shoreline Management Plan (SMP7). [Online]. Available at: <http://www.suffolksmp2.org.uk/policy2/smp7index.php>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>mitigation measures identified within the outline plan would be implemented through compliance with the CoCP (Doc Ref. 8.11(B)) secured by Requirement 2.</p> <p>Volume 2, Appendix 12A, Annex 12A.3 - Assessment of Residual Impacts from Mitigated High Risk Activities [APP-213] identifies under what circumstances the Dust Management Plan would specify additional mitigation and identifies examples of measures that could be adopted within each construction zone. The revised CoCP submitted at Deadline 2 (Doc Ref. 8.11(B)) includes dust monitoring to be undertaken at site boundaries near to sensitive receptors including Minsmere European Site and Action Levels in the event that elevated dust concentrations are measured. The Action Levels will require the contractor to review and, as appropriate, instigate additional control measures or reapply existing measures to reduce dust generation from site activities based on the control measures listed in the outline Dust Management Plan.</p>
Bio.1.59	The Applicant	<p>[APP-224], para 14.7.83. Emissions from diesel generators.</p> <p>The acronym PEC does not appear in the Glossary [APP-005]. Is it intended to be Predicted Environmental Concentration?</p>
	Response	<p>This is correct. PEC is the acronym for Predicted Environmental Concentration.</p>
Bio.1.60	The Applicant	<p>[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).</p> <p>What consideration has been given to indirect effects? If none, please will the Applicant explain.</p>
	Response	<p>Atmospheric pollution has been assessed as a potential indirect impact. Indirect effects of atmospheric pollution are considered through assessment of acid and nitrogen deposition. These are indirect in that they result from the pollutants influencing the soil chemistry rather than the vegetation directly, in contrast to the direct effects of pollutants in atmosphere. In general, and particularly for NO_x, the indirect effects of atmospheric pollution can be more significant to vegetation than the direct effects.</p> <p>See reference below.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>Indirect effects have been considered as part of the assessment as has been noted in the methodology specifically in paragraph 14.3.21 of Volume 2, Chapter 14 of the ES [AS-033] for all IEFs including plants and habitats.</p> <p><i>"Impacts can also be defined as being direct or indirect. A direct impact is defined as an impact resulting in the direct interaction of an activity with an environmental or ecological component. An indirect impact is defined as an impact on the environment which is not a direct result of a project or activity, often produced away from or as a result of a complex impact pathway."</i></p> <p>Paragraph 14.7.89 of Volume 2, Chapter 14 of the ES [AS-033] states: <i>"Of these habitat types, the Air Pollution Information System (Ref 14.47), indicates vegetated shingle is considered the most sensitive to increases in nitrogen levels. However, the PEC (background pollutant levels combined with the PC) show that exceedance of the annual Critical Level is unlikely, so no significant effect is envisaged. However, given that Critical Levels are defined as "concentrations of pollutants in the atmosphere above which direct adverse effects on receptors, such as plants, ecosystems or materials, may occur according to present knowledge", it is not considered that the PEC would have an adverse effect as no exceedance is predicted. Additionally, when taking into consideration the background NO_x concentration at this site, the PEC show that exceedance of the annual Critical Level is unlikely."</i></p> <p>While the potential impact pathway for a significant effect is an indirect one for atmospheric pollution the APIS text quoted is discussing potential direct effects. Both direct and indirect impacts have been considered and the indirect impact of atmospheric pollution has been assessed as not significant.</p>
Bio.1.61	The Applicant	<p>[APP-224] para 14.7.103, acid deposition at Minsmere European Site.</p> <p>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.</p>
	Response	<p>The following text provides additional consideration on the circumstances at other times in relation to acid deposition at Minsmere. This is specifically considered below in relation to</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>the coastal stable dune habitats and the fen, marsh and swamp/ rush pasture habitats; these being the SAC habitats present at the modelled transect locations (E2b and E2d):</p> <p><u>Coastal stable dune habitats:</u></p> <p>This area is vegetated sand dune, which is a SSSI monitored feature. The dose (during routine operation), however, is small with a Process Contribution (PC) that is only just over the threshold of imperceptibility (1.8% of the CL compared to an imperceptibility threshold of 1% of the CL).</p> <p>APIS⁴³ states that '<i>Soil acidification as a result of acid deposition has relatively little impact in UK dunes because sand dune soils are generally well-buffered, with the exception of the few acidic dune systems. The majority of dune systems in the UK are calcareous, well buffered and low in heavy metals so should be tolerant of acid deposition</i>' and suggests that it is mainly the lower plants that may be affected. The SSSI citation does not indicate that lower plants are a significant part of the dune community in this area.</p> <p>In addition, the background deposition rate is so high that the additional dose due to the facility represents a change of only 1% (i.e. very slight difference).</p> <p><u>Fen, marsh and swamp (rush pasture etc):</u></p> <p>APIS⁴⁴ states regarding fen, marsh and swamp habitats that '<i>There is a paucity of data on acid deposition effects on this habitat type but it can be assumed that where non vascular plants are present these might be sensitive... There are no specific studies of effects of acid deposition on these rather variable ecosystems... Nutrient enrichment and polluted ground water represent the biggest threat, along with drainage / land use change and inappropriate or lack of management</i>'.</p> <p>Non-vascular plants are not a core feature of the habitats in this SSSI. Given that there is no strong evidence that acid deposition on these habitats is negative, that other factors are far more likely to influence the botanical composition of the sward and that the critical load is already so far exceeded that the further acid deposition forecast for this project is a relatively small difference, the ecological effect is likely to be minimal.</p>

⁴³ APIS, Acid Deposition: Dunes, shingle & Machair, [Online]. Available at: <http://www.apis.ac.uk/acid-deposition-dunes-shingle-machair>

⁴⁴ APIS, Acid Deposition: Fen, Marsh and Swamp, [Online]. Available at: <http://www.apis.ac.uk/acid-deposition-fen-marsh-and-swamp>

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	<p>The figure of 0.04ha is correct, as in the table. Conclusions were drawn based upon the 0.04ha figure. As such no change is required to the conclusions made.</p>
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	<p>The 0.43ha of wet woodland is included within the temporary land take column in Table 14.10 of Volume 2, Chapter 14 of the ES [AS-033].</p> <p>Table 14.10 was superseded by the updated assessment provided at Section 2.9 of Volume 1, Chapter 2 of the ES Addendum [AS-181]. The new values of temporary and permanent habitat loss within the Sizewell Marshes SSSI are shown in Table 2.36 and in detail within Section 2.9 h).</p>
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	<p>The responses to questions Bio 1.62 and Bio 1.63 do not have an impact on any other sections. Bio 1.62 related to an isolated 'typographical error' and in the case of Bio 1.63, the location of the 0.43ha of wet woodland in Table 14.10 was identified.</p> <p>Table 14.10 was superseded by the updated assessment provided at Section 2.9 of Volume 1, Chapter 2 of the ES Addendum [AS-181]. The new values of temporary and permanent habitat loss within the Sizewell Marshes SSSI are shown in Table 2.36 and in detail within Section 2.9 h).</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
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> <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	<p>The answer to this question is presented in three sections below.</p> <p>In response to the first paragraph:</p> <p>The further work referred to in paragraph 14.7.134 of Volume 2, Chapter 14 of the ES [AS-033] is detailed in a Fen Meadow Strategy [Section 2.9D of AS-209]. The further work referred to in paragraph 14.7.134 of Volume 2, Chapter 14 of the ES [AS-033] is detailed in a Fen Meadow Strategy [AS-209].</p> <p>The Fen Meadow Strategy [AS-209] has been prepared to define SZC Co’s commitment to provide appropriate compensation measures to mitigate for the loss of fen meadow</p>

ExQ1	Question to:	Question:
		<p>habitat through the creation of compensatory fen meadow habitats, and the provision of a contingency fund.</p> <p>The Fen Meadow Strategy [AS-209] provides the following:</p> <p>Section 4 describes studies undertaken to date (i.e. the Fen Meadow Compensation Study [APP-258]) to identify potential compensation sites, which comprised two phases:</p> <ul style="list-style-type: none"> • Phase 1 comprised a desk based screening exercise which identified five sites for further investigation [Paragraph 4.1.2-4.1.4 in AS-209] <ul style="list-style-type: none"> • Site No. 10 – Aldecar Lane (Benhall site, in part) • Site No. 11 – Watering Lane (Benhall site, in part) • Site No. 28 – Blyth Road (Halesworth site) • Site No. 33 – Stratford St Andrew, and • Site No. 54 – Pakenham, • Phase 2 concluded that each of the sites visited had good potential for the development of fen meadow [Paragraphs 4.1.5-4.1.8 in AS-209]. Detailed site investigations are underway at each site (Paragraph 4.1.9 AS-209); <p>Section 4 [AS-209] also describes the development of a Fen Meadow Plan [Paragraph 4.1.10 – 4.1.11 in AS-209].</p> <ul style="list-style-type: none"> • The Fen Meadow Plan will be developed over a series of three reports, with the final Plan drawing upon 12 months of monitoring. The final plan will be submitted for approval, as detailed [Paragraph 4.1.11 in AS-209]. <p>As stated at 4.1.11, it is proposed that the first draft of the Fen Meadow Plan is submitted later in the examination process.</p> <p>Section 5 of the Fen Meadow Strategy [AS-209] outlines the approach for delivering compensatory fen meadow habitat, the interfaces with stakeholders and the monitoring and remedial actions which will be deployed to maximise the chances of successfully establishing the habitat [Paragraphs 5.1.1 – 5.1.15 of AS-209].</p> <p>Section 6 of the Fen Meadow Strategy [AS-209] describes the Test of Success [Paras 6.1.1-6.1.4 in AS-209], and Section 7 described contingency provisions.</p> <p>This Applicant is confident that it will be able to create the appropriate quantum of compensatory fen meadow habitats given the suitability of the sites, in order to further ensure the loss is adequately compensated for, and to recognise the risks which might</p>

ExQ1	Question to:	Question:
		<p>arise outside of Sizewell C's control, contingency provisions are also detailed [Paragraphs 7.1.2- 7.1.3 in AS-209]. Evidence for successful establishment of fen meadows is provided in the answer to question Bio.1.86.</p> <p>The Pakenham site is not a 'fallback' site and forms an integral part of the proposals in the Fen Meadow Strategy [AS-209] and has the same status as the two sites at Benhall and Halesworth. It has been included to increase the quantum of fen meadow delivered, as a result of further engagement with stakeholders and to address their concerns [Paragraphs 4.1.6 in AS-209]. The Pakenham site has good potential for fen meadow habitat (there are two area of existing fen meadow vegetation already present). As well as increasing the quantum of compensatory fen meadow that is created, the use of multiple sites will also reduce any risks of overall delivery as individual sites (or parts of sites) may have unforeseen constraints or not respond to the management interventions. An understanding of the factors which will determine success and evidence for successful establishment of fen meadows at other locations, both of which give SZC Co. confidence that the habitats will be successfully created, are provided in the answer to Question Bio.1.86 in this chapter.</p> <p>However, should the fen meadow habitat creation not be successful, the contingency provisions referred to in paragraphs 7.1.1-7.1.3 of the Fen Meadow Strategy [AS-209] will apply.</p> <p>In response to the second paragraph:</p> <p>The Pakenham site has been included to increase the quantum of fen meadow delivered, as a result of further engagement with stakeholders and to address their concerns [Paragraph 4.1.6 in AS-209]. Specifically, the stakeholders including Natural England [RR-0878] expect the compensatory habitat to extend to nine times the area of fen meadow to be lost from the Sizewell Marshes SSSI. This will require up to 4.5 hectares of replacement habitat. During the Phase 2 investigation, areas of potential for fen meadow habitat were identified as being a primary locus (the area with the greatest potential for fen meadow), or a potential additional area (an area with lower potential within which there was greater uncertainty of success). A total of 3.2ha of primary locus for fen meadow was identified on the Benhall and Halesworth sites (Volume 2, Appendix 14C4 of the ES [APP-258]). Stakeholder feedback was that this was insufficient and needed to be increased. Therefore, the Pakenham site has been included, which increases the primary locus for fen meadow by 4.9 hectares, to a total of 8.1 hectares. It is not</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>envisaged that it is possible to deliver fen meadow across all parts of each of the primary loci (see comments on risk above). As noted above the Pakenham site is a third site with the same status as the original two sites and is not a 'fallback' site. The Fen Meadow Strategy [AS-209] requires that 4.5ha is delivered across any combination of the three sites.</p> <p>The Applicant does not envisage the Secretary of State needing to decide whether the Pakenham site is required in preference to the Halesworth or Benhall sites, as the sites have the same status. All three sites are required under the Fen Meadow Strategy [AS-209] to deliver the quantum requested by Natural England and others and to reduce risks.</p> <p>In response to the third paragraph:</p> <p>The Natural England relevant representation [RR-0878] requested that the Applicant commit to both a fen meadow strategy and the creation of fen meadow habitat. SZC Co. has subsequently submitted the Fen Meadow Strategy [AS-209] in which it commits to creation of compensatory fen meadow habitat and SZC Co will continue to work with Natural England to present an agreed position on fen meadow during the examination and record this through the SoCG process.</p> <p>It is proposed that the Fen Meadow Strategy [AS-209] would be secured via way of draft Requirement 14.A of the draft DCO (Doc Ref. 3.1(C)).</p>
Bio.1.66	The Applicant	<p>[APP-224], para 14.7.138. Trampling effects on Sizewell Marshes SSSI.</p> <p>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	<p>The reference to '<i>at least 30% of recreational users would be displaced during construction</i>' should, more precisely, refer to the fact that 29% of the respondents questioned during the 2014 Visitor Surveys indicated that they would avoid the Sizewell area during the construction of the main development site and seek other locations in which to undertake recreation (see paragraph 7.7.33 of the Shadow HRA Report ([APP-145]), with further detail provided in paragraph 3.2.2 of the Recreational Disturbance Evidence Base (Shadow HRA Report Volume 1 Appendix E Annex A [APP-148])).</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		Please also see the response to Question AR.1.12 in Chapter 6 (Part 1) of this report.
Bio.1.67	Natural England	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.
	Response	No response from the Applicant is required. However of relevance, an update on the SSSI crossing design is provided by the Applicant at Question Bio.1.29 in this chapter.
Bio.1.68	The Applicant, Natural England, SCC	[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 Wood has now been felled. Is this the case? How does this affect the assessment of effects?
	Response	Coronation Wood has now been felled in accordance with a planning permission (DC/19/1637/FUL) which was granted on 13 November 2019 for the Sizewell B Relocated facilities by East Suffolk Council. The Sizewell B relocated facilities works were also included in the Sizewell C application in order to provide an alternative route to consent for these important works. This twin-tracking of consenting routes was explained in Volume 1, Chapter 2 of the ES , paragraphs 2.3.47 to 2.3.49 [APP-173]. Coronation Wood (1.3 ha) formed a relatively small part of the woodland resource of the overall Sizewell C estate. Its removal therefore reduces the quantum of future woodland loss associated with Sizewell C works by 1.3ha but the conclusions to the significance of effects made in relation to woodland loss in the ES are unchanged. Similarly, the assessment of other species groups (such as bats, badgers and reptiles) and the significance of effects for those groups remains unaffected.
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?

ExQ1	Question to:	Question:
	Response	<p>Reckham Pits woodland was identified in Volume 2, Chapter 12 Air Quality (Table 12.3) [APP-212] as a representative ecological receptor location for the main development site as part of the consideration of air quality impacts.</p> <p>Reckham Pits Wood (part of the Sizewell Levels and Associated Areas CWS) has been identified in the Plants and Habitats Synthesis report [APP-250] and is cross referenced in the Volume 2, Chapter 14 [AS-033]. Section 1.3.299 of the Plants and Habitats Synthesis Report notes that nitrogen deposition predictions have anticipated these being >1% at 'two areas of broadleaved woodland at Reckham Pits Wood and within the Sizewell Levels'.</p> <p>Sections 1.3.230 and 1.3.231 of Volume 2 Appendix 14B1 Plants and Habitats Synthesis Report [APP-250] states:</p> <p><i>"the small increases anticipated for the two areas of broadleaved woodland are considered likely to be insignificant, given that both are already significantly over the critical load for this habitat (almost three times the lower end of the range, and 50% higher than the upper limit).</i></p> <p><i>Whilst an increase in the levels of nitrogen deposition is clearly predicted for a number of the habitats within the vicinity of the diesel generators, it is important to note that the process contributions discussed would be short-term and temporary (especially during commissioning operations) and are also set against a background of high chronic nitrogen deposition in the wider area. Therefore, the process contributions are considered unlikely to result in significant changes in species composition or habitat condition at any receptor."</i></p>
Bio.1.70	The Applicant	<p>[APP-224] – para 14.7.213 – daily critical levels.</p> <p>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.</p>
	Response	<p>The Plants and Habitats Synthesis Report [APP-250] states in paragraph 1.3.167 that 'For all habitat types two critical levels are given for NO_x, the annual mean which is set at 30µg/m³, and a 24-hour mean set at 75µg/m³'. This report details the annual and 24 hour means at all identified receptors, used for impact assessment in the ES [AS-033].</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>The focus of the ecological impact assessment is largely on the annual mean rather than the 24 hour mean for NO_x because the latter is of less importance to vegetation than the former, as vegetation exposed to levels of NO_x above the Daily Critical Level will be more likely to recover from that exposure if the exceedance is for a short duration.</p> <p>Authors from the Centre for Ecology and Hydrology in a book on nitrogen, NO_x concentrations and vegetation, state that <i>UN/ECE Working Group on Effects strongly recommended the use of the annual mean value [rather than the 24hr mean], as the long-term effects of NO_x are thought to be more significant than the short-term effects</i>⁴⁵.</p> <p>Volume 2, Chapter 12 of the ES [APP-212] considered and reported both the annual and daily critical levels and it is recognised that the ecological assessment therefore should also have discussed the exceedance of Daily Critical Levels for more IEFs than just acid grassland; however, due to the lesser importance of this metric, exceedance would result in a neutral, not significant effect due to the reasons stated above.</p>
Bio.1.71	The Applicant, Natural England, SWT	<p>[APP-224] – Deptford Pink.</p> <p>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?</p>
	Response	<p>A draft protected species licence and a detailed method statement have been drafted for Deptford Pink and are included in the application included as Volume 2, Appendix 14C11 of the ES [APP-252] and Volume 3, Appendix 2.9.A of the ES Addendum [AS-209]. A draft protected species licence and a detailed method statement have been drafted for Deptford Pink and are included in the application included as Volume 2, Appendix 14C11 of the ES [APP-252] and Volume 3, Appendix 2.9.A of the ES Addendum) [AS-209]. The draft method statement details the approaches to be taken including:</p>

⁴⁵ Sutton MA, Howard CM, Erisman JW, Billen G, Bleeker A, Grennfelt P, van Grinsven H, Grizzetti B. 2013. The European Nitrogen Assessment: Sources, Effects and Policy Perspectives. Page 414. Cambridge University Press. 664pp. ISBN-10: 1107006120

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> • the collection of seed to ensure that further plants can be cultivated if the translocation fails. • preparation of the receptor site, translocation methodology, • and monitoring of success. <p>All works would be carried out under an approved Natural England licence and by a suitably experienced Ecologist appointed to oversee the works.</p> <p>In order to improve the success of the translocation process, the Applicant would closely follow the protocols in the final protected species licence and in addition would germinate and cultivate some of the seeds collected <i>ex-situ</i>.</p>
Bio.1.72	The Applicant	<p>[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.</p>
	Response	<p>There is potential for the inter-relationship effect to be significant in the absence of the mitigation stipulated. Due to the mitigation measures which have been detailed, the inter-relationship effects are not anticipated to be significant.</p> <p>In the absence of mitigation, the botanical assemblage of the Sizewell Marshes SSSI could be affected and potential changes to local hydrology and air quality could act together to cause changes to vegetation structure, type and composition which could be significant and adversely affect the nationally important site. The local hydrological changes are considered to be the most significance.</p> <p>Para 14.7.278 of Volume 2, Chapter 14 of the ES [AS-033] states that the fen meadow habitats within the Sizewell Marshes SSSI have been subject to a long running monitoring programme undertaken on behalf of the Suffolk Wildlife Trust and SZC Co. During construction and operation of Sizewell C, this monitoring programme would continue, in particular recording the extent of the two sensitive plant assemblages within the Grade 1 and 2 fen meadow, namely low growing species and species indicative of nutrient poor conditions. The botanical monitoring is secured through the Terrestrial Ecology Monitoring and Mitigation Plan (TEMMP) [REP1-016] that was submitted at Deadline 1 and is secured under Requirement 4 of the draft DCO (Doc Ref. 3.1(C)); the approach and the potential interventions are described in Table 3.1.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>The Fen Meadow Strategy included at Appendix 2.9.D of the ES Addendum [AS-209] outlines the approach for delivering compensatory fen meadow habitats. It states that an Environment Review Group would be established under the terms of the Draft Deed of Obligation (Doc Ref. 8.17(C)) and would be responsible for overseeing the establishment of the compensatory habitat works including the delivery of the Fen Meadow Plan.</p> <p>The Fen Meadow Strategy [AS-209] also established an approach to site establishment and ongoing management between years 2 and 5 and years 6 and 10 which include monitoring of water levels and habitat monitoring.</p> <p>Continued hydrological monitoring is proposed, as outlined in Volume 3, Appendix 2.14.A (Water Monitoring and Response Strategy) of the ES Addendum [AS-236]. This states that the purpose of continued monitoring is to demonstrate that changes in the water environment are consistent with the impact assessment. The Water Monitoring and Response Strategy [AS-236], together with and Requirement 7 of the draft DCO (Doc Ref. 3.1(C)), commits to the development of a Water Monitoring Plan, which would include trigger/action levels to be agreed with stakeholders. Recognising that timely intervention will be required if an unacceptable change is observed, the strategy sets out the approach to mitigation. The Water Monitoring and Response Strategy defines the specific measures that will be secured by Requirement 7 of the draft DCO (Doc Ref. 3.1(C)) and which will be incorporated into a water monitoring plan, along with the relationship to the environmental permits and licences that would be necessary. The Water Monitoring Plan would be prepared by SZC Co. and submitted to East Suffolk Council for their approval, following consultation with relevant stakeholders. Together these provide a robust and effective framework of controls for the management of water levels for the duration of the project.</p>
Bio.1.73	Natural England, ESC, SCC, SWT	<p>[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?</p>
	Response	No response from the Applicant is required.
<p>The next set of questions addresses operational effects on plants and habitats, paragraphs 14.7.224 – 14.7.269</p>		

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
Bio.1.74	Natural England, ESC, SWT, RSPB	[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.
	Response	No response from the Applicant is required.
Bio.1.75	The Applicant	[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.
	Response	Please refer to Appendix 7G of this chapter.
Bio.1.76	The Applicant	[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].
	Response	The Applicant confirms that ‘ <i>annual mean</i> ’ is referring to ‘ <i>annual critical levels</i> ’ and that the ‘ <i>daily mean</i> ’ refers to ‘ <i>daily critical levels</i> ’.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
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	<p>The Applicant shared a draft Wet Woodland Strategy with ecological stakeholders, discussed this in a workshop, revised the document as appropriate and submitted the strategy into Deadline 1 [REP1-020].</p> <p>The consensus was reached that the preferable approach is to provide additional wet woodland (above the 0.7ha proposed on site) at the Fen Meadow compensation sites, although not at the expense of fen meadow habitats proposed at these locations. This approach avoids the need to use newly created reedbed habitats, which would have habitat value in their own right, and purposely transition them to wet woodland.</p> <p>With the confirmation that the Pakenham site now forms part of the application, the Applicant can confirm that under the Wet Woodland Strategy [REP1-020], at least 2.36ha of wet woodland (to create a total of 3.06ha, with the 0.7ha on site provision) would be delivered at Benhall and / or Pakenham. At both sites areas of wet Alder woodland are immediately adjacent to the sites and could be extended into the site by manipulating water levels and/or by some local shallow excavation of topsoil.</p> <p>The Applicant will seek to agree the Wet Woodland Strategy [REP1-020] with Natural England via the SoCG.</p> <p>The Applicant confirms that the Wet Woodland Strategy [REP1-020] is suitable for securing under requirement and a draft requirement 14B in the draft DCO (Doc Ref. 3.1(C)) is designed for this purpose.</p>

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>Impacts of Local (or below) 'significance' are dealt with through the implementation of best practice measures and mitigation to avoid and minimise adverse effects.</p> <p>As detailed in the methodology sections of each of the Environmental Statement chapters, the CIEEM approach has been adopted. However, a threshold has been set at Local Level (or lower) that effects would not be significant due to the best practices approaches to be implemented as noted above. These are detailed in the CoCP (Doc Ref. 8.11(B)), TEMMP [REP1-016] and oLEMP [REP1-010] and secured by Requirements 7, 4 and 14 of the draft DCO (Doc Ref. 3.1(C)) respectively. The TEMMP [REP1-016] has been informed by stakeholder feedback and the oLEMP [REP1-010] will be further detailed in the Landscape and Ecology Management Plan that will be prepared alongside the landscape details secured by Requirement 14 of the draft DCO (Doc Ref. 3.1(C)). These documents will also be supplemented by protected species licensing conditions (where appropriate).</p> <p>For the associated development sites, any mitigation or enhancements on third party land which is to be returned to landowners would be secured as set out in the Draft Deed of Obligation (Doc Ref. 8.17(C)). However, the majority of the mitigation measures implemented would be located within the operational scheme boundary to safeguard these ecological requirements. On the main development site, these measures would remain within EDF Energy ownership and control.</p>
The next set of questions address Tables 14.12 and 14.13 – summary of effects, construction and operation respectively		

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
Bio.1.79	Natural England, SCC, ESC	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?
	Response	No response from the Applicant is required.
Bio.1.80	Natural England, SCC, ESC	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?
	Response	No response from the Applicant is required.
Bio.1.81	Natural England, SCC, ESC	Receptor – Suffolk Shingle, see also para 14.7.191, stockpiling and replacement of sand and shingle substrates. Moderate adverse effect, no further mitigation proposed. What is the view of NE, SCC and ESC?
	Response	No response from the Applicant is required. However the Applicant draws attention to the answer to Question Bio.1.32 in this chapter which addresses the re-establishment of the coastal habitats.
The next set of questions addresses invertebrates, section 14.8.		
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	Paragraph 14.8.4 of Volume 2, Chapter 14 of the ES [AS-033] notes the presence of similar important invertebrate assemblages present in the coastal zone and woodland rides associated with sub-habitats and habitat resources within the broader term of 'dry sandy habitats'. The important invertebrates assemblages recorded in the coastal zone described in Paragraph 14.8.3 ('unshaded early successional mosaic', 'bare sand and chalk' and 'open short sward' invertebrate assemblages) are not all found in the open

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>woodland rides (where an important assemblage associated with 'open short sward' habitat was not recorded).</p> <p>The word 'similar' is used because while these specific assemblages are all found within dry sandy habitats, they differ in their species composition from area to area. The invertebrate assemblages associated with 'unshaded early successional mosaic' and 'bare sand and chalk' habitats recorded within the woodland rides are still considered of national importance (due to the quality of available habitat and the proportion of rare and notable species as described in Volume 2, Appendix 14A.4 [APP-231]).</p>
Bio.1.83	The Applicant	<p>[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?</p>
	Response	<p>The updated approach to providing compensatory wet woodland habitats is explained in detail in the answer to Question Bio 1.77 in this chapter.</p> <p>In summary, the Wet Woodland Strategy [REP1-020] proposes creating a total of at least 3.06ha of wet woodland, with 0.7ha being delivered on site and the balance of 2.36ha being delivered at Benhall and / or Pakenham.</p> <p>If 2.36ha of wet woodland is successfully created at either Benhall and / or Pakenham (see Wet Woodland Strategy [REP1-020] for details), then Aldhurst Farm would not be used for wet woodland creation.</p> <p>If there is a shortfall in the delivery of the 2.36ha, then the shortfall would be delivered either on Aldhurst Farm or the newly established wetlands on the marsh harrier habitat compensation area in the north-east of the EDF Energy estate, as explained in the Wet Woodland Strategy [REP1-020].</p>
Bio.1.84	The Applicant, Natural England	<p>[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.</p>
	Response	<p>The text explains that the effect of nocturnal lighting cannot be eliminated totally, i.e. there will be some effect of nocturnal lighting such as potential incidental mortality due to</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>lighting being an attractant to nocturnal invertebrates. However due to mitigation, this effect, although not eliminated, is considered minor adverse and is considered not significant.</p> <p>This is addressed in the row; '<i>Assessment Compartments 1, 2, 3, 4/4a, 5, 8, 12 and 13 – invertebrate assemblage.</i>' which references the Lighting Management Plan as part of tertiary mitigation measures which would minimise light spill onto surrounding habitats. The relevant section of the Lighting Management Plan in relation to construction is secured by Requirement 9 of draft DCO (Doc Ref. 3.1(C)).</p>
Bio.1.85	The Applicant	<p>[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</p>
	Response	<p>The approach to fen meadow creation is explained in the answer to Question Bio.1.65. In summary, at least 4.5ha of fen meadow will be created between the three fen meadow sites of Benhall, Halesworth and Pakenham.</p> <p>The Applicant notes that an error was made in Table 14.16 of [AS-033]. Paragraph 14.8.46 of [AS-033] refers the ExA to the residual effects table (Table 14.16), however this table does not mention Assessment Compartment 3 or fen meadow habitat. Therefore, the inclusion of this residual effect should be summarised within the row; '<i>Assessment Compartments 1, 2, 3, 4/4°, 5, 13 and 15 – reedbed, ditch and dry sandy habitats invertebrate assemblage.</i>' which should also refer to invertebrate assemblage associated with fen meadow habitat or, as discussed in Question Bio.1.87 in this chapter, this row should be split into multiple lines on a habitat basis (including a row for fen meadow).</p>
Bio.1.86	The Applicant, Natural England	<p>[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.</p> <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</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>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	<p><i>Response to first para:</i> No response from the Applicant is required.</p> <p><i>Response to second para:</i> Although no response from the Applicant is required, the following clarification is made in respect of these observations:</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>The comments referred to in the second paragraph were made in the context of the key characteristics for the potential sites, and that 'Ideally, the chosen site will not require significant engineering/construction activities' as indicated in Section 1.2 of the Fen Meadow Compensation Study [APP-258]. The Fen Meadow Strategy, provided in Volume 2, Appendix 14C4 of the ES[AS-209] however indicates SZC Co's preparedness to undertake more invasive works than the concluding statement of Section 1.2 of the Fen Meadow Compensation Study [APP-258] suggests.</p> <p><i>Response to third para:</i></p> <p>The ExA is directed to the Fen Meadow Strategy [AS-209], which has been prepared to define SZC Co's commitment to provide appropriate compensation measures to mitigate for the loss of fen meadow habitat through the creation of compensatory fen meadow habitats, and the provision of a contingency fund.</p> <p><i>Response to fourth para:</i></p> <p>Paragraphs 4.1.1 – 4.1.12 of the Fen Meadow Strategy [AS-209] detail:</p> <ul style="list-style-type: none"> • the studies undertaken to date to identify potential fen meadow compensation sites, • the further studies on-going on the fen meadow sites; and • the development of a Fen Meadow Plan, which will be developed over a series of three reports, with the final Plan drawing upon 12 months of monitoring. The final plan will be submitted for approval, as detailed [Paragraph 4.1.11 in AS-209]. <p><i>Response to fifth para:</i></p> <p>No response from the Applicant is required.</p> <p><i>Response to sixth para:</i></p> <p>This answer is provided in Appendix 7H of this chapter.</p>
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>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<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>
	<p>Response</p>	<p>As considered in Question Bio. 1.90 of this chapter, the word '<i>discussed</i>' in context of signposting the ExA to Table 14.16 was unsuitable and should have read '<i>This residual effect is summarised in Table 14.16</i>'.</p> <p>The presence of a time-lag between loss of existing dry sandy habitat and newly created acid grassland habitats reaching optimum condition for invertebrates does not change the assessment of the effect of land take on the invertebrate assemblages within these habitats but gives context to the remaining minor adverse effect (not significant).</p> <p>The reference to the Norfolk Hawker mitigation plan pertains to Assessment Compartments 1 and 3 where the Sizewell Drain is due to be realigned and is not relevant to Assessment Compartments that do not contain habitat for this species. The mitigation plan for fish and aquatic invertebrates (Doc Ref. 8.11 (B)), including Norfolk Hawker is appended to the CoCP and is secured by Requirement 2 of draft DCO (Doc Ref. 3.1(C)).</p> <p>The Applicant acknowledges that for clarity, row 2 in Table 14.16 of [AS-033] should have been split into multiple lines between habitats as opposed to a catch all for instances where the effect of habitat loss on invertebrate assemblages is considered minor adverse (not significant).</p>
<p>Bio.1.88</p>	<p>Natural England, The Applicant</p>	<p>[APP-224]-paras 14.8.54 and 55, Compartments 4 and 4a. 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>
	<p>Response</p>	<p>The Applicant believes that the availability of other similar habitats within the wider SSSI which will not be subject to landtake as well as the compensatory habitats being developed (i.e. the Fen Meadow Strategy [AS-209] and the Wet Woodland Strategy</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		[REP1-020]) mean that the SoS can be confident that the same assemblages will be supported in wider site and that there would be no local extinctions of individual species. In the longer term, the strategies listed above should also lead to similar assemblages being established at the habitat compensation sites.
Bio.1.89	Natural England, SCC	[APP-224] para 14.8.67. Please would NE and SCC give their view on the effect on invertebrate assemblages in Compartment 5.
	Response	No response from the Applicant is required.
Bio.1.90	The Applicant, Natural England, SCC	[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.
	Response	The Applicant acknowledges that the use of the word ' <i>discussed</i> ' in not aligned with the content in Table 14.16 of [AS-033], which brings together the residual impacts and effects throughout section 14.8c , and ' <i>summarised</i> ' would have been a more appropriate word. Therefore, paragraph 14.8.70 of [AS-033], along with the others highlighted should read: "However, the effect of incidental mortality, through habitat clearance and nocturnal lighting, cannot be completely reduced through mitigation measures so this is considered a residual effect, which is summarised in Table 14.16. "
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	This is a typographical error and the table reference number should have read Table 14.16.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
Bio.1.92	The Applicant	<p>[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.</p> <p>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.</p>
	Response	<p>The baseline information highlights multiple important invertebrate assemblages associated with different habitat types present within each Assessment Compartment. For instance, Assessment Compartment 1 supports invertebrate assemblages associated with permanent wet mire, reed-fen and pools and wet woodland habitats, among others.</p> <p>Section C, dealing with the assessment of construction impacts, discusses the assessment of land take on multiple invertebrate assemblages depending on the habitat type to be lost. Paragraphs 14.8.19 - 14.8.22 of Volume 2, Chapter 14 of the ES [AS-033] conclude that the effect of land take on the invertebrate assemblages supported by reedbed and ditch habitat to be minor adverse, which is considered not significant, given the large extent of this habitat which is being retained and reedbed and ditch habitat that have been created at Aldhurst Farm, which is well established.</p> <p>Paragraphs 14.8.23 - 14.8.26 of Volume 2, Chapter 14 of the ES [AS-033] then discuss the effect of land take on the invertebrate assemblage supported by the wet woodland habitat within Assessment Compartment 1 and concludes that this would be moderate adverse, which is considered significant, due to the current net loss of wet woodland habitat and the time taken for such habitat to develop.</p> <p>This is also the case for Assessment Compartments 2 and 4a because they similarly contain wet woodland and the effect of land take is therefore different depending on the different invertebrate assemblages supported by each Compartment. This is summarised in Table 14.16, which shows the effect of wet woodland loss on the wet woodland assemblage in row 1 and the effect of reedbed and ditch loss in row 2.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>Section D then highlights the significant effect on the wet woodland associated invertebrate assemblages of Assessment Compartments 1, 2 and 4a only.</p> <p>The Applicant acknowledges that more clarity may have been achieved assessing the impacts on invertebrate assemblages primarily on the basis of habitats and not by Assessment Compartment, however the assessment of effects in the ES is considered consistent.</p>
Bio.1.93	The Applicant, Natural England	<p>[APP-224] paras 14.8.102 and 103, monitoring during operation.</p> <p>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.</p>
	Response	<p>The approach to monitoring of habitat establishment and colonisation by invertebrates is described in Section 4.2 and Table 4.1 of the Terrestrial Ecology Monitoring and Mitigation Plan (TEMMP) [REP1-016], submitted at Deadline 1 and secured under Requirement 4 of the draft DCO (Doc Ref. 3.1(C)).</p>
The next set of questions addresses fish, section 14.9.		
Bio.1.94	The Applicant	<p>[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 will the Applicant point the ExA to the relevant parts and paragraphs. If not, please clarify.</p>
	Response	<p>The ExA is correct, in that the document in question is the Eels Regulation Compliance Assessment (Volume 2, Appendix 220 of the ES [APP-332] and should have been referred to as such in paragraph 14.9.8 of Volume 2, Chapter 14 of the ES [AS-033]). Paragraph 5.2.8 in the Eels Regulations Compliance Assessment (Volume 2, Appendix 220 of the ES [APP-332]) describes the passes that should be incorporated into the water level control structure on the Leiston Beck/Sizewell Drain.</p>
The next set of questions addresses amphibians, section 14.10.		

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
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	<p>The initial mitigation strategy for natterjack toads has essentially been superseded by the natterjack toad draft protected species licence application. This application comprises a two-part method statement/ document as well as associated figures and is included as Volume 3, Appendix 2.9.C3 and 2.9.C4 of the ES Addendum [AS-209].</p> <p>The approach to the protected species licenses and natterjack toads in particular is explained more fully in the response to Question Bio 1.97 in this chapter.</p>
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	<p><i>‘Botanical modelling’</i> should have read <i>‘Botanical monitoring’</i> at paragraph 14.10.37 of Volume 2, Chapter 14 of the ES [AS-033]. The approach to botanical monitoring of the natterjack toad habitats as well as the monitoring proposed specifically for natterjack toad population is described in Section 4.4. The approach to botanical monitoring of the natterjack toad habitats as well as the monitoring proposed specifically for natterjack toad population is described in Section 4.4 and Table 4.3 of the Terrestrial Ecology Monitoring and Mitigation Plan (TEMMP) [REP1-016], submitted at Deadline 1 and secured under Requirement 4 of the draft DCO (Doc Ref. 3.1(C)).</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		Hydraulic modelling has been completed as part of the development of the Main Development Site Flood Risk Assessment [AS-018] and Main Development Site Flood Risk Assessment Addendum [AS-157].
Bio.1.97	The Applicant, Natural England	[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?
	Response	<p>The natterjack toad monitoring programme is described in the Terrestrial Ecology Monitoring and Mitigation Plan (TEMMP) [REP1-016], submitted at Deadline 1 and secured by Requirement 4 of the draft DCO (Doc Ref. 3.1(C)) (see also Question Bio 1.96 of this chapter).</p> <p>In the event any further monitoring is required, over and above that defined in the TEMMP [REP1-016] (see Table 4.3), by the terms of the Protected Species Licence, then the additional monitoring is secured via the licence conditions.</p> <p>Monitoring will secure for the construction period and for 5 years in the Sizewell C operational phase, which could be extended if required by the Environment Review Group.</p> <p>A draft licence was submitted as part of the DCO application as Volume 2, Appendix 14C7B of the ES [APP-252] and updated as part of the ES Addendum as Appendix 2.9.C3 and 2.9.C4 [AS-209]. However, the draft licence has been updated to include improved hibernation and resting site features, developed following engagement with Natural England which have also been designed with further consideration given to the AONB and landscape setting. The updated draft licence will be submitted to Natural England and submitted to examination at Deadline 3.</p>
The next set of questions addresses reptiles, section 14.11.		
Bio.1.98	The Applicant, Natural England	<p>[APP-224] – para 14.11.23.</p> <p>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>

ExQ1	Question to:	Question:
	Response	<p>Volume 2, Appendix 14C2 [APP-252] contains two reports; the Reptile Mitigation Strategy (Volume 2, Appendix 14C2A) [APP-252] and the Reptile Method Statement (Volume 2, Appendix 14C2B) [APP-252]. There are a set of figures which are associated with these documents, also located in Appendix 14C2.</p> <p>The Reptile Mitigation Strategy [APP-252] summarises the potential impacts of the development on reptiles (Volume 2, Appendix 14C2A Section 1.3), as set out in Volume 2, Chapter 14, Section 14.11 [AS-033], namely;</p> <ul style="list-style-type: none"> • Land take resulting in habitat loss • Habitat fragmentation • Incidental mortality of species • Disturbance effect on species populations <p>The mitigation measures are set out in Volume 2, Appendix 14C2A, Section 1.4 [APP-252] which involve:</p> <ul style="list-style-type: none"> • Primary mitigation measures - Preparation and management of receptor sites to receive translocated reptiles. • Tertiary measures – Catching and translocating reptiles, measures to avoid incidental mortality and monitoring pre, during and post-construction. <p>Reptile receptor sites, amounting to 130ha, have been gradually established from 2014 across the EDF Energy estate. These have been managed to establish the habitats and following a reptile habitat appraisal undertaken in 2020, 45.9ha is considered optimal to reptiles.</p> <p>The Reptile Mitigation Strategy [APP-252] also sets out receptor site management guidance (Volume 2, Appendix 14C2A Section 1.6) and success criteria (Volume 2, Appendix 14C2A Section 1.7). The Reptile Mitigation Strategy is being updated and the final version (subject to agreement with the ERG) is now referenced in the updated CoCP (Doc Ref. 8.11(B)), submitted at Deadline 2. The CoCP is secured by Requirement 2.</p> <p>The strategy has been consulted on with ecological stakeholders and the statutory ecological stakeholders are broadly supportive of the approach.</p> <p>The commitments made in relation to monitoring of sites, habitats and species and also the monitoring of the success of mitigation measures such as habitat establishment and the reptile translocation are described in the Terrestrial Ecology Monitoring and Mitigation Plan (TEMMP) [REP1-016], submitted at Deadline 1 and secured under</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		Requirement 4 of the draft DCO (Doc Ref. 3.1(C)) (see also the answer to Question Bio 1.101 in this chapter).
Bio.1.99	The Applicant, Natural England	<p>[APP-224] – para 14.11.30.</p> <p>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 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	<p>Paragraphs 14.11.26 – 14.11.30 of Volume 2, Chapter 14, of the ES [AS-033] assess the effect of habitat fragmentation (including connectivity) on the reptile assemblage. Fragmentation is expected during construction with the temporary construction area causing a temporary east-west barrier to reptiles, limiting north-south reptile movements. Volume 2, Chapter 14, of the ES [AS-033] provides an overview of issues which arise from barriers to dispersal, such as population isolation and inbreeding, particularly in adders (paragraph 14.11.28). However the habitat to the south and west of the site that has been developed for translocation (approximately 110ha) and has been managed to establish and mature (see also answer to Question Bio 1.98 of this chapter) is situated adjacent to retained suitable reptile habitat on Sizewell Marshes SSSI and Leiston</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>Common. This extent of existing and new reptile habitats is considered to be of sufficient extent and connectivity that the incidence of issues like inbreeding, if they arise present, are of low impact.</p> <p>At the end of construction, once the temporary construction area is removed, the retained and created landscape to the south-west of the site would be reconnected with the extensive reptile habitats to the north-east of the site and this would be enhanced through landscape scale habitat creation including new acid grasslands, woodlands and scrub areas on the former temporary construction area. The approach to habitat creation across the temporary construction area is defined in the oLEMP [REP1-010] and secured by Requirement 14 of the draft DCO (Doc Ref. 3.1(C)).</p> <p>These extensive habitat creation approaches will reconnect reptile populations and in the operational phase of the development, landscape scale habitat creation would have a moderate beneficial effect on the reptile assemblage, which is considered to be significant (paragraph 14.11.43).</p>
Bio.1.100	<p>The Applicant, Natural England</p> <p>Response</p>	<p>[APP-224] para 14.11.47.</p> <p>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.</p> <p>Although '<i>no enhancement</i>' is proposed within the EIA definition, it should be noted that the primary mitigation includes the creation of extensive reptile receptor sites (see AS-033, paragraph 14.4.11) and that those sites, since initial establishment, are managed on an ongoing basis to enhance them for reptiles. For example, additional heathland areas are being initiated within the established dry grasslands in the Studio Field area in Summer 2021 to enhance the habitats. The phrase '<i>no additional enhancement</i>' should not be taken to mean that the reptile habitats are not being further optimised for reptiles.</p> <p>In addition and since the ES was written, it has been agreed that some of the removed tree stumps which will be salvaged from the felling and clearance of Coronation Wood (see response to Question Bio 1.68 in this chapter) will be used to enhance the reptile mitigation areas which have been already created. The tree stumps will be strategically positioned within the areas of habitat which have been created to provide additional</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>hibernation opportunities for reptiles over and above the hibernacula which have already been created.</p> <p>In light of the mitigation identified above and in [AS-033] the conservation status would be maintained.</p>
Bio.1.101	The Applicant	<p>[APP-224] – para 14.11.49.</p> <p>Please explain where the monitoring is secured, actions to be taken, triggers and criteria for action.</p>
	Response	<p>The commitments made in relation to monitoring of sites, habitats and species and also the monitoring of the success of mitigation measures such as habitat establishment and the reptile translocation are described in the Terrestrial Ecology Monitoring and Mitigation Plan (TEMMP) [REP1-016], submitted at Deadline 1 and secured under Requirement 4 of the draft DCO (Doc Ref. 3.1(C)). The Applicant believes that this document serves to address the question in full. Further details are given in the response to Question Bio 1.145 in this chapter and are relevant here.</p>
The next set of questions addresses ornithology, section 14.12.		
Bio.1.102	The Applicant	<p>[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.</p>
	Response	<p>This is a typographical error and should refer to Volume 2, Chapter 14, Appendix 14A2, Annex 14A2.1 [APP-228].</p>
Bio.1.103	The Applicant, Natural England	<p>[APP-224] – Table 14.24.</p> <p>The penultimate row refers to:</p> <p>Zone of Physical Change – a 2 km area around site.</p> <p>Displacement Zone – an 8 km area around site.</p> <p>Buffer Zone – an 8 km area around settlements within the Displacement Zone.</p> <p>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?</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>Please will NE comment on which is appropriate in their view.</p>
Bio.1.104	<p>The Applicant</p>	<p>These are described in paragraphs 2.2.8 to 2.2.9 and shown on Figures 001 and 002 of Annex E to the Shadow HRA Report [APP-148].</p> <ul style="list-style-type: none"> • The Zone of Physical Change is defined by a 2km buffer around the main development site (the area between the main development site boundary and a 2km offset from the main development site boundary). • The Displacement Zone is defined by 8km buffer around main development site (the area between the Zone of Physical Change and an 8km offset from the main development site boundary). • The Buffer Zone is defined by 8km buffer around settlements within the Displacement Zone (the area between the Displacement Zone and an 8km offset from settlements within the Displacement Zone). <p>The Zones are nor radii of 2, 8 and 8kms or zones of 2, 8 and 8 square kms.</p> <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>
	<p>Response</p>	<p>a). The Applicant can confirm that this is a typographical error and so paragraph 14.12.17 of [AS-033] should refer to Table 14.25. The reference to table 14.25 in paragraph 14.12.169 is correct.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>b) In section 14.12.169 this is a typographical error, the table references in the brackets should refer to 14.23 and 14.25 not 14.30. The reference to table 14.30 comes later in the section.</p> <p>c) The Habitats Directive Regulations⁴⁶ and EIA Regulations⁴⁷ are different pieces of legislation and require different considerations. In short, The Habitats Directive Regulations are concerned with protecting the integrity of European Sites and the protection of certain species. The EIA Regulations are concerned with the assessment of significant environmental effects. Whilst applying these legal regimes may mean that there is overlap in the evidence/information which is considered, given the difference in the two regimes it is appropriate to conduct separate assessments. Therefore, the HRA species are separately considered within the EIA. This can be seen from the conclusions in Table 14.26 which sets out both the HRA conclusions and the EIA conclusions side by side.</p> <p>The close connection between HRA and EIA has also been noted in Section 14.12.13 of Volume 2, Chapter 14 [AS-033].</p>
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	<p>The <u>HRA conclusions</u> in respect of marsh harrier are based upon on the establishment of compensatory marsh harrier foraging habitats being created on the northern part of the EDF Energy estate¹, but not on the new wetlands on Aldhurst Farm. In the HRA, the relevant marsh harrier population for which compensatory habitats are being developed breed in the reedbeds at Minsmere to the north (and represent approximately 50% of the Minsmere-Walberwisk SPA and Ramsar site breeding marsh harrier population). The compensatory foraging habitat for marsh harrier within the EDF Energy estate is in the</p>

⁴⁶ Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (Habitats Directive). Official Journal of the European Communities. 1992

⁴⁷ Parliament of the United Kingdom, The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (as amended), London, 2017.

ExQ1	Question to:	Question:
		<p>process of <i>being</i> established, as opposed to <i>having been</i> (fully) established. Further details on the status are provided below:</p> <p>As described in paragraph 2.4.1 of the Shadow HRA Report: Compensatory Measures [APP-152] (as well as detailed in the Applicant’s response to ExA Question HRA.1.7 in Chapter 8 (this part) of the report):</p> <p><i>“The proposed habitat enhancement land on the EDF Energy estate was taken out of agricultural production approximately 4 years ago and some habitat management – for the purposes of offsetting the effects of the Sizewell C Project – has been implemented in the intervening period and is ongoing. Further habitat enhancement, including scrub and hedgerow planting was undertaken in early 2020”.</i></p> <p>The habitat management measures on the compensatory foraging habitat within the EDF Energy estate have been undertaken in a phased manner. The following measures have been undertaken to date (refer to locations of different habitat types on Figure 3.1 of the <i>Marsh Harrier Compensation Area Design Update</i> report (Doc Ref. 9.19), submitted at Deadline 2:</p> <ul style="list-style-type: none"> • When the proposed compensatory foraging habitat was taken out of agricultural production approximately 4 years ago, tussocky grassland was initially planted. • In early 2020, areas of scrub, hedge/scrub/bank belts were planted. • In mid-late 2020, areas of wildflower and nectar seed mix were planted. <p>To date, the implementation of the proposed wetland habitats (open water, wet woodland, reedbed and open water channel) within this wider area of compensatory foraging habitat within the EDF Energy estate¹ has not commenced. Given the extent of excavation required (estimated at 120,000m³), it is considered that a Development Consent Order needs to be in place before the excavation and subsequent establishment of these other habitats can be commenced.</p> <p>The EIA conclusions are slightly different given that the impact assessment (e.g. paragraphs 14.12.25 and 14.12.39 of Volume 2, Chapter 14, of the ES [AS-033]) (and see response to Question Bio 1.107 of this chapter) considers habitat loss from the Sizewell Marshes and the impacts on marsh harriers, rather than specifically considering the marsh harriers which breed at Minsmere (the focus of the HRA explained above). The newly created wetlands at Aldhurst Farm provide suitable habitats for marsh harriers and the species has bred there annually since 2019. It is therefore clear that the wetlands at Aldhurst Farm benefit the wider marsh harrier population and it is appropriate for the</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>Aldhurst Farm wetlands to be considered as primary mitigation for marsh harriers and the Sizewell Marshes SSSI in the EIA context, but not as compensatory habitat within the HRA context. The reason that Aldhurst Farm is not directly relevant as foraging habitat in the HRA context, is that the marsh harriers which breed at Minsmere would have to overfly the temporary construction area to forage at Aldhurst Farm. The premise of the assessment of impacts in the HRA on marsh harriers, is that the marsh harriers from the Minsmere nesting area (which are part of the SPA and Ramsar site population) would be reluctant to traverse the temporary construction area and so the habitat at Aldhurst Farm cannot be assumed to contribute to the habitats that will compensate for the foraging habitat which is predicted (on a precautionary basis) to be 'lost' to those SPA birds.</p> <p>¹This is subsequently referred to in the responses to the ExA Written Questions either as the '<i>compensatory foraging habitat within the EDF Energy estate</i>' or the '<i>permanent foraging habitat within the EDF Energy estate</i>'.</p>
Bio.1.106	The Applicant	[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.
	Response	<p>The text in paragraphs 14.12.23 and 14.12.24 of [AS-033] referred to in this question is correct, in that in both instances it should be “e.g.” and not “i.e.”.</p> <p>In both instances the text is using the Minsmere South Levels as an example of an area of wetland foraging habitat (other than the Sizewell Marshes) which is available to foraging SPA marsh harrier.</p> <p>In addition to the Minsmere South Levels, extensive areas of wetland habitat within the foraging range of the SPA marsh harriers occur within the boundaries of the Minsmere-Walberswick SPA (including the extensive areas of reedbed within which the Minsmere component of the SPA marsh harrier population nest).</p>
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	The 1.2ha of wet reedbed habitat creation within the north of the site referred to in paragraphs 14.12.24 and 14.12.33 of Volume 2, Chapter 14 , of the ES [AS-033] is part

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>of the wetland component of the area of the compensatory foraging habitat within the EDF Energy estate (e.g. as shown in Figures 6.3 – 6.5 in the Shadow HRA Report [APP-145]) and is not part of the Aldhurst Farm wetlands (see Bio 1.105).</p> <p>The marsh harrier compensatory foraging habitat within the EDF Energy estate extends over a total area of 48.7ha, of which 10% will be wetland habitat (under the revised proposals – see also responses to Questions Bio 1.105, Bio 1.48 in this chapter and HRA 1.8 in Chapter 8 (this part) of the report). It is proposed that 1.2ha of the wetland component of this compensatory habitat will be wet reedbed. All of this area lies to the north of the temporary construction area to support foraging marsh harriers from Minsmere to the north which might not be able to overfly the temporary construction area.</p> <p>As explained in response to Question Bio 1.105 in this chapter, the new Aldhurst Farm wetlands lie to the south of the proposed temporary construction area and are not part of the marsh harrier compensatory foraging habitat within the EDF Energy estate. This is because marsh harriers nesting at Minsmere would have to overfly the potential 'barrier' formed by the temporary construction area in order to forage at Aldhurst Farm. However, the new Aldhurst Farm reedbeds are relevant in the EIA context and have supported breeding marsh harriers since 2019 and so the new habitats have helped to increase the local population. This is likely to increase the resilience of the local population to any possible adverse impacts of construction of Sizewell C.</p>
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</p>

ExQ1	Question to:	Question:
		<p>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>
	<p>Response</p>	<p>The following responses are provided in relation to each of the points raised by the ExA:</p> <p>(a) <u>Marsh harrier foraging habitat in EIA context:</u></p> <p>The potential for providing compensatory habitat at Westleton is not related to the issues considered in paragraphs 14.12.24 and 14.12.25 of Volume 2, Chapter 14, of the ES [AS-033]. These paragraphs concern the loss of wetland habitat in the Sizewell Marshes SSSI and the mitigation provided in relation to the wider marsh harrier population by the wetland habitats created at Aldhurst Farm.</p> <p>(b) <u>Wintering marsh harrier and additional foraging habitat:</u></p> <p>The additional foraging habitat referred to in paragraph 14.12.39 of Volume 2, Chapter 14, of the ES [AS-033], which would become available to wintering marsh harrier (as well as breeding marsh harriers), is the 48.7ha of compensatory foraging habitat within the EDF Energy estate, which is located in the northern part of the EDF Energy estate. Details of this foraging habitat are provided above in the response to Bio.1.107, as well as in the response to Bio 1.48, and are as shown in Figures 6.3 – 6.5 in the Shadow HRA Report [APP-145].</p> <p>This habitat is not referred to in paragraph 14.12.25 of Volume 2, Chapter 14, of the ES [AS-033] because it is Aldhurst Farm which provides the specific mitigation for the loss of wetland habitat in the Sizewell Marshes SSSI, as explained in the responses to Questions Bio 1.105 and Bio 1.107 in this chapter and this is also relevant to wintering (as well as breeding) marsh harriers.</p> <p>(c) <u>Totality of new marsh harrier habitat to be created:</u></p>

ExQ1	Question to:	Question:
		<p>(i) <i>Compensatory foraging habitat within the EDF Energy estate</i></p> <p>The key area of habitat creation for marsh harrier is the 48.7ha of compensatory foraging habitat within the EDF Energy estate, located immediately adjacent to the north-east of the main development site (and detailed in the responses to Questions Bio 1.48 and Bio.1.107 in this chapter). The location of this area is shown in Figures 6.3 – 6.5 in the Shadow HRA Report [APP-146].</p> <p>This compensatory habitat is aimed specifically at increasing the foraging resource available to marsh harrier during construction, via habitat management, that will increase both the abundance and availability of a range of potential prey species.</p> <p>The requirement for this area of compensatory foraging habitat arises from the conclusion in Section 8.8 d) v. (at paragraph 8.8.557) of the Shadow HRA Report [APP-145] that the possibility of an adverse effect on the Minsmere-Walberswick SPA breeding marsh harrier population resulting from noise and visual disturbance associated with the construction activities at the main development site cannot be discounted. This potential effect arises from predictions of the 'loss' of wetland foraging resource during the construction period to SPA marsh harrier due to displacement and a possible barrier effect (which is assumed to prevent access to the entire Sizewell Marshes SSSI). It is considered that the assessment is highly precautionary in predicting the extent of the foraging resource which would be 'lost' (both in terms of the area affected and the assumed duration over the entire construction period, with predictions based on modelled noise levels for the worst-case phases of construction which will not actually extend over the full (approximately) 10 year period). The predicted displacement and barrier effect occur on habitats which are functionally linked to the SPA, as opposed to any habitats within the SPA (or Ramsar site) itself.</p> <p>It is considered that this 48.7ha area of compensatory foraging habitat will be sufficient to compensate for the potential loss of foraging resource which is predicted to occur. The justification for this is set out in paragraphs 8.8.245 – 8.8.260 in the Shadow HRA Report [APP-145])</p> <p>(ii) <i>Westleton</i></p> <p>As described in the response at (a) above, the marsh harrier compensatory foraging habitat created within the EDF Energy estate is considered sufficient to compensate for the potential loss of foraging resource to the Minsmere-Walberswick SPA (and</p>

ExQ1	Question to:	Question:
		<p>Ramsar site) population. The Westleton site would only form part of the habitat compensation proposals and only in the shadow HRA context, if the Secretary of State determines that additional habitat is required to compensate for the potential habitat loss. If the SoS agrees with the Applicant that the permanent marsh harrier foraging habitat within the EDF Energy estate is sufficient compensation, it would follow that the area of additional land at Westleton is not required. In those circumstances the Applicant would expect the SoS to omit Work No. 8 (Marsh Harrier Habitat, Westleton) from the DCO and not to include powers for the compulsory acquisition of that land.</p> <p>The Westleton site would not be required in any circumstance related to the EIA and the landtake impacts of wetlands from Sizewell Marshes and related impacts on marsh harriers. The compensatory habitats for those impacts are provided by the new Aldhurst Farm wetlands explained immediately below and in responses to Questions Bio 1.105 and 1.107 in this chapter.</p> <p>(iii) <i>Aldhurst Farm</i></p> <p>See response to Questions Bio 1.105 and 1.107 in relation to Aldhurst Farm. The new Aldhurst Farm wetlands lie to the south of the proposed temporary construction area and are not part of the marsh harrier habitat compensation area in the HRA context. This is because marsh harriers nesting in the SPA at Minsmere would have to overfly the 'barrier' formed by the TCA to forage at Aldhurst Farm. However, the new Aldhurst Farm reedbeds have supported breeding marsh harriers since 2019 and so the new habitats have helped to increase the local population. This is likely to increase the resilience of the local population to any possible adverse impacts of construction of Sizewell C. In the EIA context, the Aldhurst Farm wetlands can be regarded as providing successful compensatory habitats for marsh harriers as a species.</p> <p>(d) <u>Interrelationship effects and construction noise disturbance:</u></p> <p>In relation to marsh harrier, the issue of potential noise disturbance compromising the benefits from habitat creation is relevant to the 48.7ha area of compensatory foraging habitat immediately adjacent to the north east of the main development site.</p> <p>During phase 1 and (to a much lesser extent) phase 2 of the construction period there is limited encroachment of the modelled 70dB L_{Amax} noise contour onto this area of compensatory habitat (see Figures 8.3 and 8.4 of the Shadow HRA Report [APP-</p>

ExQ1	Question to:	Question:
		<p>147). The 70dB L_{Amax} noise contour represents the threshold noise level above which displacement of foraging marsh harrier may occur.</p> <p>As a consequence of this, construction noise for the north-east part of the main development site was examined in more detail by considering the different construction phases within a series of narrower timescales. This more detailed investigation demonstrated that the maximum extent of encroachment of the 70dB L_{Amax} noise contour onto the area of compensatory habitat was considerably less than as estimated in Figure 8.3 of the Shadow HRA Report [APP-147], whilst the duration of any significant encroachment (e.g. > 2ha of the total area) was for a relatively short part of phases 1 and 2 of the construction period. This detailed investigation of the predicted noise emissions on the area of compensatory habitat is described in paragraphs 8.8.188, 8.8.189, and 8.8.195 – 8.8.197 of the Shadow HRA [APP-145], with the maximum predicted extent of encroachment of the 70dB L_{Amax} noise contour onto this area shown in Figure 8.9 of the Shadow HRA Report [APP-147].</p> <p>The conclusion of a minor adverse, not significant, effect for marsh harrier in the ES in relation to these interrelationship effects is on the basis of these more detailed investigations of potential noise disturbance.</p>
Bio.1.109	<p>The Applicant</p> <p>Response</p>	<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> <p>The conclusion in paragraph 14.12.79 should be that effects of noise and visual disturbance on bittern are unlikely. This is on the basis that the SPA breeding areas for bitterns in the Minsmere Reedbeds are beyond the distance at which noise and visual effects from construction activities are predicted to occur. Furthermore, the available survey data suggest bitterns only make limited use of the wetland habitats in the Minsmere South Levels and Sizewell Marshes, where there is potential for effects of noise and visual disturbance from construction activities to occur.</p> <p>The evidence supporting the above conclusion is provided in paragraph 14.12.79 of ES Volume 2 Chapter 14 Terrestrial Ecology and Ornithology [AS-033]. The detailed evidence base relating to the effects of noise and visual disturbance on waterbirds (including bittern) is detailed in section 8.8 b iv of the Shadow HRA Report [APP-145].</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>to APP-149, AS-174 to AS-178 and Doc Ref. 5.10 Ad2)] and in section 1.4 g) of Volume 2, Appendix 14B2 Ornithology Synthesis Report [APP-251]. In relation to the Minsmere-Walberswick SPA breeding bittern population, section 8.8 c iv of the Shadow HRA Report [APP-145 to APP-149, AS-174 to AS-178 and Doc Ref. 5.10 Ad2] concludes that there is no adverse effect on this qualifying feature as a result of noise and visual disturbance from the construction activities, and presents the rationale for this conclusion.</p>
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</p>

ExQ1	Question to:	Question:
	<p>Response</p>	<p>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> <p>The following responses are provided in relation to each of the points raised by the ExA:</p> <p>(a) <u>Effects of noise and visual disturbance on marsh harrier breeding productivity:</u> The statement in Volume 2, Chapter 14, paragraph 14.12.91 [AS-033]: ‘given the long-term duration (approximately 9-12 years) of the construction period, it is acknowledged that over this time period the potential loss of approximately 20% of foraging resource within 4km of Minsmere could conceivably affect the overall breeding productivity’, refers to a potential disturbance effect on marsh harrier associated with Minsmere to Walberswick SPA in the absence of compensatory habitats. The significance of the effect and any mitigation is clarified in the response to (b) below.</p> <p>(b) <u>Clarification on effect level and mitigation:</u> Volume 2, Chapter 14, paragraph 14.12.100 [AS-033] outlines compensatory habitat measures to improve foraging for marsh harriers comprising a 48.7ha area to the north of the construction area, which is adjacent to the SPA and is described further in Bio 1.48 and Bio 1.107. As marsh harrier display substantial plasticity in foraging behaviour and can adapt to both changes in prey availability and habitat quality without showing marked reductions in breeding productivity (paragraph 14.12.91), and with the establishment of the 48.7ha area of compensatory foraging habitat, the effect of disturbance/displacement on marsh harrier is considered minor adverse, and not significant. Therefore, the ExA conclusion is correct.</p> <p>(c) <u>In principle” acceptance of mitigation by NE:</u> The response is required from Natural England and the Applicant has no response to make to this part of the question.</p> <p>(d) <u>Marsh harrier compensation habitat and Figure 14B2.1:</u> The Applicant can confirm that:</p> <p>(a) Figure 14B2.1 in Appendix 14.B2, Annex 14B2.1 of the Ornithology Synthesis Report [APP-251] is the figure referred to in paragraph 14.12.100 of the Volume 2, Chapter 14 of the ES [AS-033].</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		(b) For clarity, this figure shows the area of compensatory foraging habitat for marsh harrier (and not hen harrier). It should be noted that the marsh harrier habitat compensation area within the EDF Energy estate will be further enhanced by the inclusion of a new wetland, included in the Accepted Changes (April 2021) and this is further described under Question Bio 1.107 in this chapter.
Bio.1.111	The Applicant	<p>[APP-224] para 14.12.111 – effects on the red-throated diver in the Outer Thames Estuary SPA.</p> <p>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.</p>
	Response	The reference to ‘as for the Minsmere-Walberswick SPA above’ is in relation to paragraph 14.12.97 of Volume 2, Chapter 14 of the ES [AS-033] above, which details the indirect effects of underwater noise on the Minsmere-Walberswick SPA population of breeding little tern. The effects in relation to fish prey of red-throated divers are considered similar.
Bio.1.112	The Applicant	<p>[APP-224] para 14.12.169 concludes “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”. Please will the Applicant concisely explain how it reaches this conclusion. The effects at Table 14.26 are all negative.</p>
	Response	This is a typographical error and the conclusion of paragraph 14.12.169 of Volume 2, Chapter 14 of the ES [AS-033] should state ‘would result in a minor <u>adverse</u> effect, which is considered to be not significant’.
Bio.1.113	The Applicant	<p>[APP-224] – para 14.12.177 – operational effects of disturbance /displacement on “other IEFs”.</p> <p>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.</p>

ExQ1	Question to:	Question:
	Response	<p>Based on the text presented in Volume 2, Chapter 14 (Terrestrial Ecology and Ornithology), sections 14.12.177 -14.12.181 [AS-033] the conclusions in relation to the impact assessment undertaken for the 'other IEFs' should have been stated as 'low magnitude and would result in a minor adverse effect, which is considered to be not significant'.</p> <p>For the avoidance of doubt, the 'other IEFs' are those listed under bullets two to four under paragraph 14.12.171, i.e:</p> <ul style="list-style-type: none"> • bird assemblage associated with Sizewell Marshes SSSI (breeding/wintering); • bird species listed on listed on Schedule 1 of the W&CA wintering marsh harrier, barn owl, hobby, peregrine, black redstart and Cetti's warbler recorded within site; and • birds of nature conservation importance (BoCC Red and Amber Listed and Section 41 NERC Act species) recorded within the site.
The next set of questions address bats on the Main Site, section 14.13 of [APP-224]		
Bio.1.114	The Applicant	<p>Bat habitat creation – para 14.13.41.</p> <p>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])?</p>
	Response	<p>The Applicant confirms that this is the correct reference to Volume 2, Appendix 14C1A [APP-252], and the Figure 12 [APP-253] is the relevant figure. It is not necessary to state Figure 12 (this is consistent with other Appendices references).</p>
Bio.1.115	The Applicant	<p>Noise levels, Barbastelle – para 14.13.88 – adopting 65dB as the level for foraging impacts.</p> <p>Is this at 8 kHz? If not, please will the Applicant explain.</p>
	Response	<p>For foraging and commuting bats, the volume of noise at a frequency of 22khz+ is considered as this is considered likely to impact upon the ability of bats to echolocate and interfere with this behaviour. 8khz is utilised for roosting bats. Approaches to assessing the impact of noise is provided in further detail in the updated bat impact assessment at Volume 3, Appendix 2.9.B of the ES Addendum [AS-208].</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
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	These are typographical errors and in this paragraph the threshold of 60dB should have been referenced given that this is discussing roosting impacts. All assessments of noise upon roosting and foraging/commuting bats are presented with updated noise contours in updated bat impact assessment at Volume 3, Appendix 2.9.B of the ES Addendum [AS-208] . This should be referred to for the corrected figures.
Bio.1.117	The Applicant	Table 13.33, para 14.12.104. Please confirm that GRR is Green Rail Route – or otherwise.
	Response	GRR is the abbreviation for the green rail route.
Bio.1.118	The Applicant	Para 14.13.117 – “barbastelle is more commonly considered to be a light-adverse species” – “light-averse” presumably?
	Response	This is a typographical error and should read as ‘ <i>averse</i> ’ not ‘ <i>adverse</i> ’.
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

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	<p>(a)</p> <p>Paragraph 14.13.121 of Volume 2, Chapter 14 of the ES [AS-033] states '<i>It is not possible to accurately predict the impact from lighting once the mitigation measures proposed (as outlined in The Bat Mitigation Strategy Appendix 14C1A of this volume) are applied. As such, a suite of monitoring measures is proposed throughout the construction phase. These are outlined in the Bat Non-licenced Method Statement (Appendix 14C1B of this volume)</i>'.</p> <p>The intent of paragraph 14.12.121 was to provide context for the assessments that follow and to acknowledge the difficulty in determining the future behaviour of bats to the proposed lighting. As stated in Stone (2013)⁴⁸ it is important to note that this paragraph is intended to outline how uncertainties relating to faunal responses to lighting will be addressed and this should have been made clearer within the text.</p> <p>Predicting the impacts of lighting on bats: This is an emerging and complex area of research with many knowledge gaps remaining. There are many aspects of ecological light</p>

⁴⁸ Stone EL, Jones G and Harris S, 2013, Mitigating the Effect of Development on Bats in England with Derogation Licensing, Conservation Biology, Volume 27, Issue 6 p. 1324-1334

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>pollution which are yet to be investigated, such as the impacts of polarized light on wildlife (Horvath et al. 2009)⁴⁹, and so a precautionary approach is important.</p> <p>Paragraph 14.12.121 would have more appropriately been phrased as follows: <i>'It is not possible to quantify precisely the impact from lighting on bats.....However it is possible to use professional judgement to draw conclusions in relation to the likely response of bat populations, without being able to precisely quantify that response'</i>.</p> <p>An extensive suite of surveys have been conducted to ascertain the likely environmental effects arising as a result of the Sizewell C Project. The Applicant considers that the information presented in the Volume 2, Chapter 14 of the ES [AS-033] is sufficient for a decision maker to determine likely significant effects, and is in line with accepted practice. An appropriate level of assessment of lighting and related impacts has been made. and the gathering of information by means of the resultant monitoring. There is sufficient information to enable an informed judgment to be reached on that matter. The monitoring in the TEMMP [REP1-016] is not to provide further understanding in relation to the impact of lighting, but to confirm that the assessment which was conducted was accurate and that mitigation measures proposed (which are in line with accepted practice) are successful in mitigating impacts. The proposed approach does not therefore give rise to any conflict with the principle established in the ex p Hardy case. The courts have made clear that the issue addressed in ex p Hardy is to be distinguished from circumstances in which the purpose of the relevant provision is to gather information after the grant of consent so as to inform mitigation measures etc. A condition or requirement imposed for the latter purpose is entirely lawful and legitimate (see R v. Rochdale MBC, ex p. Milne [2001] Env LR 22, per Sullivan J at paras. 114 and 132; R (Jones) v. Mansfield DC [2003] EWHC 7 (Admin); and R (PPG 11 Ltd.) v. Dorset County Council [2003] EWHC 1311). It is therefore considered that the proposed approach to monitoring and mitigation of impacts on barbastelle roosts is not contrary to the case law referred to in this question.</p> <p>R v Rochdale Metropolitan Council (ex parte Milne) [2001] Env LR 22 is considered to have some relevance to the question 1.119. This case is in relation to evidence which was provided to outline 'likely significant effects' that was challenged by the Applicant. As in R v Rochdale Metropolitan Council (ex parte Milne) [2001] Env LR 22, it is considered that in</p>

⁴⁹ Horvath G, Farkas R, Bernath B, Kriska G, 2009, Degrees of polarization of reflected light eliciting polarotaxis in dragonflies (Odonata), mayflies (Ephemeroptera) and tabanid flies (Tabanidae) Journal of Insect Physiology, Volume 55, Issue 12, December 2009, Pages 1167-1173

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>respect of Sizewell C, the ES [AS-033] and the ES Addendum [AS-208] do present the necessary data and assessment to 'identify and mitigate the 'likely significant effects'', with the monitoring proposed to identify effects that are not foreseeable from the project, resulting from the paucity of applicable studies and unpredictability of faunal receptors.</p> <p>The recommendation document for Northampton Gateway NSIP - TR050006 refers to the information provided in relation to a project to allow a decision maker to determine the likely significant effects. Within the Application, all surveys and assessments to inform the impact assessment have been undertaken according to current best practice and understanding have been conducted and reported as part of the ES and the subsequent updated bat impact assessment include in the ES Addendum [AS-208].</p> <p>(b)(c)(e)</p> <p>The statement in 14.13.140 concludes: 'Overall, once mitigation is applied, the impact of lighting on the barbastelle population would have a minor adverse effect which is considered to be not significant'. It is not considered that this conflicts with the statement in paragraph 14.12.121 of Volume 2, Chapter 14 of the ES [AS-033] for the same reasons as given above under (a) and with the suggested revisions to paragraph 14.12.121.</p> <p>The approach of the Sizewell C ES is to incorporate best practice and utilise precautionary assessment of the impact from lighting. Within the assessment in Volume 2, Chapter 14 of the ES [AS-033], the impact assessment in relation to lighting is considered to have applied the level of information that could be reasonably expected at this stage. The monitoring is designed to confirm the effectiveness of the best practice mitigation employed to address the effects (as such mitigation is expected to be effective), but where wider research is not entirely conclusive. Few peer reviewed studies have been conducted specifically in relation to the impact of lighting on barbastelle, however available information has been consulted, and there are examples / observations of barbastelles foraging 25m from street lights where vegetation screening is present (<i>communication with barbastelle ecologist Ian Davidson-Watts</i>). Therefore, it is considered that the proposed dark corridors will allow impacts to be controlled, however the ES acknowledges monitoring will need to confirm the success of the implemented mitigation. This is a strength of the application approach, wherein any impacts which are not foreseeable under current understanding can be identified and addressed.</p>

ExQ1	Question to:	Question:
		<p>The monitoring proposed in the TEMMP [REP1-016] for bats does provide some opportunity for remedial actions, e.g. to reduce lighting levels, but these measures are to provide confidence that active mechanisms are in place and are secured to ensure that impacts are controlled, rather than a reliance being placed on them. The primary mechanism of lighting control will be via the relevant section of the Lighting Management Plan [APP-182], which is secured by Requirement.</p> <p>The monitoring will also support any necessary modifications to mitigation that can be made to achieve or further the objectives of the mitigation strategy. Clearly updating surveys etc over time for various stages (i.e. licensing) is also appropriate, however the overall impacts and mitigation strategy has been developed with the significant level of survey information gained to date that provides confidence in the effectiveness of the mitigation, and the assessment of no significant effect.</p> <p>The paragraphs 14.13.222 – 14.13.225 are presented below:</p> <p><i>'14.13.222 Given the duration of the construction phase, there is the potential for artificial lighting to reduce the ability of the light-averse Natterer's bat to use and move between habitats within the site and the immediate surroundings.</i></p> <p><i>14.13.223 It is not possible to accurately predict the impact from lighting once the mitigation measures proposed (as outlined in The Bat Mitigation Strategy Appendix 14C1A of this volume) are applied. As such, a suite of monitoring measures is proposed throughout the construction phase. These are outlined in the Bat Non-licensed Method Statement (Appendix 14C1B of this volume).</i></p> <p><i>14.13.224 In addition, control measures, including directional lighting, light attenuation and monitoring are proposed as outlined in the bat non-licensed method statement (Appendix 14C1B of this volume).</i></p> <p><i>14.13.225 Overall, the impact of lighting on the Natterer's bat population would have a minor adverse effect, which is considered to be not significant.'</i></p> <p>Paragraph 14.13.222 outlines the potential impact upon Natterers' bats in the absence of mitigation. ext paragraph, 14.13.223 acknowledges the known limitations in current understanding of the impacts of lighting on certain faunal receptors, but as for barbastelle, a suite of mitigation measures (in line with accepted practice are proposed), and the monitoring as outlined in the TEMMP [REP1-016] will allow for any unforeseen effects to be captured and addressed. The suggested revisions to paragraph 14.12.121 described</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>under (a) are again relevant in this case. Paragraph 14.13.224 is a brief outline of some of the construction phase mitigation which will achieve the low light levels required, as specified and evidenced within the Lighting Management Plan [APP-182]. As such, it is not considered that these statements are contradictory, or that the case law stated in question (a) is applicable.</p> <p>(d)(e)</p> <p>In relation to the paragraph 14.14.69 of Volume 2, Chapter 14 of the ES [AS-033], the statement that the 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' does not refer to monitoring in order to address an deficiency with the baseline data used to inform the EIA or mitigation. As such, the case law in R v Cornwall County Council ex parte Hardy (2001) Env LR 473 is not applicable in this instance. The mitigation proposed follows accepted practice although the response to mitigation of a species such as water vole, with dynamic population cycles, cannot be predicted with precision, given the variables involved. Given this, monitoring is proposed to monitor the success of the mitigation measures, accepting the inherent uncertainty when dealing with faunal receptors. This is a precautionary approach to allow any required interventions to unforeseen outcomes to be addressed and to ensure favourable conservation status of water voles is achieved. For example, the creation of water vole habitats at Aldhurst Farm will need to be maintained in a state that ensures the long term viability of the population. This maintenance is outlined in the existing management plan for the site, but will also need to be informed by monitoring, as it may also need to take into account changes relating to climate, unforeseen events, or public disturbance.</p>
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>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	<p>The reference is a typographical error and should read Volume 2, Chapter 11 of the ES [APP-202].</p> <p>The sentence in para 14.13.172 of Volume 2, Chapter 14 of the ES [AS-033] before the quote in the question refers specifically to noise from the main vehicular access to the site and the rail extension route, during the operation of the site. The main vehicular access to the site is covered in paras 11.6.168 to 11.6.174 in Volume 2, Chapter 11 of the ES [APP-202] and shows that there will be a less than 1dB change as a result of these vehicles (para 11.6.172).</p> <p>There will be no rail noise once the site is operational - it is used for construction only. See Volume 9, Chapter 4 of the ES [APP-545].</p> <p>Given this, no further assessment of operational road or rail noise at the main development site was considered necessary for bats.</p>
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> <p>Para 14.13.440 has a similar issue – Natterer should read Daubenton the ExA presume, but please confirm.</p>
	Response	<p>This is a typographical error and paragraph 14.13.248 of Volume 2, Chapter 14 of the ES [AS-033] should refer to Leisler's bat and Nathusius' pipistrelle.</p> <p>Paragraph 14.13.440 of Volume 2, Chapter 14 of the ES [AS-033] states '<i>Natterer's</i>', but this should read '<i>Daubenton's bat, brown long-eared bat, common pipistrelle and soprano pipistrelle</i>' as this is general comment in the first paragraph of the assessment section for these species.</p>
Bio.1.122	The Applicant	<p>Para 14.13.287 refers to roosts already created and to be created. Please explain how and where the provision and maintenance is secured.</p>
	Response	<p>The commitments made in relation to monitoring of sites, habitats and species and also the monitoring of the success of mitigation measures such as habitat establishment and bat boxes are described in the Terrestrial Ecology Monitoring and Mitigation Plan</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>(TEMMP) [REP1-016], submitted at Deadline 1 and secured under Requirement 4. The Applicant believes that this document serves to address the question in full.</p> <p>In response to example given left and specifically in relation to bats, for the main development site, the approach is defined in Table 4.4, on page 45, as follows [adapted from table format]:</p> <p>‘Construction (Years 1-12 inclusive):</p> <p>Bat boxes and the bat barn will be monitored on an annual basis during the construction phase.</p> <p>The surveys will be to confirm presence/ absence and the species assemblage present. [Undertaken] Annually in September</p> <p>All monitoring will be conducted by an appropriately licensed bat ecologist.</p> <p>Monitoring will consist of a check of the feature for evidence of use, such as droppings, smoothing, feeding remains, smell, staining and bat fly (Nycteribiid) pupae.</p> <p>Locations will include:</p> <ul style="list-style-type: none">• Sites where roosts are known to be present, e.g., Natters roost identified in 2020 (>40 bats in each box)• Monitoring of bat boxes erected for barbastelle already (45 boxes distributed already around the site).• Any newly installed bat boxes to mitigate for any further identified roost loss in trees. <p>Temperature and humidity data loggers will be placed inside the bat barn to measure the environmental conditions match those within the structures where roosts have previously been identified.</p> <p>Success criteria will include the uptake of occupation by bats and whether the number of bats present increases or remains consistent throughout the construction phase.</p> <p>In the event of the bat boxes not being occupied within three years of installation, consideration will be given to moving them to alternative sites nearby, to be determined by a licensed bat ecologist.</p> <p>In the event of the bat barn not being occupied within three years of installation, consideration will be given to modifications which might be acceptable within the context</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>of the DCO, with the modifications to be determined by a licensed bat ecologist and in agreement with Natural England.'</p> <p>The proposed approach to monitoring of the bat boxes and the bat barn during the operational phase is then described in the next row of the table.</p>
Bio.1.123	The Applicant	<p>Para 14.13.467.</p> <p>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.</p>
	Response	<p>Paragraphs in section 14.13 of Volume 2, Chapter 14 of the ES [APP-224] included a number of incorrect numberings of headings in this location. In the subsequent submission [AS-033], headings that were previously incorrectly numbered were corrected (with the numbering removed), leading to the variance in numbering.</p>
Bio.1.124	The Applicant	<p>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.</p>
	Response	<p>As explained in the answer to Question Bio 1.13 in this chapter, a standardised approach to the assessment of inter-relationship effects has been taken across the each of the terrestrial ecology and ornithology assessments presented within the ES that follows the methods of assessment set out within Volume 1, Chapter 6 of the ES [APP-177] and the terrestrial ecology and ornithology specific assessment methodology in Volume 1 Appendix 6J of the ES [APP-171].</p> <p>The assessment presented considers the magnitude of impacts and value/sensitivity of resources/receptors that could be affected in order to classify effects. In the case of the inter-relationship assessment, consideration has been given to the combined magnitude of the different impacts of the proposed development on an individual important ecological feature to identify the inter-relationship effect on the important ecological feature.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>Inter-relationship effects are known to be difficult to quantify, and in respect of bats several approaches have been employed to ensure potential impacts are mitigated and then to draw assessment conclusions.</p> <p>Firstly, for each impact and for all sites, mitigation is proposed to reduce the resultant effect to a level at which individual impacts are not considered likely to have a significant effect.</p> <p>Secondly, for the main development site, as is outlined in the Updated bat impact assessment included at Volume 3, Appendix 2.9.B of the ES Addendum [AS-208], a comparable site, Hinkley Point C, was assessed, and the success of the approaches on that site to address noise and lighting impacts were reviewed. This provides additional evidence that in-combination impacts could be kept to a level that will not result in a significant in combination effect.</p> <p>Thirdly, for the main development site, new habitats which are not impacted by noise or light have been created. This will minimise the potential impact upon species populations across the wider EDF Energy estate.</p> <p>Fourthly, for several sites, including the main development site, a suite of monitoring is proposed within the TEMMP [REP1-016], secured by Requirement 4, which will allow any individual impacts or any unforeseen individual or in-combination impacts to be identified and addressed by remedial measures. The assessment relies on the robust available data, and the overall impacts and mitigation strategy were developed with the significant level of survey information gained to date, which that provides confidence in the effectiveness of the mitigation proposed based on current best practice and research. However, there is limited research available for some impacts on some bat species, particularly in combination effects and bats, as living things, do not always behave as expected.</p> <p>Finally, the potential of high levels of light and noise occurring at the same time was considered. The statement in paragraph 14.13.470 [AS-033] refers to the nature of noise and lighting in relation to construction activity. High levels of noise are primarily anticipated during the daytime, when the majority of on-site activity will occur. Lighting, as outlined in the Lighting Management Plan (Volume 2, Appendix 2B [APP-182]) will be controlled through a number of measures, stated below (relevant sections of paragraphs 8.2.79 – 8.2.89 in Volume 3, Appendix 2.9.B of the ES Addendum [AS-208):</p>

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> • All lighting installed shall have some form of control to suit the tasks being undertaken and ensure energy is not wasted with lights being in operation 24hrs a day. • In general task lighting will only be used during specific times at specific locations and will typically be provided by portable units which will have manual switching. If the units are to be in place for a prolonged period it would be beneficial for the unit to have a photo electric control cell which will automatically turn the lighting on at dusk and off again at dawn when natural lighting levels have increased or reached pre-determined levels. • Ambient lighting – Ambient lighting will be more permanent and will be required to operate dusk to dawn, so the most suitable method of control will be via a photo electric control cell possibly with pre-programmed dimming or via a central management system (CMS). • Access control points – At access control points there will be the need to boost the ambient lighting when there is the need to undertake an inspection etc. This would best be controlled via a local switch either at the check point or in a control centre. It is important to consider the light source when instant boost lighting is required as most light sources other than LED will need some form of run up time to reach full output. • Where lighting in proximity to a bat roost or commuting route/flightpath is unavoidable then, in addition to the points made [in the Mitigation Measures section], the following additional mitigation measures shall be adopted for both fixed and temporary lighting: <ul style="list-style-type: none"> ○ use a light source that has a narrow spectrum with no UV content; ○ use a warm colour temperature (2700K and below); and ○ use a tuneable LED luminaire. • Where the interconnected network crosses a lit area these areas shall be kept dark by introducing a gap in the lighting design where safe to do so. For example, if they are dissected by a road, a gap of approximately 30m will be left beyond the design spacing of any lighting. Where lighting is proposed parallel to commuting routes / flightpath a 10m buffer zone will be left. <p>Given the lighting and noise control measures which will be in place, listed above, the risks of individual effects arising at any one time are greatly reduced. In turn, this reduces the likelihood of adverse noise and lighting effects occurring simultaneously and</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>so minimising the potential for significant adverse in-combination or inter-relationship effects.</p> <p>In summary, inter-relationship effects on bats relating to noise, lighting and habitat loss are considered to 'not significant' due to the primary and tertiary mitigation measures that are embedded into the scheme design. With the implementation of primary/tertiary mitigation and secondary mitigation (monitoring), residual effects (individually, minor adverse or negligible) are not considered to be significant and the inter-relationship of these residual effects, is not considered to be significant.</p> <p>For barbastelle on the main development site, a moderate adverse (significant) effect is predicted during construction arising from habitat fragmentation. This is due to the proposed removal of an area (Goose Hill plantation woodland) known to be utilised by barbastelle between areas to the north-east and south-west of the construction area.</p> <p>There are retained and new commuting areas through the site meaning that bats will be able to traverse the site, however, one part of the site known to be used by barbastelle will be fragmented. This is not considered an in-combination effect, as it the removal of the habitat in this area that is the primary cause of the fragmentation.</p> <p>As outlined in the updated bat assessment, Volume 3, Appendix 2.9.B of the ES Addendum [AS-208], in paragraph 8.2.120, the in-combination effect of the lighting and noise upon bats utilising the retained and created commuting routes is considered not significant.</p>
Bio.1.125	The Applicant	<p>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 licensed bat ecologist"</i>.</p> <p>Please explain where this is secured, the objectivity of the assessment and the enforcement of the result of the "consideration".</p>
	Response	<p>The commitments made in relation to monitoring of sites, habitats and species and also the monitoring of the success of mitigation measures such as habitat establishment and bat boxes are described in the Terrestrial Ecology Monitoring and Mitigation Plan (TEMMP) [REP1-016], submitted at Deadline 1 and secured under Requirement 4. The Applicant believes that this document serves to address the question in full.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

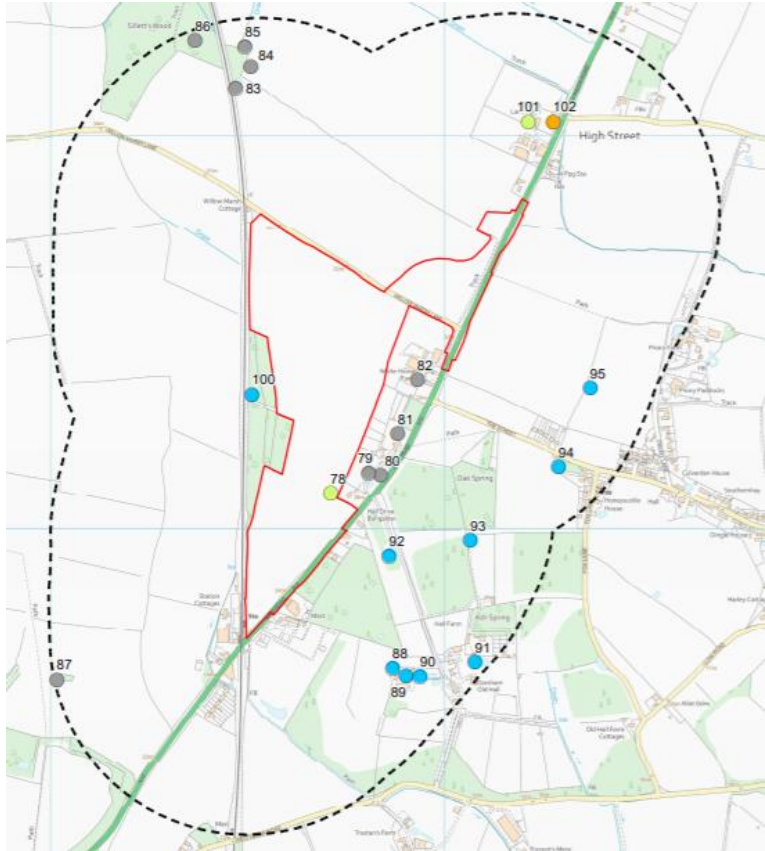
ExQ1	Question to:	Question:
		Further details are given in the response to Questions Bio 1.122 and Bio 1.145 in this chapter and are relevant here.
Part 3 -Biodiversity and ecology (terrestrial) - Northern Park and Ride		
Bio.1.126	The Applicant	[APP-363] – para 7.4.20 states that the four common species 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	<p>Insofar as it is relevant to the determination of the application for a DCO, the duty in s.41 of the NERC Act requires the Secretary of State 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 s.41, or promote the taking of such steps by others.</p> <p>Appendix 7B to this chapter sets out the practical works to be undertaken to conserve the living organisms and habitats present as published under s.41, which are relevant to the sites. Appendix 7B identifies all relevant habitats and species.</p> <p>Appendix 7B identifies the information/evidence that supports the SOS in discharging this duty. This document includes references to where these species/habitats are dealt with/impacts are assessed in the submitted documents. (ii) Appendix 7B also sets out the measures identified and signposts to the relevant documentation which discusses the securing mechanisms and impact assessment conclusions.</p> <p>The Act requires the SoS to publish a list of habitats and species which are of Principal importance for nature conservation, thereby identifying those habitats and species which require specific consideration during the course of the planning process. It is the responsibility for the planning and development control processes/parties to review whether the mitigation measures and project design ensure the relevant species are sufficient. Therefore, assuming the planning and development processes/parties are content, the SoS should then be satisfied that the granting of the application would maintain conservation status, the SoS will discharge the duty to take such steps as appear</p>

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

ExQ1	Question to:	Question:
		<p>to the SoS to be reasonably practicable to further the conservation of the living organisms and types of habitat.</p> <p>The mitigation measures which are defined for great crested newts, reptiles, breeding and wintering birds, and bats for the northern park and ride site, in the ES chapter (Volume 3, Chapter 7 [APP-363]) and other related documents are listed in Appendix 7I of this chapter.</p> <p>The answers to Questions Bio 1.5-1.7 in this chapter are also relevant, in part, to this answer.</p>
Bio.1.127	The Applicant	<p>[APP-363] paras 7.6.70 and 7.6.77.</p> <p>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.</p>
	Response	<p>The most valuable habitats that great created newts currently use will be largely retained in the vicinity of the northern park and ride site whilst the low value arable areas will generally be used for the new paved surfaces. The draft licence for this site [APP-364] sets out the measures which will be implemented to safeguard great crested newts. The updated draft licence will be submitted to Natural England in Summer 2021 (see also Question Bio 1.186).</p> <p>The wording provided in paragraphs 7.6.70 and 7.6.77 of Volume 3, Chapter 7 [APP-363] describes the removal of ‘temporary’ paved areas which will reinstate these areas to arable fields thus removing unsuitable habitat conditions and providing more favourable conditions for newts. The reinstated arable fields will however not be high quality great crested newt terrestrial habitats but this is the case in the baseline situation. This will restore connectivity across the area, albeit connectivity across reinstated arable fields, of low value for newts. Provided below in Plate 7-1 is an extract of Volume 3, Figure 7.4 of the ES [APP-365] showing the relevant pond locations.</p> <p>This graphic clearly shows that the main cluster of ponds is within the gardens of private dwellings which will be unaffected during the works. Features such as the access track linking the ponds to the north will remain in use to ensure access to residential properties</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>and habitat linkages and landscape features connecting to the pond clusters to the east will remain unaffected.</p> <p>Plate Error! No text of specified style in document.-1: Extract of Figure 7.4 [APP-365]</p>  <p>The map shows a central area outlined in red, representing the Southern Park and Ride. This area is surrounded by a dashed black line. Numerous numbered points are scattered across the map, with some in grey (e.g., 83, 84, 85, 79, 80, 81, 82, 88, 89, 90, 91, 92, 93, 94, 95, 100, 187) and others in blue (e.g., 78, 77, 101, 102). A green line runs through the area, and a yellow line labeled 'High Street' is visible. The map also shows various landscape features like roads, fields, and buildings.</p>
Part 4- Biodiversity and ecology (terrestrial) – Southern Park and Ride		
Bio.1.128	The Applicant	<p>[APP-394] (the ES Chapter for the Southern Park and Ride) Table 7.1.</p> <p>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</p>

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	In Tables 7.1 and 7.2 of Volume 4, Chapter 7 of the ES [APP-394] this is a typographical error and should refer to the 'southern' not 'northern' park and ride site. In Table 7.3 of Volume 4, Chapter 7 of the ES [APP-394] the references to the northern park and ride are correct.
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	This is a typographical error and should have read as 'desk' based. The response reads: <i>"The assessments of the environmental impacts of the proposed sites appear to be desk-based. Local wildlife designations and species records have not been examined."</i>
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	Table 7.4 of Volume 4, Chapter 7 of the ES [APP-394] contains a typographical error. As detailed in Volume 4, Chapter 7 , Terrestrial Ecology and Ornithology of the ES [APP-394], section 7.4.4 , there are seven non-statutory designated sites within 2km of the southern park and ride site. These have been considered and included within the EIA.
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	A summary of measures is provided in Appendix 7J of this chapter and response provided for Question Bio 1.126 is relevant for Question Bio 1.131 . In addition Appendix 7B of this chapter also sets out the measures identified and signposts to the

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		relevant documentation which discusses the securing mechanisms and impact assessment conclusions.
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	The bund extension will remain within intensively farmed agricultural land with limited ecological value. Whilst the bund length will be extended this will not result in a significant loss of valuable habitats or an increased impact from an ecological perspective and therefore no change to the assessment was considered necessary or appropriate.
Part 5- Biodiversity and ecology (terrestrial) - Two Village Bypass		
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	<p>The responses are set out under each of the points made by the RSPB, here in italics:</p> <ol style="list-style-type: none"> RSPB <i>'We are concerned about the proximity of Foxburrow Wood CWS. Whilst it is difficult to determine from the map, we assume there will be no net loss from the site. Even so, in our view the likely impact would require mitigation.'</i> The Applicant's Response- Foxburrow Wood CWS ancient woodland will be retained in its entirety. A buffer distance of 15m from earthworks would be applied to prevent impacts to the trees on the edge of the woodland. Some limited footpath works would however be required at the edge of this zone. RSPB: <i>'A cut through, with ancillary footbridge for the public footpath would, in our view, not be enough to mitigate impact and the loss of ecological functionality across the landscape. Therefore, we strongly advise the construction of a green bridge at this location to help retain connectivity with several locally important hedge lines.'</i> The Applicant's Response- SZC Co. has considered the design of the proposed Foxburrow Wood footbridge in light of discussions with and representations from the RSPB and Suffolk Wildlife Trust

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>(SWT), and conversations with Natural England (NE). Details of these meetings are summarised in Volume 5, Chapter 7 of the ES [APP-425].</p> <p>Whilst a green bridge would be of some ecological benefit, the inclusion of a green bridge would not link or re-establish a linkage between two areas of existing high value, such as two areas of designated ancient woodland or a County Wildlife Site (CWS). The ancient woodland of Foxburrow Wood is of high value but the existing small areas of (non-ancient) woodland and mature trees in the Farnham Hall area to which it would become linked have no special designation, either nationally or locally (it is not a County Wildlife Site (CWS)).</p> <p>As a result, a green bridge would not serve to lessen the significance of any of the adverse ecological effects identified in the ES. Given it would not re-establish existing links between two high value habitats, and the ES demonstrates a net gain in biodiversity overall, it was not considered that a green bridge is necessary in ecological terms.</p> <p>In terms of landscape and visual impacts of the proposed Foxburrow Wood footbridge, the landscape and visual impact assessment chapter in the ES (Volume 5, Chapter 6) [APP-421] predicts significant landscape effects during construction and for the medium-long term once the two village bypass is operational. The planting mitigation proposed will, once matured, be sufficient to screen the footbridge from the wider landscape. This is unlikely to be achieved until Year 15 but 15 years is relative to the fact that the bridge would be a permanent structure and a legacy benefit of the scheme.</p> <p>The propose footbridge has been designed to be as small as possible, but within Design Manual for Roads and Bridges (DMRB) guidelines, to limit its visual impact. Whilst a green bridge may blend into the landscape sooner than the proposed planting will allow, the additional scale of such a structure would provide little overall benefit, given it would not reconnect two high value habitats.</p> <p>The Green Bridge Guidance published by the Landscape Institute in January 2016 following research commissioned by Natural England presents several types of wildlife bridges, which are significantly more substantial in size than the proposed Foxburrow Wood footbridge. It states that green bridges aiming to achieve connections at a landscape / ecosystem level should be over 80m in width. Where the aim is to achieve connections for species at a population level, the bridge should be around</p>

ExQ1	Question to:	Question:
		<p>50m wide (published guidance recommendations range from 25m-80m, with an average of 50m). As a general rule, a width to length ratio over 0.8 is recommended. Given the Foxburrow Wood footbridge has been designed to be as short a structure as possible to limit its impacts, the above 0.8 ratio would mean that the 43m long footbridge would need to be 34.4m in width to be a viable green bridge in accordance with the guidance, which would make it a substantially larger structure.</p> <p>Given the visual impact of the proposed footbridge would be greatly reduced once the proposed mitigation planting has matured, and that this planting has been assessed to result in a net gain in biodiversity, the benefits of upgrading to a green bridge would be marginal.</p> <p>The additional scale of the structure would not appear to provide enough of a benefit to be a reasonable alternative to the proposed Foxburrow Wood footbridge. It is also likely to take longer to construct (at much greater cost) which could have a negative impact on programme overall but also on the reopening of the existing footpath crossing the two village bypass, and other PRoW connections in the vicinity.</p> <p>There are, therefore, significant disbenefits to a Green Bridge to weigh against a marginal benefit.</p> <p>3. RSPB: <i>'The drainage infiltration basins will need habitat surveys and protected species surveys prior to works. However, we believe these basins could be designed in such a way as to provide opportunities for Net Gain and request that careful thought is given to this.'</i></p> <p>The Applicant's Response- Pre-construction surveys will be carried out across all sites. Planting and landscaping design will be of such to maximise Net Gain opportunities and are aligned with the Biodiversity Net gain Report [REP1-018]. The oLEMP [AS-263] and TEMMP [REP1-016] include long-term management and monitoring measures.</p> <p>4. RSPB: <i>'The areas of grass could be planted with wild flower and/or pollen and nectar mixes and managed in a sensitive way.'</i></p> <p>The Applicant's Response- This point is covered in the bullet above</p> <p>5. RSPB: <i>'There are also options to include skylark plots. Again, careful thought over the long-term management of these areas could contribute to Net Gain.'</i></p>

ExQ1	Question to:	Question:
		<p>The Applicant's Response- The oLEMP [REP1-010] and the TEMMP [REP1-016] include long-term management and monitoring approaches and are aligned as relevant with the Biodiversity Net Gain Report [REP1-018]. The proposed habitats along the road corridor, which include acid and neutral grasslands are likely to be suitable for foraging skylarks, but they are probably unlikely to nest within the fenced boundaries of the highway. The proposed approach to enhancing the flood plain grasslands around the River Alde is likely to be more valuable to nesting skylarks.</p> <p>6. RSPB: <i>'We also have significant concerns on the loss of ecological connectivity along the river corridor as a result of the crossing. More detail is required to determine this and we expect mitigation in terms of mammal passes and related protected species surveys.'</i></p> <p>The Applicant's Response- Section 7.6.118 specifies mitigation to be implemented to minimise and / or avoid fragmentation effects such as the offsetting of the bridge abutments and the retention of the River Alde channel banks as well as the provision of other mitigation such as the inclusion of an otter ledge to ensure the area is passable at times of high-flow. A second pass for mammals will also be provided through the eastern embankment of the River Alde overbridge.</p> <p>7. RSPB: <i>'Furthermore, more evidence is required to understand how the by-pass might affect hydrology and the relationship between the river and its floodplain and consequently, the local wet meadows. If there is an effect, considerable effort will be needed to meet Net Gain, over and above what is currently being proposed.'</i></p> <p>The Applicant's Response- Section 7.6.118 defines the mitigation to be implemented to minimise impacts upon the local hydrological features and to retain (or improve where practicable) value for local biodiversity. A full hydrological assessment is provided in Volume 5, Chapter 12 [APP-441]. An updated Biodiversity Net Gain Report for the two village bypass [REP1-018] was submitted at Deadline 1.</p>
Bio.1.134	The Applicant, Natural England	<p>[APP-425] – para 7.4.7 – baseline description.</p> <p>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.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	The reference to ' <i>international importance under CIEEM / high importance under EIA-specific methodology</i> ' is referring to the Alde-Ore Estuary SPA, SAC, Ramsar and SSSI. To clarify, Foxburrow Wood is considered to be of ' <i>national</i> ' importance.
Bio.1.135	The Applicant, Natural England	<p>[APP-425] – para 7.4.45 – this states: "... <i>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 ...</i>".</p> <p>Please will the Applicant explain how this is indicative of "low population". NE may also wish to comment or help.</p>
	Response	<p>Targeted water vole surveys were undertaken on the River Alde in 2019. The results, shown on Volume 5 Figure 7.15 [APP-427] and described in Volume 5, Appendix 7A paragraph 1.5.70 [APP-426], were considered to show a low population estimate.</p> <p>This is based on guidance set out in the Water Vole Mitigation Handbook which gives an indication of relative population size using the number of latrines recorded per 100m. The guidance suggests that 2 or less latrines per 100m constitutes a low water vole population in the first half of the survey season (mid-April to June) and 5 or less latrines in the second half of the survey season (July to September).</p> <p>Volume 5, Figure 7.15 [APP-427] shows a total of 5 latrines recorded over the whole survey season across a 337m stretch of the River Alde. This equates to less than 2 per 100m which is indicative of a low population, as per the Water Vole Mitigation Handbook.</p> <p>In addition to this, the lack of presence in the majority of the waterbodies surrounding the River Alde can also indicate a low water vole population within the survey area.</p> <p>The phrase used in para 7.4.45 '<i>numerous recent water vole field signs...</i>' is somewhat loosely worded but relates to the totality of the overall survey across the survey area, rather than the <u>density</u> of field signs, described at Volume 5, Appendix 7A of the ES [APP-426] paragraph 1.5.70.</p>
Bio.1.136	The Applicant	<p>[APP-425] – paras 7.6.8 and 7.6.24.</p> <p>(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.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>(b) Where are the additional measures such as equipment and materials storage restrictions found and secured?</p> <p>Response</p> <p>(a) Within Part A of the CoCP (Doc Ref. 8.11(B)) mitigation measures which provide protection against changes in water quality to the River Alde and the Alde-Orr Estuary SPA, SAC, Ramsar and SSSI to is detailed within Paragraphs 4.6.1 to 4.6.4 which describe the process to be followed in the event of a pollution incident.</p> <p>Part C of the CoCP (Doc Ref. 8.11(B)) measures which provide protection against changes in water quality to the River Alde and the Alde-Orr Estuary SPA, SAC, Ramsar and SSSI to is detailed within Table 11.1 which identifies the control measures to mitigate groundwater and surface water impacts.</p> <p>Some of this mitigation is replicated within Volume 5, Chapter 7 of the ES [APP-425] under paragraph 7.5.7.</p> <p>(b) Measures relating to equipment and material storage can be found within Paragraph 1.1.4, 2.1.5, Table 9.1, 10.1 and 11.1 of Part C of the CoCP (Doc Ref. 8.11(B)) and are secured through Requirement 2.</p>
Bio.1.137	The Applicant	<p>[APP-425] – para 7.6.10. Foxburrow Wood.</p> <p>This paragraph states that the wood has been scoped out. At Table 7.10 it was scoped in. Please would the Applicant explain.</p>
	Response	<p>The reference to Foxburrow Wood being scoped out in Table 7.10 of [APP-425] is an error and Foxburrow Wood has been considered in relation to air quality impacts in the text that follows.</p> <p>Foxburrow Wood will be avoided as explained in Questions Bio 1.131 and Bio 1.133 of this chapter and will not be directly impacted by the two village bypass scheme corridor.</p>
Bio.1.138	The Applicant	<p>[APP-425] – para 7.6.18 – hedgerows, habitat loss and fragmentation.</p> <p>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.</p>
	Response	<p>The predicted increases in hedgerow lengths used in the assessments in Volume 5, Chapter 7 [APP-425] have been calculated based on the layouts shown in the Landscape masterplans and the same layouts have also been assessed in the Biodiversity Net Gain</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>(BNG) assessments (see Question Bio 1.262 in relation to the updated reports). In those assessments, the values reflect the expected value of the hedgerows within the site, post-development. This has been factored into the assessment and considered in more detail in the BNG reports.</p> <p>Proximity to roads is not a factor which is considered within the Biodiversity Net Gain methodology or within the ES assessment approach. The replacement hedgerows would be targeted as species-rich and once fully functional are expected to be of similar or greater value, for a similar given length, to hedges that are lost.</p>
Bio.1.139	The Applicant	<p>[APP-425] – para 7.6.30.</p> <p>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?</p>
	Response	<p>The Applicant can confirm that the embankment referred to here is the structure supporting then road.</p>
Bio.1.140	The Applicant	<p>[APP-425] – para 7.6.33 – floodplain grassland, habitat loss and fragmentation.</p> <p>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)?</p>
	Response	<p>The Applicant acknowledges that paragraphs 7.6.33 – 7.6.34 of Volume 5, Chapter 7 of the ES [APP-425] do not include effects of fragmentation, despite the title of this section being ‘<i>Habitat loss and fragmentation</i>’, and fragmentation effects on floodplain grassland are not assessed elsewhere.</p> <p>However, due to the proposed mitigation outlined in paragraph 7.5.4 of Volume 5, Chapter 7 of the ES [APP-425]:</p> <p><i>“the crossing of the River Alde would comprise an overbridge, approximately 60m in length which would preserve the natural integrity of the banks of the river, bed and bankside, and minimise shading effects.”</i>, habitat continuity is expected to remain and no degradation of habitat, from current quality, is likely to occur on either side of the road due to construction.</p> <p>Fragmentation effects of construction on Important Ecological Features that utilise this habitat, such as invertebrates (paragraph 7.6.41), otter (paragraph 7.6.90) and water vole (paragraph 7.6.105) have been assessed alongside habitat loss as minor adverse</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>(invertebrates) and negligible adverse (otter and water vole), and are considered not significant, due to the preservation of the river and bankside habitats.</p> <p>Habitat loss is considered to result in a temporary minor adverse effect, considered not significant, on the floodplain grassland. As habitat continuity is expected and other IEFs are not significantly impacted, the effect of fragmentation on floodplain grassland is therefore considered negligible adverse, and not significant.</p>
Bio.1.141	The Applicant	<p>[APP-425] – para 7.6.43.</p> <p>Please will the Applicant explain how construction impacts on the River Alde invertebrates habitat will be avoided due to the construction of the bridge.</p>
	Response	<p>The construction of the bridge (paragraph 7.5.4 of Volume 5, Chapter 7 of the ES [APP-425]) would comprise a clear span overbridge approximately 60m in length. This would preserve the natural integrity of the river bank, bankside and bed. This would negate the need for disturbance of the invertebrate habitat within and along the River Alde and so avoid any impacts on the assemblages present.</p>
Bio.1.142	The Applicant, SCC, Natural England	<p>[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).</p>
	Response	<p>Please refer to the two village bypass oLEMP [AS-263] for further details of the landscape design and the locations for the proposed planting. The illustrative Masterplan of the two village bypass [AS-197] shows scattered trees and broadleaved planting to be created in the vicinity of the areas of deciduous woodland blocks distributed along the scheme corridor.</p> <p>Planting has been incorporated into the design to reduce fragmentation effects and as noted within the documentation and figure cited above, its location has been selected based on where fragmentation effects have been identified. The assessment has considered the location of this planting and the landscape design.</p>

ExQ1	Question to:	Question:
		<p>Plate Error! No text of specified style in document.-2: Extract from the illustrative Masterplan of the two village bypass [AS-197]</p>
Bio.1.143	<p>The Applicant</p> <p>Response</p>	<p>[APP-425] – para 7.6.141. Please will the Applicant spell out what is being said here and give the paragraph references to where the information may be found.</p> <p>Para 7.6.141 of Volume 5, Chapter 7 of the ES [APP-425] refers to the anticipated effects associated with acid and nitrogen deposition on floodplain grassland. However, the SZC Co acknowledges the disjointed wording. The following paragraphs are provided to clarify the position:</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>During the operational phase of the two village bypass, there would be increases in operational air emissions from the vehicular use of the proposed road, namely nitrogen oxides concentrations and nitrogen deposition. Such depositions can contribute to acidification and/or eutrophication of sensitive habitats, leading to loss of biodiversity such as changes in species richness.</p> <p>Para 7.6.140 of Volume 5, Chapter 7 of the ES [APP-425] explains that species which are sensitive to nitrogen deposition are unlikely to be present within floodplain grasslands and given the primary mitigation described within Volume 5, Chapter 5 of the ES [APP-418] the overall impact would result in a negligible adverse effect, which is considered to be not significant, given the small scale of impact anticipated.</p>
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>The structures described as resembling 11kv transmission lines on the A11 near Thetford are ‘Bat gantries’, which can be ineffective. These structures are not proposed in the construction or operational phases for the two village bypass or the Sizewell link road.</p> <p>Bat ‘hop-overs’ are proposed and are advocated as a simple method to guide bats safely across roads^{50 51}. The aim of hop-overs is to maintain existing bat commuting routes and to increase or keep the bats at height above the traffic when they cross the road.</p> <p>A hop-over consist of tall trees, preferably deciduous trees, as close to the road margins as possible (with due consideration for vehicle safety) on either side of a road to narrow the gap in the bat commuting route which is created by the new road. In ideal</p>

⁵⁰ Limpens HJGA, Twisk P, Veenbaas G. 2005. Bats and road construction. Brochure about bats and the ways in which practical measures can be taken to observe the legal duty of care for bats in planning, constructing, reconstructing and managing roads. Dutch Ministry of Transport, Public Works and Water Management Directorate-General for Public Works and Water Management, Road and Hydraulic Engineering Institute, Delft, the Netherlands and the Association for the Study and Conservation of Mammals, Arnhem, the Netherlands.

⁵¹ Stratmann B 2006. Zur Kollisionswahrscheinlichkeit fliegender oder jagender Fledermäuse bei der Querung von Verkehrswegen. Nyctalus 11, pp. 268-276.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>circumstances and in the longer term, the canopy meets over the road to create a continuous canopy. This approach is more viable for single carriageway roads (as in the proposed two village bypass and the Sizewell link road) rather than dual carriageways.</p> <p>Planters containing trees are proposed to maintain connectivity at night during the construction period.</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	<p>The commitments made in relation to monitoring of sites, habitats and species and also the monitoring of the success of mitigation measures such as habitat establishment and bat boxes are described in the Terrestrial Ecology Monitoring and Mitigation Plan (TEMMP) [REP1-016], submitted at Deadline 1 and secured under Requirement 4. The Applicant believes that this document serves to address the question in full including the point (ii) around disputes</p> <p>In response to example given left and specifically in relation to bats, for the associated development sites, the approach is defined in Table 5.2, on page 67, as follows:</p> <p>Construction (Years 1-3):</p> <p><i>'Bat boxes will be monitored on an annual basis during the construction phase.</i></p> <ul style="list-style-type: none"> • <i>The surveys will be to confirm presence/ absence and the species assemblage present. Annually in September (optimal time)</i> • <i>All monitoring will be conducted by an appropriately licensed bat ecologist.</i>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> • <i>Monitoring will consist of a check of any bat boxes installed for evidence of use, such as droppings, smoothing, feeding remains, smell, staining and bat fly (Nycteribiid) pupae.</i> • <i>Requirements as detailed in the draft non-licensable method statement or Natural England Bat Development Licence.</i> • <i>Success criteria will include the uptake of occupation by bats, the number of bats present increases or remains consistent throughout the construction phase.</i> • <i>In the event of the bat boxes not being occupied within three years of installation, consideration will be given to moving them to alternative sites nearby, to be determined by a licensed bat ecologist.'</i> <p>Operation (Years 4-8):</p> <p><i>'Boxes will continue to be monitored for five-years beyond the completion of construction.</i></p> <ul style="list-style-type: none"> • <i>The surveys will be to confirm presence/ absence and the species assemblage present.</i> • <i>Annually in September (optimal time)</i> • <i>All monitoring will be conducted by an appropriately licensed bat ecologist.</i> • <i>Monitoring will consist of a check of any bat boxes installed for evidence of use, such as droppings, smoothing, feeding remains, smell, staining and bat fly (Nycteribiid) pupae.</i> • <i>Requirements as detailed in the draft non-licensable method statement or Natural England Bat Development Licence.</i> • <i>Success criteria will include occupation by bats and the number of bats present increases or remains constant.</i> • <i>In the event of the bat boxes not being occupied within three years of installation, consideration will be given to moving them to alternative sites nearby, to be determined by a licensed bat ecologist.'</i>
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>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<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>
Bio.1.147	The Applicant	<p>Response</p> <p>The new compound is shown in a location to the east of the roundabout with an indicative extent which would be optimised in due course. The location is within the original application boundary.</p> <p>(a) There are no specific mechanisms or relevant provisions within the DCO for finalising the precise layout of the compound or of the haul route.</p> <p>Given that the compound is within the original application boundary, the potential temporary landtake of this area has been considered within the original assessment and there is no bespoke assessment for the compound as a feature in its own right.</p> <p>The location is within an arable field of low ecological value and is sufficiently remote from other sensitive ecological receptors, such as the River Alde (>500m distant) and woodlands (closest at 50m, however, located on the opposite side of the A12), that no further ecological assessment was considered necessary.</p> <p>(b) Schedule 1, Part 2 of the draft DCO (Doc Ref 3.1(C)) authorises other associated development in connection with the two village bypass, including the construction and provision of building compounds. Subsection (e) of Part 2 sets out the necessary works in connection with establishing temporary construction areas and compounds, which includes demolition and site clearance and the formation of construction vehicle access routes as required.</p> <p>The answer to Question Bio 1.163 in this chapter is also relevant here.</p>
		<p>[AS-184] Similarly, at section 5.2 b)i)c), paras 5.2.27 and following, additional floodplain mitigation is described.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<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>The introduction of floodplain grassland mitigation was introduced to address a concern from ecological stakeholders that the landtake of floodplain grasslands was not being mitigated, irrespective of the conclusion in the original ES that there was no significant effect on floodplain grasslands. The determination of no significant effect was based on the fact that the grasslands subject to landtake are of very poor quality (in ecological terms), being of improved pasture of the 'MG7 community' of the National Vegetation Classification.</p> <p>The new floodplain grassland mitigation is secured via way of its inclusion in the two village bypass oLEMP [AS-263], which is secured by Requirement 22A of the Draft DCO (Doc Ref. 3.1(C)).</p>
Bio.1.148	The Applicant	<p>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?</p>
	Response	<p>(a) The protective measures are secured in the CoCP (Doc Ref. 8.11 (B)) via Requirement 2 of the Draft DCO (Doc Ref. 3.1(C)).</p> <p>The measures are defined in Part A of the CoCP (Doc Ref. 8.11(B)) at Section 5, paragraph 5.1 which states that '<i>Control measures that will be put in place to mitigate potential landscape and visual impacts at the main development site have been identified with reference to guidance documents as follows:</i></p> <ul style="list-style-type: none"> • • <i>British Standards Institution (2010). BS 3998:2010 'Tree work. Recommendations'.</i> •

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> • <i>British Standards Institution (2012). B2 5837: 2012 'Trees in relation to design, demolition and construction – Recommendations'.</i> <p>In addition, Table 5.1, Row 2 states in relation to tree protection that '<i>Trees within or adjacent to the site boundary, which are to be retained, will be protected in line with the recommendations in BS 5837: Trees in relation to design, demolition and construction – Recommendations.</i></p> <p><i>The following measures will be implemented, as appropriate:</i></p> <ul style="list-style-type: none"> • <i>provision of appropriate protective fencing to reduce the risks associated with vehicles trafficking over root systems or beneath canopies;</i> • <i>measures to prevent compaction of soils;</i> • <i>maintenance of vegetation buffer strips, where practicable;</i> • <i>selective removal of lower branches to reduce the risk of damage by construction plant and vehicles (operations must consider the legal protection given to roosting bats and breeding birds; see Table 6.1 below);</i> • <i>standard guidance for working within root protection zones including procedures to follow in the event that significant roots are uncovered during work; and</i> • <i>maintenance of trees on highways which are temporarily stopped as a result of the Sizewell C works prior to re-opening (e.g. selective branch removal).</i> • <i>An arboricultural consultant will assess and oversee vegetation clearance works, as relevant, relating to the protection of retained trees and trees subject to works.'</i> <p>Further rows in Table 5.1 provide further measures specifically in relation to tree works and tree planting and replacement.</p> <p>The same measures are replicated in Part C for associated developments in Table 5.1.</p> <p>(a) The powers of the supervising trained arboriculturalist were not defined in the version of the CoCP submitted with the ES Addendum [AS-273]. The following approach is therefore proposed and has been included within an updated version of the CoCP (Doc Ref. 8.11(B)) to be submitted to Examination at Deadline 2:</p> <p><u>The Authority of the Arboriculturalist</u></p> <p>The arboricultural consultant will advise and assist the contractor in avoiding, minimising and mitigating adverse impacts on trees. The contractor will consult with the</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>arboricultural consultant prior to undertaking works which could have an adverse effect on trees and shall have appropriate regard to their advice.</p> <p>Where the arboricultural consultant disagrees with works being undertaken by the contractor, which could lead to a breach in the CoCP, or DCO Requirement, or measures detailed in the ES, or a protected species licence, the arboricultural consultant will inform SZC Co. or the appointed SZC Co. Environment Manager as soon as possible. On advice of the arboricultural consultant the SZC Co. Environment Manager may halt the works or parts thereof. The <u>Arboriculturalist</u> (or Arboricultural Consultant) would prepare method statements for any construction works which might impact trees, which would then be submitted and approved by SZC Co.</p> <p>In relation to construction works, if any construction activity is deemed by the arboriculturalist to have the potential to adversely impact trees that are required to be retained (in accordance with the tree retention -plans), then the ECoW would have the authority to stop the relevant element of the works causing the impact. That element of the works would cease, until a revised approach to working is agreed to the satisfaction of the arboriculturalist.</p>
Bio.1.149	The Applicant, Natural England, SCC and ESC and Highways England	<p>[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.</p> <p>Please will Natural England, SCC, Highways England and ESC also comment.</p> <p>Response</p> <p>The current wording at Paragraph 1.1.6 of two village bypass oLEMP [AS-263] states: <i>"The oLEMP and subsequent LEMP would be managed by SZC Co. for a total of five years, or until adoption by the Highways Authority."</i></p>

ExQ1	Question to:	Question:
		<p>The ExA is correct in its interpretation and to address the period of management, SZC Co. propose the following simpler wording replaces the existing wording in both the two village bypass oLEMP [AS-263] and the Sizewell link road oLEMP [AS-264]:</p> <p><i>"The oLEMP and subsequent LEMP will be managed by the Undertaker until any such time as the road is adopted by the Highways Authority."</i></p> <p>At this point the local highways authority would then be responsible for the ongoing maintenance of the landscape, who are expected to continue to manage the areas in line with the LEMP. In the event there were to be a refusal to adopt the road, the LEMP would be managed by the Undertaker.</p> <p>The oLEMPs [AS-263 and AS-264] will be updated to include the replacement sentence above and resubmitted at an appropriate deadline.</p> <p>This answer is also directly applicable to Question Bio 1.164 for the Sizewell link road oLEMP [AS-264] and both documents would be updated in parallel as relevant.</p>
Bio.1.150	The Applicant	<p>[AS-263] – TVB OLEMP – para 4 .1.2 states that where possible Foxburrow Wood, Pond Wood and Nuttery Belt would be retained.</p> <p>Please will the Applicant clarify whether the Application and DCO (a) propose or (b) permit the removal of those features.</p>
	Response	<p>Foxburrow Wood and Pond Wood will be retained and the statement which includes the ‘<i>where possible</i>’ caveat in section 4.1.2 of the two village bypass oLEMP [AS-263] is incorrect. The retention of these woodlands is also clearly shown on the vegetation retention plans on Figures 5.2.6 and 5.2.7 of the ES Addendum [AS-197]. These retained woodland would be protected using mitigation measures defined in the CoCP (Doc Ref. 8.11(B)) such as the installation of appropriate protective fencing to ensure no encroachment on the woodlands and to ensure construction traffic and personnel remain excluded from these areas.</p> <p>In relation to Nuttery Belt, the statement which includes the ‘<i>where possible</i>’ caveat in section 4.1.2 of the two village bypass oLEMP [AS-263] is correct and needs to be retained.</p> <p>Some loss of Nuttery Belt has been identified in section 7.6.65 of Volume 5, Chapter 7 of the ES [APP-425]. However there may be a need for additional visibility splays of 215m. This is considered unlikely but requires approval from SCC as Highways Authority. If such visibility splays were required, there would be some further tree removal from Nuttery Belt. In section</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

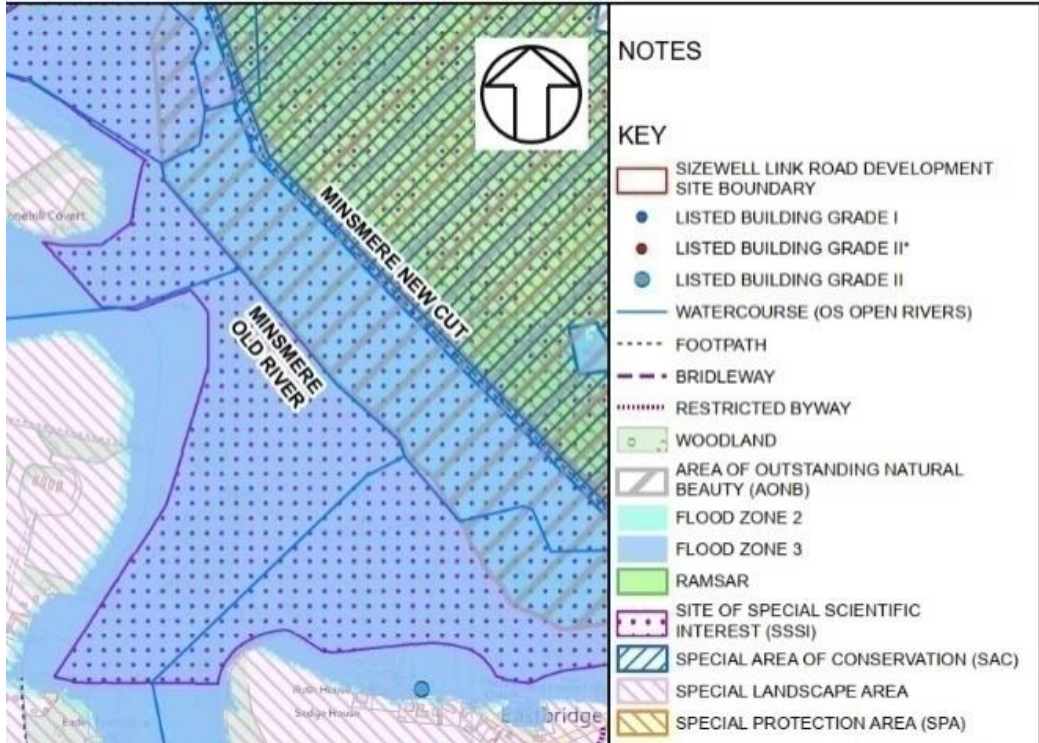
ExQ1	Question to:	Question:
		<p>5.2.23, Volume 1, Chapter 5 [AS-184], the worst case loss from Nuttery Belt has been assumed in the ES Addendum.</p> <p>The application proposes some loss of Nuttery Belt but the extent of loss will vary as described above. The DCO would provide consent for removal of the woodland to the extent required, in accordance the vegetation removal plans, as shown in Figures 5.2.6 and 5.2.7 of Chapter 5 of the ES Addendum [AS-197].</p>
Bio.1.151	The Applicant	<p>[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.</p>
	Response	<p>Table 6.1 of the two village bypass OLEMP [AS-263] references success thresholds for habitat establishment which target the quality of habitats in Section 41 of the NERC Act/Suffolk Biodiversity Action Plan (i.e. of a quality to fit the description of a priority habitat), set out in the Countryside Stewardship Higher Tier Scheme⁵². It does not reflect any thresholds in NERC Act legislation itself.</p>
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>

⁵² Countryside Stewardship Higher Tier Scheme

(https://assets.publishing.service.gov.uk/media/60377e97d3bf7f039403e8ec/CS_Higher_Tier_manual_for_agreements_starting_on_1_Jan_2022.pdf).

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

ExQ1	Question to:	Question:
		<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>
	Response	<p>The Applicant has reviewed Tables 5.1 and 5.2 of the two village bypass OLEMP [AS-263] and can confirm that all phases of intent to specify what is to be done are seen as imperative.</p>
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	<p>Plate Error! No text of specified style in document.-3 provides an extract of Figure 1.4 provided in Volume 6, Chapter 1 Figures 1.1 - 1.4 of the ES [APP-445]. This shows the location of the SPA in orange hatching, in the top right hand corner, to the north of Minsmere New Cut. However, SZC Co. appreciates that it might be difficult to distinguish due to the multiple designations overlapping.</p> <p>A new figure has been provided to help indicate the designated site boundary more clearly in Appendix 7K of this chapter.</p>

ExQ1	Question to:	Question:
		<p>Plate Error! No text of specified style in document.-3 Extract of Figure 1.4 [APP-445]</p>  <p>NOTES</p> <p>KEY</p> <ul style="list-style-type: none"> SIZEWELL LINK ROAD DEVELOPMENT SITE BOUNDARY LISTED BUILDING GRADE I LISTED BUILDING GRADE II* LISTED BUILDING GRADE II WATERCOURSE (OS OPEN RIVERS) FOOTPATH BRIDLEWAY RESTRICTED BYWAY WOODLAND AREA OF OUTSTANDING NATURAL BEAUTY (AONB) FLOOD ZONE 2 FLOOD ZONE 3 RAMSAR SITE OF SPECIAL SCIENTIFIC INTEREST (SSSI) SPECIAL AREA OF CONSERVATION (SAC) SPECIAL LANDSCAPE AREA SPECIAL PROTECTION AREA (SPA)
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>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<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	<p>The answer to Question Bio 1.144 is also directly relevant.</p> <p>The structures described as resembling 11kv transmission lines on the A11 near Thetford are 'Bat gantries', which can be ineffective and these are not proposed in the construction or operational phases for the two village bypass or the Sizewell link road.</p> <p>Bat 'hop-overs' are proposed and are advocated as a simple method to guide bats safely across roads^{53 54}. The aim of hop-overs is to maintain existing bat commuting routes and to increase or keep the bats at height above the traffic when they cross the road.</p> <p>A hop-over consist of tall trees, preferably deciduous trees, as close to the road margins as possible (with due consideration for vehicle safety) on either side of a road to narrow the gap in the commuting route which is created by the new road. In ideal circumstances and in the longer term, the canopy meets over the road to create a continuous canopy. Given the road widths, this approach is more viable for single lane highways rather than dual carriageways.</p>

⁵³ Limpens HJGA, Twisk P, Veenbaas G. 2005. Bats and road construction. Brochure about bats and the ways in which practical measures can be taken to observe the legal duty of care for bats in planning, constructing, reconstructing and managing roads. Dutch Ministry of Transport, Public Works and Water Management Directorate-General for Public Works and Water Management, Road and Hydraulic Engineering Institute, Delft, the Netherlands and the Association for the Study and Conservation of Mammals, Arnhem, the Netherlands.

⁵⁴ Stratmann B 2006. Zur Kollisionswahrscheinlichkeit fliegender oder jagender Fledermäuse bei der Querung von Verkehrswegen. Nyctalus 11, pp. 268-276.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>As stated in Altringham and Berthinussen⁵⁵, although the effectiveness of bat hop-overs has not been assessed, Russell et al. (2009)⁵⁶ observed that bat flights across a 20m road gap were at greater heights where bats approached the road along flight routes with taller roadside vegetation and Berthinussen & Altringham (2012b)⁵⁷ found a positive correlation between road-crossing height and the height of the roadside embankment.</p> <p>Planters containing trees are proposed to maintain connectivity at night during the construction period.</p>
Bio.1.155	The Applicant	<p>[APP-461] Para 7.5.10 – this, in relation to tertiary mitigation, states: “Where feasible, works would be undertaken outside of all tree and hedgerow root protection zones”. How is this a legal requirement? It is evidently not in the CoCP. In these circumstances, how is it (a) tertiary mitigation and (b) secured?</p>
	Response	<p>The approach to working in close proximity to trees to be retained is secured in Part C of the CoCP (Doc Ref. 8.11(B)), in Table 5.1:</p> <p><i>“Trees within or adjacent to the order limits, which are to be retained, will be protected in line with the recommendations in B2 5837:2012 (Ref. 12) ⁵⁸. The following measures will be implemented, as appropriate:</i></p> <ul style="list-style-type: none"> • <i>provision of appropriate protective fencing to reduce the risks associated with vehicles trafficking over root systems or beneath canopies;</i> • <i>measures to prevent compaction of soils;</i> • <i>maintenance of vegetation buffer strips, where practicable;</i> • <i>.....</i> • <i>standard guidance for working within root protection zones including procedures to follow in the event that significant roots are uncovered during work; and...”</i>

⁵⁵ Altringham J. and Berthinussen A - Bats, roads and railways

https://www.google.co.uk/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&cad=rja&uact=8&ved=2ahUKEwIavKXv27fwAhUAQxUIHX7LBekQFjAAegQIBBAD&url=http%3A%2F%2Fsciencesearch.defra.gov.uk%2FDocument.aspx%3FDocument%3D12676_WC1060AppendixA.pdf&usg=AOvVaw1LuzP_KTJFtRg0YYxUrxy_

⁵⁶ Russell AL, Butchkoski CM, Saidak L, McCracken GF. 2009. Road-killed bats, highway design, and the commuting ecology of bats. *Endangered Species Research* 8, 49-60.

⁵⁷ Berthinussen A, Altringham J. 2012b. Do bat gantries and underpasses help bats cross roads safely? *PLoS ONE* 7, e38775.

⁵⁸ British Standards Institution (2012). B2 5837: 2012 ‘Trees in relation to design, demolition and construction – Recommendations’

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>The specific query made in relation to the statement 'Where feasible, works would be undertaken outside of all tree and hedgerow root protection zones' is a best practice approach but is aligned with the plans (for approval) for vegetation retention and vegetation removal [AS-139 and AS-140].</p> <p>All tree works will be carried out under the supervision of the arboriculturalist (see Bio 1.148) who would ensure that any trees and their root protection zones that are to be avoided, will be avoided, in accordance with the approved plans. This measure is also secured in Part C of the CoCP (Doc Ref. 8.11(B)), Table 5.1.</p>
Bio.1.156	The Applicant	<p>[APP-461] – para 7.6.11 says that "Overall, given the primary mitigation measures, habitat loss would result in a temporary, reversible, minor adverse effect, which is considered to be not significant". However it is said earlier (para 7.6.8) that 67% of the woodland within the site will be lost permanently.</p> <p>(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</p> <p>(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.</p>
	Response	<p>a) The proposed woodland planting is secured via way of the Sizewell link road Landscape Masterplan (for approval) [AS-136, AS-137 and AS-138] and by the related Sizewell link road oLEMP [AS-264], secured by Requirement 22A. The woodland planting is part of the landscape and ecology design and offsets the permanent and temporary impacts to the woodland.</p> <p>b) The 67% figure simply reflects the proportion of woodland removed within the site boundary. This percentage is not used in determining the significance of this habitat loss which is a qualitative judgement based on the total woodland resource in the wider area. By way of update, changes to the site boundary and the scheme design, reported in the January 2021 changes application (accepted in April 2021) mean that the area of lowland mixed deciduous woodland within the site boundary in the baseline is now updated as 1.08ha. Of this updated figure, a total of 0.23ha of this is to be retained, with a further 0.2ha to be reinstated after construction. This represents a permanent loss of 0.65ha of lowland mixed deciduous woodland (or a</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		60% loss within the revised site boundary). A large increase in the area of woodland within the boundary of the scheme is proposed (2.69ha in the baseline, compared to 14.09ha in the post-development scenario). In the long term, the loss of woodland habitat will be temporary only. Given this substantive long term increase, the conclusion of paragraph 7.6.11 of Volume 6, Chapter 7 of the ES [APP-461] is not affected.
Bio.1.157	The Applicant	<p>[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.</p>
	Response	The answer to Question Bio 1.138 in this chapter also answers this question.
Bio.1.158	The Applicant	<p>[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.</p>
	Response	<p>The measures to protect trees and woodlands are defined in the CoCP (Doc Ref. 8.11 (B)) secured via way of draft Requirement 2. The detail in respect of Associated Development sites as found at Part C, Section 5, Table 5.1 which states: <i>“The following measures will be implemented, as appropriate:</i></p> <ul style="list-style-type: none"> • .. • <i>provision of appropriate protective fencing to reduce the risks associated with vehicles trafficking over root systems or beneath canopies;</i> • <i>...”</i> <p>However, these fencing measures for trees and woodlands do not address the commitment made in respect of using close-boarded fences adjacent to woodlands to mitigate the noise impacts to birds (or other wildlife) defined in the ES quoted left. The Applicant has added additional measure to the CoCP Part C (Doc Ref. 8.11(B)), Section 5, Table 5.1 as follows: <i>“The following measures will be implemented, as appropriate:</i></p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> • .. • provision of close-boarded fencing adjacent to any retained woodlands adjacent to the construction areas to reduce the noise impacts to ecological receptors (including birds, bats) in retained woodlands; • ... "
Bio.1.159	The Applicant	<p>[APP-461] – para 7.6.100. Please see the question on the Two village bypass [APP-425] – para 7.6.129.</p>
	Response	This question has been addressed in the answer Question Bio 1.15 in this chapter.
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>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	<p>The primary mitigation details included in Section 5.5 of Volume 6, Chapter 5 [APP-454] are relevant as well as the tertiary mitigation measures detailed.</p> <p>As discussed above, in response to Question Bio 1.15 in this chapter, historic background deposition rates are likely to have been high for decades. The modelling undertaken has assumed the worst-case scenario not factoring in recent government announcements regarding the phasing out of combustion engine vehicles and the transition to electric. Based on this policy change, NOx and N deposition are expected to fall considerably in the next two decades.</p> <p>Whilst woodland habitats can be adversely affected by increased nitrogen deposition dose-response data (published in Natural England Commissioned Report 210 and summarised in Table 21 of that report⁵⁹) indicate that for species-richness many habitats see a lessening effect from further nitrogen deposition when nitrogen is already in excess, as the major changes in species composition have already occurred. Moreover, responses to further nitrogen in a given woodland can vary dependent upon other parameters such as the ground flora, drainage, canopy cover which can intercept light and rainfall.</p>
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	<p>Design changes subsequent to the ES submission made in the January 2021 changes application, and additional ground-truthing survey data, have resulted in minor changes to the lengths of hedgerows to be retained and created. These updated lengths are reported in the updated Biodiversity Net Gain report for the Sizewell link road [REP1-017]. 3.487km of hedgerow will be retained and is the quantum of '<i>unaffected hedgerow</i>' while the total quantum of hedgerow to be created is 13.49km.</p>
Bio.1.162	The Applicant	<p>[APP-461] – para 7.6.128.</p> <p>The sentence containing the conclusion on inter-relationship effects is incomplete. Please could the Applicant supply the missing words.</p>

⁵⁹ Natural England Commissioned Report 210, Assessing the effects of small increments of atmospheric nitrogen deposition (above the critical load) on semi-natural habitats of conservation importance, 2016 [Online] <http://publications.naturalengland.org.uk/file/6431114569711616>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	<p>Para 7.6.128 and 7.6.129 of Volume 6, Chapter 7 of the ES [APP-461] should be re-written to say the following:</p> <p><i>"7.6.128: The assessment has considered the impacts of noise, lighting, air and water on all the IEFs identified as part of the assessment. The potential effect on all IEFs, have been assessed individually as not significant.</i></p> <p><i>7.6.129: It is considered the potential for inter-relationship effects on terrestrial ecology and ornithology IEFs, that could occur, is also not significant based on the assessment presented in this chapter."</i></p>
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>
	Response	<p>(i) The compounds are shown in likely locations with an indicative extent which would be optimised in due course. The locations are within the original application boundary</p> <p>(a) There are no specific mechanisms or relevant provisions within the DCO to finalising the precise layout of the compounds.</p> <p>Given that the compounds are within the original application boundary, the potential temporary landtake of these areas has been considered within the original assessment and there is no bespoke assessment for the compounds as features in their own right. The compounds would be in an intensively farmed landscape of low ecological value and no further ecological assessment was considered necessary.</p> <p>(b) Schedule 1,Part 2 of the draft DCO [AS-143] authorises other associated development in connection with the Sizewell link road, including the construction and provision of building compounds. Subsection (e) of Part 2 sets out the necessary works in connection</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>with establishing temporary construction areas and compounds, which includes demolition and site clearance and the formation of construction vehicle access routes as required.</p> <p>The answer to Question Bio 1.146 in this chapter (in respect of the two village bypass) is also relevant here.</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>
	Response	<p>The ExA is directed to the answer to Question Bio 1.149 in this chapter for the two village bypass, which is directly applicable here for the Sizewell link road. The same approach would be used in any updates to both documents.</p>
Bio.1.165	The Applicant	<p>[AS-264] SLR oLEMP. Tables 5.1, 5.2 and in this case also 5.3.</p> <p>Please see the comment and question on the corresponding tables in the Two-village bypass oLEMP, [AS-263].</p>
	Response	<p>The Applicant has reviewed Tables 5.1, 5.2 and 5.3 of the Sizewell link road oLEMP [AS-264] and can confirm that all phases of intent to specify what is to be done are seen as imperative.</p>
Part 7 -Biodiversity and ecology (terrestrial) - Yoxford Roundabout		
Bio.1.166	The Applicant	<p>[APP-494] para 7.4.65 – air quality and dust deposition.</p> <p>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.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	<p>Paragraphs 7.4.65 and 7.4.89 of Volume 7, Chapter 7 of the ES [APP-494] refer to potential increases in nitrogen deposition through changes in air quality through increased HGV usage. This paragraph gives conclusions on deposition only, and the reference to concentrations relates to the loading of nitrogen deposition. In hindsight deposition rate may have been a more accurate term to use.</p>
Bio.1.167	The Applicant	<p>[APP-494] para 7.4.80 – effects of water quality changes.</p> <p>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”.</p> <p>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?</p> <p>Please will the Applicant address these questions.</p> <p>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.</p>
	Response	<p>The assessment and mitigation of risk from pollution from the Yoxford roundabout to the surrounding environment, including the River Yox and into the catchment of the designated habitats (Minsmere to Walberswick Heaths and Marshes SPA, SAC, Ramsar Site, and SSSI) has been considered in Volume 7, Chapter 12 of the ES [APP-507]. With the application of the mitigation measures identified, the risk from both lateral migration of existing contamination and discharge of contaminants from construction activities is considered to remain the same as the baseline risk.</p> <p>The Outline Drainage Strategy (Doc Ref. 6.3 2A (A)) identifies for Yoxford roundabout that the attenuation stage of the drainage strategy will provide treatment on site before infiltration to ground or discharge to a watercourse.</p> <p>The question of whether the proposed means of disposing highway runoff creates an unacceptable risk of pollution to the water environment is determined by the Environment</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>Agency and SCC as the relevant regulatory authorities. To the extent that any increase in pollution risk not considered by them to be de minimis, regulatory consents such as Environmental Permits will be required. Such consents will contain conditions and quality standards to be delivered to ensure no unacceptable impacts.</p> <p>The design of the mitigation measures forms part of the detailed design process and is supported by specific pollution risk assessment to be chosen and carried out in close liaison with stakeholders. The Environment Agency and SCC have confirmed to SZC that the basis of assessing risk of pollution is to be use of the Highways England Water Risk Assessment Tool (HEWRAT) which is specifically designed for assessment of highway runoff to ensure no unacceptable increase in pollution risk to the water environment, either groundwater and aquifer, or watercourse.</p> <p>Consequently, the removal of pollutants is undertaken to a risk-based approach and the degree of minimisation will be set under the appropriate consent / permit. The means of pollutant removal (i.e. specific technique) will be in accordance with the Outline Drainage Strategy, whilst meeting the needs of stakeholders, the adopting Highway Authority and fulfilling the performance specification required by the pollution risk assessment. This detailed design work is ongoing.</p> <p>Before development on the relevant authorised development (including the associated development sites) can commence Requirement 5 of the draft DCO (Doc Ref. 3.1(C)) requires details of the surface and foul water drainage system for that part (including management and maintenance arrangements, means of pollution control, sewage treatment works and a programme of construction and implementation) to be submitted to and approved by East Suffolk Council, following consultation with the Environment Agency, the relevant Statutory Nature Conservation Body, the relevant Internal Drainage Board, the Lead Local Flood Authority and the drainage authority.</p> <p>Discharges from the site will be approved and enforced under the relevant permitting and consenting regime. It is common for the permits and consents to set and enforce limits with respect to quantity and quality, which are agreed in the context of the receiving water bodies and sensitivity of the downstream habitats. Whilst the permits and consents required for this site have not been concluded, it is expected that the following permits/consents may apply: Environmental Permitting Regulations 2016 (EPR) permit for discharge to a watercourse, a Flood Risk Activity Permit (FRAP) for works around a main</p>

ExQ1	Question to:	Question:
		river and Land Drainage Act 1991 (LDA) consent for ordinary watercourse works, to be agreed with the respective approving authorities. The same applies for paragraphs 7.4.84 and 95 of Volume 7, Chapter 7 of the ES [APP-494].
Part 8 - Biodiversity and ecology (terrestrial) - Freight Management Facility ("FMF")		
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	There is no proposed construction access to the freight management facility from the A12. The construction access would be from the existing Felixstowe Road at the same location as the proposed permanent access. Therefore, 'A12' should read 'Felixstowe Road' in paragraph 2.4.11 of the description of the freight management facility [APP-511] and [AS-297] is correct.
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	Species listed under Section 41 of the NERC Act ⁶⁰ are covered in Volume 8, Chapter 7 of the ES [APP-523] and are as follows: <ul style="list-style-type: none"> • Section 1.5.17- hedgerows • Section 1.5.19- ponds, whilst not within the site boundary several ponds are located immediately adjacent to the site. • Section 1.5.27- potential for small numbers of reptiles along the field margins. However, given the location of the site and surrounding habitats, reptiles were considered unlikely to be present. • Section 1.5.42- brown hare confirmed as present. • Section 1.6.16- potential for tanner beetle. However, not confirmed as present.

⁶⁰ Parliament of the United Kingdom, Natural Environment and Rural Communities Act 2006, London. 2006

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> Section 1.6.24- farmland birds.
Bio.1.170	The Applicant	<p>[APP-523] – Table 7.4. Please will the Applicant explain why there is no Survey Area for the statutory and non-statutory designated sites.</p>
	Response	<p>Given the size of the sites, the scale and nature of the proposed development its location and proximity to the statutory and non-statutory designated sites (identified in Volume 8, Chapter 7, Figure 7.1 of the ES [APP-525]) the table states “N/A” as no physical surveys of these sites were carried out and no ‘survey area’ is relevant. However, these sites have been considered as part of the assessment based on desk study information.</p>
Bio.1.171	The Applicant	<p>[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?</p>
	Response	<p>The Applicant can confirm that the statement in paragraph 7.5.6 of Volume 8, Chapter 7 of the ES [APP-523] has been reviewed. As part of the response to Bio. 1.17 the Applicant has reviewed details of tertiary mitigation included within each terrestrial ecology and ornithology assessment within the ES. Table 7.7 of Appendix 7C provide a summary of the tertiary mitigation relevant to the terrestrial ecology and ornithology assessment for the freight management facility and identified where updates have been made to the CoCP submitted at deadline 2 (Doc Ref. 8.11 (B)), and to provide details of where tertiary mitigation measures that are included in CoCP can be found.</p> <p>Tertiary mitigation relevant to the freight management facility is contained within the following parts of the CoCP (Doc Ref.8.11(B)):</p> <ul style="list-style-type: none"> Part A: Project Wide Controls, which sets out how construction activities will be managed and controlled in order to deliver many of the mitigation commitments arising from the construction stages of the Sizewell C Project. Part C: Off-site Associated Developments, which sets out those measures relevant to the off-site associated developments including the freight management facility. <p>In addition to the details of the tertiary mitigation relevant to terrestrial ecology and ornithology at the freight management facility, provided at Paragraph 7.5.7 to 7.5.14 of [APP-523], paragraph 7.5.15 identifies that mitigation within the Noise and Vibration [APP-515], Air Quality [APP-517] and Groundwater and Surface Water [APP-536]</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>chapters of Volume 8 the ES are relevant to the freight management facility. These measures are detailed within the following sections of Part C of the CoCP (Doc Ref. 8.11(B)):</p> <ul style="list-style-type: none"> • Section 3: Noise and Vibration; • Section 4: Air Quality; • Section 6: Terrestrial Ecology; and • Section 11: Ground Water ad Surface Water. <p>Please also refer to the response provided in Question Bio.1.172 in this chapter in relation to the geo-cellular storage system.</p>
Bio.1.172	The Applicant, SCC, ESC	<p>[APP-523] – para 7.5.7.</p> <p>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.</p>
	Response	<p>This is an error. This should not be included within the tertiary mitigation section of Volume 8, Chapter 7 of the ES [APP-523] and should be included within the 7th bullet point of Paragraph 7.5.4 where primary mitigation is listed.</p> <p>Across the ES, the geo-cellular storage system is considered to be primary mitigation and is detailed as this within paragraph 12.5.5 of Volume 8, Chapter 12 of the ES [AS-536] as it forms part of the Sustainable Drainage System which is secured via draft Requirement 20. This is supported by Table 3.3 of the Associated development Design Principles (Doc Ref. 8.3(A)) which describes the primary mitigation (embedded mitigation) that has informed the assessment of the likely significant environmental effects of the Sizewell C Project in the Environmental Impact Assessment (EIA) process.</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>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	The Applicant can confirm that the mitigation described within para 7.5.10 of Volume 8, Chapter 7 [APP-523] will be implemented throughout the duration of the works and will only be removed upon completion. This mitigation is secured through Requirement 2 as it forms part of Part C of the CoCP (Table 5.1)(Doc Ref. 8.11(B)).
Bio.1.174	The Applicant	[APP-523] – para 7.6.3 – operational effects, lighting. 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 ...”. Where is this secured?
	Response	Having reviewed the text, the Applicant believes this to be a reference to [APP-523] paragraphs 7.5.4 and 7.6.38, rather than 7.6.3 and the response is provided on that basis. The various commitments to lighting of the freight management facility are secured in the Associated Development Design Principles (Doc Ref. 8.3(A)) which is in turn secured via draft Requirement 20. This commitment is listed (as a CMS) in Table 3.3 under the Sustainability Principles (Principle 7).
Bio.1.175	The Applicant	[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> ” (i) Where is this secured? (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.
	Response	Having reviewed the text, the Applicant believes this to be a reference to [APP-523] (para. 7.6.39, rather than 7.6.4) and the response is provided on that basis. (i) The various commitments to lighting of the freight management facility are secured in the Associated Development Design Principles (Doc Ref. 8.3(A)) which is in turn secured via draft Requirement 20.

ExQ1	Question to:	Question:
		<p>This commitment is listed (as a CMS) in Table 3.3 under the Sustainability Principles (Principle 3).</p> <p>(ii)</p> <p>The approach to securing embedded mitigation is to define this mitigation within a number of plans or documents which are themselves secured, via the DCO, including:</p> <ul style="list-style-type: none"> • Design Principles (such as in this case) • Plans for Approval (e.g. vegetation retention, parameters) • The Code of Construction Practice (for management of construction impacts) (Doc Ref.8.11 (B)), secured via draft Requirement 2 • Bespoke strategies (such as the Fen Meadow Strategy [AS-209] or the TEMMP [REP1-016]) for particular elements which require greater definition, secured via relevant requirements <p>The level of detail provided is considered appropriate and commensurate with the scale of the proposals and the need to provide clarity to stakeholders including technical stakeholders and local residents. In many cases, documents have been developed through extensive engagement with stakeholders and this is reflected in the detail presented.</p>
Bio.1.176	The Applicant	<p>[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>”)</p>
	Response	<p>This question has been added as part of the Questions under freight management facility but refers to the Sizewell jink road ES Chapter (Volume 5, Chapter 7 [APP-461]) and is answered on that basis.</p> <p>The paragraph included within the Volume 5, Chapter 7 [APP-461] does include some typographical errors and should read as follows:</p> <p><i>‘Within the site there are four watercourses; of which two are classified as Main Rivers by the Environment Agency (referred to as the Middleton Watercourse and Theberton Watercourse in Chapters 2 and 12 of Volume 5 [APP-411 and APP-441]), and two further watercourses which are unnamed. In addition, there are seven ditches within the site boundary, making a total of eleven surface water features.</i></p>

ExQ1	Question to:	Question:
		<i>Ten of the eleven surface water features (Middleton Watercourse, Theberton Watercourse, an unnamed watercourse and seven ditches) were surveyed at the time of the Phase 1 habitat survey in 2019. At the time of the Phase 1 habitat survey, the ditches present were dry and most had recently been cleared of all aquatic and marginal vegetation.'</i>
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	Access was not granted to undertake baseline surveys for the proposed rail improvement works and therefore the baseline was composed from available desk study information. A precautionary approach was taken to value potential protected habitats and species within the survey area and undertake an impact assessment on the worst case scenario, i.e. great crested newt were considered present in all ponds within 500m of Bratts Black House on the absence of further data and therefore all were scoped in to the detailed assessment. Surveys are being undertaken in Spring 2021 including eDNA and population surveys of great crested newts in ponds and the results will be reported into Examination as soon as possible.
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	This is a typographical error. Volume 9, Figure 7.4 of the ES [APP-557] is the correct figure as it shows the pond locations.
Bio.1.179	The Applicant	[APP-555] para 7.4.20 – Amphibians.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>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?</p>
	<p>Response</p>	<p>Paragraphs 7.4.15- 7.4.19 of Volume 9, Chapter 7 of the ES [APP-555] detail the confirmed presence of great crested newts and the locations where they have been confirmed as present. Para 7.4.19 also summarises the habitat types present and suitability and paras 7.4.51-54 describe the habitat suitability of the site and the surrounds and the population importance.</p> <p>Table 7.11 of Volume 9, Chapter 7 of the ES [APP-555] confirms that the species is scoped in as an IEF for detailed assessment in relation to the proposed rail route extension and the proposed rail improvement works at Bratt’s Black House. These two assessments on great crested newts are presented at paragraphs 7.6.7-7.6.24 and 7.6.50-7.6.55. In each case the conclusion is that the effects would not be significant.</p>
<p>Bio.1.180</p>	<p>The Applicant</p>	<p>[APP-555] para 7.4.47.</p> <p>What conclusion was reached regarding the importance of chicory and Gold of pleasure? Where is this stated?</p>
	<p>Response</p>	<p>Paragraphs 7.4.47 of Volume 9, Chapter 7 of the ES [APP-555] identifies desk study records for Chicory and Gold-of-pleasure in the vicinity.</p> <p>The desk study record for Chicory was located 150m to the north-east of the site boundary and therefore, unlikely to be impacted by the works during any of the project stages and was scoped out of further assessment.</p> <p>Para 7.4.47 of Volume 9, Chapter 7 of the ES [APP-555] identifies Gold-of-pleasure as being present and potentially present within roadside verges, field margins and rough grassland. However this plant species has not been identified during any of the surveys undertaken to date for the green rail route or Other Rail Improvements and therefore has not been considered any further within the assessment.</p> <p>It is acknowledged by the Applicant that this should have been clearly stipulated in chapter. Both species are currently considered non- native species within the British flora.</p>
<p>Bio.1.181</p>	<p>The Applicant</p>	<p>[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”.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>(i) Please will the Applicant unpack this paragraph. The reasoning is not clear to the ExA.</p> <p>(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.</p>
Bio.1.182	The Applicant	<p>(i) Paragraph 7.6.14 of Volume 9, Chapter 7 of the ES [APP-555] considers the potential impacts upon great crested newt due to hedgerow removal works and the potential for habitat fragmentation. Construction activity would sever hedgerows H2, H4, H5 and H7. However, given the distances of these hedgerows from confirmed great crested newt populations, and the relatively short sections to be removed, as well as the retention of wider landscape features, habitat fragmentation/ severance is not anticipated to be not significant.</p> <p>The ponds which would be separated by the new rail route do not have any existing connectivity to each other. These ponds are surrounded by arable fields and have their own areas of woodland habitat immediately adjacent to them providing places of shelter and hibernation opportunities in close proximity to the breeding ponds. Therefore, fragmentation from the scheme is unlikely.</p> <p>In general, great crested newt meta-populations are likely to be within 250m of one another. Given the conditions along the green rail route scheme corridor, the lack of connectivity between the groups of ponds (within 500m of the site boundary), and the nature of available habitat remaining surrounding these ponds, it is unlikely that any great crested newts within 500m of the site will be greatly impacted by this severance.</p> <p>(ii) The Applicant confirms that the assessment considers the likely significance of an effect upon great crested newts in relation to the green rail route proposal. In addition, the test of likely significance has been included within the draft non-licensable method statement as based on the survey information collected to date, a protected species licence is not anticipated.</p> <p>[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</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	<p>Response</p>	<p>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?</p> <p>The majority of ponds previously surveyed in the vicinity of the green rail route were scoped out for further surveys as they were considered to be unsuitable although great crested newts are present in ponds 2, 4, 7, 26, 27, 28, 30 and 55 which are all within 500m of the redline boundary. None of the ponds with confirmed great crested newt presence are within the redline boundary of the green rail route. The response to Question Bio 1.181 above describes distribution of the newt population and the existing the levels of connectivity.</p> <p>Whilst the rail extension route will be constructed and operational for a duration of 9-12 years, this will accommodate a small number of train movements per day and the track and ballast will not pose an impermeable barrier or significant hazard to newts during the operational stage. Great crested newts have often been found in track ballast.</p> <p>Given the habitat conditions on site, surrounding habitats, survey findings to date and pond distribution, a protected species licence for great crested newts is currently not anticipated to be required in relation to the green rail route. However, a non-licensable method statement has been produced and included at Volume 9, Appendix 7A.A6B of the ES [APP-556].</p>
Bio.1.183	The Applicant	<p>[APP-555] para 7.6.85.</p> <p>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.</p> <p>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.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	<p>As in the response for question Bio1.18 above (for Sizewell Link Road), the statement in paragraph 7.6.85 in Volume 9, Chapter 7 of the ES [APP-555] is based upon reviews of "<i>available literature</i>" which is limited.</p> <p>As detailed in the chapter, and in the above Question Bio.1.182 response, whilst great crested newts have been confirmed as being within the locality, given the habitat types present beneath the footprint of the green rail route corridor, presence is considered to be low risk and that a non-licensable method statement has been proposed to cover potential construction phase works.</p>
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	This is correct. The only change has been an increase in rail movements and the change to rail movements does not lead to any different effects on terrestrial ecology and ornithology.
Bio.1.185	The Applicant	[APP-555] – para 7.7.7 – monitoring during operation. How is this monitoring secured?
	Response	<p>The measures in respect of badgers and lighting will be secured via way of the Terrestrial Ecology Monitoring and Mitigation Plan [REP1-016] which would apply to the operational phase of the proposed rail extension. The details are included within Section 5.1.</p> <p>The monitoring and maintenance of any bat boxes would be secured via any protected species licence for bat roosts lost along the route. At present no bat roosts are considered likely to be lost along the route of the proposed rail extension. Part C of the CoCP (Doc Ref. 8.11(B)) states that where protected species licences are required, SZC Co. will ensure that such licences are sought from Natural England prior to relevant works commencing.</p>

ExQ1	Question to:	Question:
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	<p>[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?</p> <p>The Applicant has referred to protected species licensing in [APP-153].</p> <p>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.</p> <p>If possible, please can this be addressed as a discrete item in the SoCG between Natural England and the Applicant.</p>
	Response	<p>A number of draft protected species licenses and non-licensable method statements have already been produced and were included within the May 2021 DCO application. The draft licenses will be updated as relevant to include 2021 survey data (for example for great crested newts and bat roosts) and submitted to Natural England in Summer 2021:</p> <p><u>Main development site:</u></p> <p>Protected species licenses:</p> <ul style="list-style-type: none"> • Deptford Pink included at Appendix 2.9.C1 of the ES Addendum [AS-209]; • Badger included at Volume 2, Appendix 14C3B of the ES [APP-225] • Natterjack Toad included at Appendix 2.9.C3 and 2.9.C4 of the ES Addendum [AS-209]; • Water Vole included at Appendix 2.9.C5 of the ES Addendum [AS-209]; and • Otter included at Volume 2, Appendix 14C10 of the ES [APP-252]. <p>Non-licensable method statements:</p> <ul style="list-style-type: none"> • Great Crested Newt included at 2.9.C2 of the ES Addendum [AS-209]; • Reptile included at Volume 2, Appendix 14C2B of the ES [APP-252]. <p><u>Northern park and ride:</u></p> <p>Protected species licenses:</p> <ul style="list-style-type: none"> • Great Crested Newt included at Volume 3, Appendix 7A5 of the ES [APP-364].

ExQ1	Question to:	Question:
		<p>Non-licensable method statements:</p> <ul style="list-style-type: none"> • Bat included at Volume 3, Appendix 7A6A of the ES [APP-364]; and • Reptile included at Volume 3, Appendix 7A6B of the ES [APP-364]. <p><u>Southern park and ride:</u></p> <p>Protected species licenses:</p> <ul style="list-style-type: none"> • N/A <p>Non-licensable method statements:</p> <ul style="list-style-type: none"> • Bat included at Volume 4, Appendix 7A5A of the ES [APP-395]; and • Reptile included at Volume 4, Appendix 7A5B of the ES [APP-395]. <p><u>Two village bypass:</u></p> <p>Protected species licenses:</p> <ul style="list-style-type: none"> • Badger included at Volume 5, Appendix 7A5A of the ES [APP-426]; and • Water Vole included at Volume 5, Appendix 7A5B of the ES [APP-426]. <p>Non-licensable method statements:</p> <ul style="list-style-type: none"> • Bat included at Volume 5, Appendix 7A6A of the ES [APP-426]; • Great Crested Newt included at Volume 5, Appendix 7A6B of the ES [APP-426]; • Otter included at Volume 5, Appendix 7A6C of the ES [APP-426]; and • Reptile included at Volume 5, Appendix 7A6D of the ES [APP-426]. <p><u>Sizewell link road:</u></p> <p>Protected species licenses:</p> <ul style="list-style-type: none"> • Great Crested Newt included at Volume 6, Appendix 7A5A of the ES [APP-462]. <p>Non-licensable method statements:</p> <ul style="list-style-type: none"> • Reptile included at Volume 6, Appendix 7A6A of the ES [APP-462]; and • Bats included at Volume 6, Appendix 7A6B of the ES [APP-462]. <p><u>Freight management facility:</u></p> <p>Protected species licenses:</p> <ul style="list-style-type: none"> • N/A <p>Non-licensable method statements:</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> • Bat included at Volume 8, Appendix 7A4A of the ES [APP-524]; and • Reptile included at Volume 8, Appendix 7A4B of the ES [APP-524]. <p><u>Green rail route:</u></p> <p>Protected species licenses:</p> <ul style="list-style-type: none"> • Bat included at Volume 9, Appendix 7A5 of the ES [APP-556] <p>Non-licensable method statements:</p> <ul style="list-style-type: none"> • Great Crested Newt included at Volume 9, Appendix 7A6A of the ES [APP-556] • Reptile included at Volume 9, Appendix 7A6B of the ES [APP-556] <p>The Applicant will seek to secure a Letter of No Impediment (LoNI) from Natural England in relation to licensable protected species at the earliest opportunity and within the Examination timetable. No LoNI have yet been secured. The Applicant will share submissions and progress with the ExA and will work with Natural England to provide updates via the SoCG between the two parties.</p>
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	The Applicant has endeavoured to explore strategic approaches including district licensing for great crested newt with Natural England. In the absence of an agreed approach with Natural England on these matters, SZC Co considered it prudent to progress with a traditional approach to great crested newts licensing to ensure there are no delays to the processing of licence applications. Draft licences will be submitted to Natural England in Summer 2021, once population surveys have been completed. See also the answer to Question Bio 1.186 above.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
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	No response from the Applicant is required.
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 not make it clear. From the ExA's unaccompanied site inspection to the Westleton site it appeared to be dry.</p>
	Response	<p>The Applicant can confirm that the Westleton site is dry. It is only included within the application in the event that the Secretary of State considers that further marsh harrier compensatory habitats are required in addition to those defined in the HRA Compensation report [APP-152]. The Applicant's position is that sufficient compensatory habitat is provided within the EDF Energy estate, particularly with the inclusion of the wetland component (see Question Bio 1. 48 above).</p>

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

ExQ1	Question to:	Question:
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> <p>If there are differences of opinion between Natural England and the Applicant,12 please flag and explain them. This document should be kept up to date and a final version submitted at the final deadline.</p>

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

ExQ1	Question to:	Question:
	Response	<p>The Applicant's response to Question HRA. 1.1 in Chapter 8 (this part) of this report sets out the implications of The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019⁶¹ (which amend the 2017 Regulations) on the conclusions reached in the Shadow HRA Report (all volumes, including the reporting on the derogation steps) [APP-145 to APP-152] and the Shadow HRA Report Addendum [AS-173].</p> <p>In short, the Applicant's view is that the changes brought about by the 2019 Regulations, including related guidance, do not impact the approach to, or conclusions of, the Shadow HRA Report [APP-145 to APP-152] and the Shadow HRA Report Addendum [AS-173].</p> <p><i>Brexit, the Status of relevant European Directives in general and ECJ Case Law</i></p> <p>As of 1 January 2021 the United Kingdom left the European Union. The European Union (Withdrawal) Act 2018 ('the Withdrawal Act')⁶², ss2-7 governs the role which legislation derived from European Legal Instruments continues to have in the UK.</p> <p>Section 2(1) Withdrawal Act provides that EU-derived domestic legislation, as it has effect in domestic law immediately before 31 December 2020 continues to have effect in domestic law on and after that date. This is subject to some exceptions as contained in section 5 and Schedule 1. These are not relevant to the application.</p> <p>Decisions of the CJEU made prior to 31 December 2020 continue to have effect in the UK by virtue of section 3 of the Withdrawal Act. At present, those decisions may only be departed from by the Supreme Court and Court of Appeal and not any lower tribunal (s6 of the Withdrawal Act). Decisions of the CJEU made after 31 December 2020 are to be treated as 'persuasive authority' (i.e. not binding but carrying weight) (see s6 Withdrawal Act).</p> <p><i>The Habitats Directive and The Conservation of Habitats and Species Regulations 2017 No. 1012 ('the HR')</i></p> <p>The Habitats Directive (Council Directive 92/43/EEC)⁶³ does not itself have any status under domestic law, however the Habitats Directive is transposed into English and Welsh</p>

⁶¹ Parliament of the United Kingdom, Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019. London 2019.

⁶² Parliament of the United Kingdom, European Union (Withdrawal Agreement) Act 2020. London 2020.

⁶³ Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (Habitats Directive). Official Journal of the European Communities. 1992

ExQ1	Question to:	Question:
		<p>law by the Conservation of Habitats and Species Regulations 2017 ('the Habitats Regulations'). The Habitats Regulations continue to have effect by virtue of section 2 of the Withdrawal Act.</p> <p>The Habitats Regulations were amended by Part 3 of the Conservation of Habitats and Species (Amendment)(EU Exit) Regulations 2019 ('the 2019 Amendment Regulations') to ensure that the Habitats Regulations are 'fit for purpose' following Brexit. The 2019 Amendment Regulations came into force at the end of the transition period, on 31 December 2020 at 11pm.</p> <p>As a result of the 2019 Amendment Regulations the SACs and SPAs in the UK no longer form part of the European Union's Natura ecological network. The 2019 Amendment Regulations have created a national site network ('NSN') which includes existing SACs and SPAs and any new SACs and SPAs designated under the Regulations. Ramsar sites or Designated Wetlands of International Importance do not form part of the NSN but continue to be protected under policy.</p> <p>The 2019 Amendment Regulations establish management objectives for the NSN, called network objectives. Regulation 13 of the 2019 Amendment Regulations inserted a new Regulation 16A into the 2017 Regulations which now provides:</p> <ol style="list-style-type: none"> (1) The appropriate authority must, in co-operation with any other authority having a corresponding responsibility, manage, and where necessary adapt, the national site network, so far as it consists of European sites, with a view to contributing to the achievement of the management objectives of the national site network. (2) The management objectives of the national site network are – <ol style="list-style-type: none"> (a) To maintain at, or where appropriate restore to, a favourable conservation status in their natural range (so far as it lies in the United Kingdom's territory, and so far as is proportionate) – <ol style="list-style-type: none"> (i) The natural habitat types listed in Annex I to the Habitats Directive; (ii) The species listed in Annex II to that Directive whose natural range includes any part of the United Kingdom's territory; (b) To contribute, in their area of distribution, to ensuring the survival and reproduction of <ol style="list-style-type: none"> (i) The species of birds listed in Annex I to the new Wild Birds Directive which naturally occur in the United Kingdom's territory;

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> (ii) Regularly occurring migratory species of birds not listed in that Annex which naturally occur in the United Kingdom's territory; (c) To contribute to securing compliance with the requirements of Article 2 of the new Wild Birds Directive for the purposes of the duty in regulation 9(1) in relation to the species of birds in paragraph (b) within their area of distribution. (3) In complying with the obligation in paragraph (1), the appropriate authority must have regard – <ul style="list-style-type: none"> (a) In relation to any European sites which are not of a kind mentioned in regulation 8(1)(d), to the considerations mentioned in paragraph (4); (b) In relation to European sites of a kind mentioned in regulation 8(1)(d), to the considerations mentioned in paragraph (5). (4) The considerations mentioned in paragraph (3)(a) are – <ul style="list-style-type: none"> (a) The importance of the sites for meeting the objective in paragraph (2)(a); (b) The importance of the sites for the coherence of the national site network; (c) The threats of degradation or destruction (including deterioration and disturbance of protected features) to which the sites are exposed. (5) The considerations mentioned in paragraph (3)(b) are- <ul style="list-style-type: none"> (a) The importance of the sites for meeting the objectives in paragraph 2(b) and (c); (b) In the case of migratory species, the importance of their breeding, moulting and wintering areas and staging points along their migration routes; (c) The importance of the sites for the coherence of national site network; (d) The threats of degradation or destruction (including deterioration and disturbance of protected features) to which the sites are exposed. (6) In paragraph (2)(a), "<i>proportionate</i>" means proportionate to the relative importance of – <ul style="list-style-type: none"> (a) The part of the natural range lying in the United Kingdom's territory, and (b) The part of the natural range lying outside the United Kingdom's Territory for achieving a favourable conservation status.

ExQ1	Question to:	Question:
		<p>A number of the changes involve transferring functions from the European Commission to the appropriate authorities in England and Wales. The basic obligations of the competent authorities have not changed. Changes falling into the category of transferring functions include:</p> <ul style="list-style-type: none"> a. An amended process for the designation of SACs; b. Arrangements for reporting on the implementation of the 2017 Regulations (as amended), given that the UK no longer provides reports to the European Commission; c. Arrangements replacing the European Commission’s functions with regard to the IROPI test where a plan or project affects a priority habitat or species (this is not relevant to the IROPI case at SZC as the marsh harrier is not a priority species); and d. Arrangements for amending schedules to the 2017 Regulations (as amended) and the annexes to the Nature Directives that apply to the UK. <p>Key provisions in the Habitats Regulations remain unchanged.</p> <p>Regulation 9(1) has not been amended. It still states that <i>"the appropriate authority, the nature conservation bodies and, in relation to the marine area, a competent authority must exercise their functions which are relevant to nature conservation, including marine conservation, so as to secure compliance with the requirements of the Directives."</i></p> <p>The basic obligations under Regulations 63 and 64 Habitats Regulations remain unchanged. Key parts state:</p> <p>63 – Assessment of implications for European sites and European offshore marine sites</p> <p>(1) A competent authority, before deciding to undertake, or give any consent, permission or other authorisation for, a plan or project which—</p> <ul style="list-style-type: none"> (a) is likely to have a significant effect on a European site or a European offshore marine site (either alone or in combination with other plans or projects), and (b) is not directly connected with or necessary to the management of that site,

ExQ1	Question to:	Question:
		<p>must make an appropriate assessment of the implications of the plan or project for that site in view of that site's conservation objectives.</p> <p>(2) A person applying for any such consent, permission or other authorisation must provide such information as the competent authority may reasonably require for the purposes of the assessment or to enable it to determine whether an appropriate assessment is required.</p> <p>(3) The competent authority must for the purposes of the assessment consult the appropriate nature conservation body and have regard to any representations made by that body within such reasonable time as the authority specifies.</p> <p>(4) It must also, if it considers it appropriate, take the opinion of the general public, and if it does so, it must take such steps for that purpose as it considers appropriate.</p> <p>(5) In the light of the conclusions of the assessment, and subject to regulation 64, the competent authority may agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the European site or the European offshore marine site (as the case may be).</p> <p>(6) In considering whether a plan or project will adversely affect the integrity of the site, the competent authority must have regard to the manner in which it is proposed to be carried out or to any conditions or restrictions subject to which it proposes that the consent, permission or other authorisation should be given...</p> <p>64.— Considerations of overriding public interest</p> <p>(1) If the competent authority is satisfied that, there being no alternative solutions, the plan or project must be carried out for imperative reasons of overriding public interest (which, subject to paragraph (2), may be of a social or economic nature), it may agree to the plan or project notwithstanding a negative assessment of the implications for the European site or the European offshore marine site (as the case may be)...</p> <p>There has been one relevant change to regulation 64 which is that the Secretary of State is no longer required to seek the opinion of the European Commission in certain circumstances.</p> <p>Notably, the key regulations above (63 and 64) still refer to the protected sites as</p>

ExQ1	Question to:	Question:
		<p>'European sites'.</p> <p><i>The New Guidance</i></p> <p>On 24 February 2021 DEFRA, Natural England, the Welsh Government and Natural Resources Wales published new guidance:- .</p> <ul style="list-style-type: none"> - Habitats regulations assessments: protecting a European site - Duty to protect, conserve and restore European sites - Habitats regulations assessment: derogation notice <p>This guidance has no statutory status. Each document is addressed briefly.</p> <p><i>Habitats regulations assessments: protecting a European site</i></p> <p>This guidance represents the re-statement of principles which are already found in relevant case-law and previous guidance. The guidance does not necessitate the revision of the HRA.</p> <p><i>Duty to protect, conserve and restore European sites</i></p> <p>This guidance states that competent authorities must take action to help protect, conserve and restore the protected habitats and species of European sites, including when taking decisions that might affect a site. The guidance notes that competent authorities have a duty to consider how they can help to:</p> <ul style="list-style-type: none"> • protect, conserve or restore the designated features of the site to meet their conservation objectives • prevent the deterioration of the site's habitats from human activity or natural changes, including habitats that support designated species • prevent significant disturbance of the site's designated species from human activity or natural changes <p>The above duties were already fundamental principles embodied within the HRA process and the guidance does not, therefore, introduce a new requirement on competent authorities or have any implications on the Shadow HRA process undertaken for the DCO application.</p> <p><i>Habitats regulations assessment: derogation notice</i></p> <p>This web-page is not guidance, rather it contains a link to a derogation notice which must be filled in by some competent authorities where they intend to allow a plan or project with adverse effects to go ahead under an HRA derogation. The notice is to ensure that</p>

ExQ1	Question to:	Question:
		<p>the relevant government department is informed. In this case the decision-maker and competent authority is the Secretary of State for Business Energy and Industrial Strategy and there is no need for the Secretary of State to complete the derogation notice. This is clear from the terms of Regulation 64(5) Conservation of Habitats and Species Regulations 2017, which states:</p> <p style="padding-left: 40px;">'(5) Where a competent authority <u>other than the Secretary of State</u> or the Welsh Ministers proposes to agree to a plan or project under this regulation notwithstanding a negative assessment of the implications for the site concerned –</p> <p style="padding-left: 80px;">(a) it must notify the appropriate authority; and</p> <p style="padding-left: 80px;">(b) it must not agree to the plan or project before the end of the period of 21 days beginning with the day notified by the appropriate authority as that on which its notification was received, unless the appropriate authority notifies it that it may do so.'</p> <p><u>Conservation of Offshore Marine Habitats and Species Regulations 2017</u></p> <p>The Conservation of Offshore Marine Habitats and Species Regulations 2017 were amended by part 4 of the 2019 Amendment Regulations. The effect of the amendments relevant to this application are materially similar to the amendment to the Habitats Regulations 2017. In particular, the important duties for the purposes of deciding the DCO application have not changed.</p> <p>As with the Habitats Regulations, there has been a change to the regulation which addresses IROPI (regulation 29). The Secretary of State is no longer required to seek the opinion of the European Commission where certain circumstances apply.</p> <p>There has been no relevant substantive change to Regulation 28 which continues to state:</p> <p style="padding-left: 40px;">(1) Before deciding to undertake, or give any consent, permission or other authorization for, a relevant plan or project, a competent authority must make an appropriate assessment of the implications of the plan or project for the site in view of that site's conservation objectives.</p> <p style="text-align: center;">...</p>

ExQ1	Question to:	Question:
		<p>(5) In the light of the conclusions of the assessment and subject to regulation 29, the competent authority may agree to the plan or project only if it has ascertained that it will not adversely affect the integrity of the European offshore marine site or European site (as the case may be).</p> <p>The Applicant confirms that it will seek to agree the impact of Brexit for the environmental assessments with Natural England.</p>
<p>Part 10 - Biodiversity and ecology (marine) - General</p>		
<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>		
<p>Bio.1.191</p>	<p>EA, The Applicant</p>	<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>
	<p>Response</p>	<p>A number of documents, particularly those pertaining to effects on fish receptors, were submitted as part of the supplementary information provided within Volume 3, Appendix 2.17.A of the ES Addendum [AS-238]. The following reports were submitted and include SPP100 relating to cucumber smelt and twaite shad [RR-0373]:</p> <p>SPP099 - Predicted performance of the Sizewell C Low Velocity Side Entry intake heads compared with the Sizewell B intakes;</p> <ul style="list-style-type: none"> • SPP100 - Estimates of European populations of twaite shad and cucumber smelt of relevance to Sizewell; • SPP101 - Implications of tidal elevation and temperature on smelt, <i>Osmerus eperlanus</i>, impingement at Sizewell;

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> • SPP102 - Use of Spawning Production Foregone Equivalent Adult Values for impingement assessment; • SPP103 - Consideration of potential effects on selected fish stocks at Sizewell; • SPP104 - Worst case glass eel entrainment assessment for Sizewell C; • SPP108 - Sensitivity of the Alde & Ore Transitional Fish Classification Index (TFCI) to changes in smelt, <i>Osmerus eperlanus</i>, abundance; • TR339 - Sizewell Comprehensive Impingement Monitoring Programme 2009 – 2017; • TR406: Impingement predictions based upon specific cooling water system design; and • TR520: Sizewell C Water quality effects of the fish recovery and return system. <p>Table 1 in Volume 3, Appendix 2.17.A of the ES Addendum [AS-238] summarises the purposes of the reports and implications for the DCO conclusions, which remain unchanged.</p> <p>Ongoing consultation between SZC Co and the Environment Agency in relation to these reports has continued via the Water Discharge Activity (WDA) permitting process and 'Schedule 5' requests (requests for further information).</p> <p>Appendix 7L has been prepared to summarise to the ExA how the various reports link together to form the fish assessments together with any changes requested by the Environment Agency as part of the WDA process (Schedule 5 Requests).</p>
Bio.1.192	MMO, Natural England, The Applicant	<p>The ExA draws attention to the Inspectorate's Advice Note 11, Annex B, page 6.</p> <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>
	Response	<p>(a) Yes section 150 of the Planning Act is engaged in relation to the deemed marine licence.</p>

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

ExQ1	Question to:	Question:
		<p>(b) The Applicant is in ongoing discussions with the MMO about the deemed marine licence.</p> <p>(c) No licence is sought under the Conservation of Seals Act 1970⁶⁴. Section 22.9d)ii impingement, of [APP-317] states that direct impingement is considered very unlikely considering embedded mitigation measures in the form of coarse bar screens (bars spaced at ca. 0.26m centres) that would be in place to prevent marine mammals entering the cooling water system. Whilst it has been known, on occasions, for seals to enter the cooling water systems of operating UK nuclear power stations, it is an extremely rare event.</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>

⁶⁴ Parliament of the United Kingdom, Conservation of Seals Act 1970. London 1970

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

ExQ1	Question to:	Question:
		<p>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.</p> <p>Response</p> <p>As noted at Question Bio 1.104 above, the Habitats Directive Regulations⁶⁵ and EIA Regulations⁶⁶ are different pieces of legislation and require different considerations. In short, The Habitats Directive Regulations are concerned with protecting the integrity of European Sites and the protection of certain species. The EIA Regulations are concerned with the assessment of significant environmental effects. Whilst applying these legal regimes may mean that there is overlap in the evidence/information which is considered, given the difference in the two regimes it is appropriate to conduct separate assessments. Therefore, the HRA species are separately considered within the EIA. This can be seen from the conclusions in Table 14.26 which sets out both the HRA conclusions and the EIA conclusions side by side.</p> <p>The various references to the Shadow HRA Report [APP-145 to APP-149] in Table 22.1 of Volume 2 Chapter 22 Marine Ecology and Fisheries [APP-317] were intended to indicate that the European site referred to in Table 22.1 (e.g. Minsmere – Walberswick SPA and Ramsar site) is assessed in the context of the HRA process in the Shadow HRA Report. These cross references are not intended to imply that the assessment reported in the ES defers to the conclusions of the Shadow HRA Report or that the conclusions in the HRA are to be imported into the ES.</p>
Bio.1.194	The Applicant	<p>Plate 22.1.</p> <p>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.</p>

⁶⁵ Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (Habitats Directive). Official Journal of the European Communities. 1992

⁶⁶ Parliament of the United Kingdom, The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (as amended), London, 2017.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	<p>The combined drainage outfall (CDO) is included in Plate 22.1 of Volume 2, Chapter 22 of the ES [APP-317] both for its installation and for its function during the construction and commissioning phase for marine discharges.</p> <p>The CDO tunnel would be drilled beneath the seabed with arisings transported to landward for disposal, with no marine impact pathway. The tunnels would be connected to a concrete outfall structure (paragraph 22.3.111) of [APP-317]. It is anticipated that the CDO head would be installed in year 2, early in the construction phase (Phase 1: Site establishment and preparation for earthworks).</p> <p>The CDO would discharge tertiary treated sewage, dewatered groundwater, surface run-off, tunnelling wastewater and commissioning discharges (paragraph 22.3.109). The lower section of Plate 22.1 shows the periods during the construction and commissioning phases when different discharges would be made from the CDO. These include tunnelling discharges arising from the tunnel boring machines (TBM) associated with the cooling water intakes and outfalls.</p>
Bio.1.195	The Applicant	<p>Para 22.3.75, Assumptions of the assessments.</p> <p>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?</p>
	Response	<p>Assumptions are secured either by specified details within the Marine Licence (Part 2(4)) and/or by Conditions on the Marine Licence:</p> <p>Design of the BLF is secured by the Marine Licence activity description;</p> <ul style="list-style-type: none"> • Construction method of the BLF, including piling, is secured by Marine Licence Condition 40 (plus any other relevant 'General' conditions, such as navigation safety); • Boring of the cooling water tunnels by Tunnel Boring Machines is exempt from the Marine Licence, but discharges are to be controlled by a Water Discharge Activity (WDA) permit to be issued by the Environment Agency; • Design of the offshore cooling water shafts, headworks and FRR are secured by Marine Licence Condition 47; • Construction methods for the offshore cooling water shafts, headworks and FRR are secured by Marine Licence Condition 48; • Design of the CDO is secured by the Marine Licence activity description;

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> • Construction of the CDO is secured by Marine Licence Condition 44; • Discharges from the CDO are to be controlled by a Water Discharge Activity (WDA) permit to be issued by the Environment Agency; • Operational discharges are secured by a WDA permit to be issued by the Environment Agency. • Construction parameters are defined by parameter plans and limits of deviation specified within the DCO; • Assistance of tugs is secured by Marine Licence Condition 31. • The Marine Licence can be found at Schedule 20 of the draft DCO (Doc Ref. 3.1(C))
Bio.1.196	The Applicant	<p>[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?</p>
	Response	<p>SZC Co accept this paragraph was not particularly clear in identifying the two habitats. The two habitats of conservation and ecological importance are <i>Sabellaria spinulosa</i> reefs (which grow on the Coralline Crag) and the Sizewell-Dunwich Bank (see Volume 2, Chapter 22 of the ES [APP-317], paragraph 22.4.51). The two habitats are also listed in bullet points in the baseline section of the Benthic Ecology assessment, (see Volume 2, Chapter 22 of the ES [APP-317], paragraph 22.7.22). Complementary information on the ecological importance of the Sizewell-Dunwich sandbank can be found in Volume 2 Appendix 22C (Sizewell Benthic Ecology Characterisation) of the ES [APP-320].</p>
Bio.1.197	The Applicant	<p>[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.</p>
	Response	<p>Seismic qualification in this context means that the structure has been recognised as being required to meet safety objectives during or after an earthquake. As such, the structure must be designed, constructed, maintained, etc. in line with the requirements detailed within the safety case. Seismic qualification is treated within the safety case, Nuclear Site Licence and interactions with the ONR and not treated within the DCO application.</p>
Bio.1.198	MMO, The Applicant	<p>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</p>

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

ExQ1	Question to:	Question:
		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.
	Response	Yes – the SoCG between SZC Co and the MMO addresses each comment as requested by the ExA.
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	<p>The activities are licensable under the MCAA (2009) and because the Marine Licence is to be deemed within the DCO (unlike Hinkley Point C) are secured solely by the by the Marine Licence. The relevant Conditions are 48 and 40 (Doc Ref. 3.1(C)):</p> <p><u>Condition 48:</u></p> <p>1 –(1) Work Nos. 2B, 2D, 2G and 2H and 2I and 2J shall not commence until the following details for the relevant Work No. have been approved by the MMO. The details must include:</p> <ul style="list-style-type: none">(a) start and end dates for each installation;(b) location of relevant phase of the installation and drilling activity;(c) head installation methodology and detailed method statement;(d) drilling methodology and detailed method statement;(e) navigational lighting to be used on plant; and(f) vessels to be used. <p>(2) Work Nos. 2B, 2D, 2G and 2H and 2I and 2J will be installed in accordance with the approved method statement.</p> <p>(3) Unless a shorter period is agreed with the MMO in writing, the undertaker must use reasonable endeavours to submit the details for the relevant Work No. at least 6 months prior to the proposed commencement of the relevant Work No.</p> <p>(4) The determination date is 6 months from submission of the details to the MMO.</p> <p><u>Condition 50:</u></p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>1.—(1) No water abstraction shall commence until a monitoring plan has, been submitted to and approved by the MMO in consultation with the Natural England and the Environment Agency. The plan will set out:</p> <ul style="list-style-type: none"> (a) the monitoring arrangements for assessing the efficacy of the intake head and the fish recovery and return system during the commissioning of Unit 1 and Unit 2; (b) the undertaker’s duty to consider future additional adaptive measures arising from (a) that may be required during operation of Unit 1 and Unit 2; (c) the monitoring methodology, frequency of monitoring and format of monitoring reports; and (d) an explanation of the undertakers’ confidence that the proposed mitigation will be effective. <p>(2) Unless a shorter period is agreed with the MMO in writing, the undertaker must use reasonable endeavours to submit the monitoring plan at least 6 months prior to the proposed commencement of water abstraction.</p> <p>(3) The determination date is 6 months from submission of the monitoring plan to the MMO.</p> <p>The precise wording of Marine Licence Conditions is yet to be agreed, and the current status of agreement/disagreement is captured in the SoCG.</p>
Bio.1.200	MMO	<p>[RR-0743] Paras 5.4.1.6 – 5.4.1.17.</p> <p>(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.</p> <p>(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.</p> <p>(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.</p>

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

ExQ1	Question to:	Question:
	Response	No comment required from SZC Co.
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	No comment required from SZC Co.
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.
	Response	This response reflects the current status as of May 2021 for the fishing period covering the year 2021. This may change as legislation is updated. The northern sea bass stock covers ICES subdivisions 4b, 4c, 7a, 7d-h including the North Sea, English Channel, Celtic Sea, and Irish Sea. As a non-quota species, sea bass is managed using common technical measures and (by)catch limits for all countries exploiting the stock. Management measures were introduced in 2015 and vary annually, but include an increase to minimum conservation reference size (MCRS) to 42cm, closed seasons, (by)catch limits for commercial fisheries dependent on gear, and bag limits for recreational fishers. In 2021, the sea bass management measures outlined in Article 10 of 2020 Council Regulation EU 2020/123 ⁶⁷ currently remain in place, with some amendments to the text as outlined in UK Statutory Instrument 2020/1542 ⁶⁸ . This is the case until annual negotiations between the UK and EU are completed, and the outcomes implemented in the UK. It applies only to British fishery limits.

⁶⁷ European Council 2020 Council Regulation EU 2020/123

⁶⁸ Parliament of the United Kingdom, The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2020

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

ExQ1	Question to:	Question:
		<p>As a result, the following management measures for sea bass apply in the UK in 2021:</p> <ul style="list-style-type: none"> • Commercial fisheries: fishing for seabass is prohibited in ICES subdivisions 4b and 4c and 7, with the following derogations. There are exceptions for individual fishing vessels that vary between gears and seasons. No fishing for sea bass is permitted in ICES subdivisions 7b, 7c, 7j, and 7k, and in waters in 7a and 7g that are more than 12 nautical miles from the UK. In addition, no landings are permitted in February and March, with (by)catch limits in place for the rest of the year. In January 2020 and from 1 April to 31 December, fishing vessels may land sea bass. Vessels using demersal trawls or seines can land unavoidable bycatch of up to 520 kg of sea bass in a two month period and 5% of the weight of the total catch per trip. Hook and line vessels can land a total of 5.7 tonnes each year. Fixed gillnets can land unavoidable bycatch of up to 1.4 tonnes each year. These limits are not transferable between vessels or time periods. • Recreational fisheries: 2 fish bag limit from March to November, and catch and release using rod and line or handline only in January, February, and December. No sea bass can be taken using fixed nets. <p>More information can be found on the MMO website⁶⁹ and will be updated to reflect any changes implemented by the UK.</p> <p>This has no impact on Appendix 22f or the ES conclusions on fisheries and marine ecology. This is because the measures have been designed to result in catches that do not exceed the ICES advice on catch limits. As the change in ICES advisory catch limits between 2019 (1789 tonnes) and 2021 (1680-2000 tonnes) was small, the management measures were similar for both years.</p>
Bio.1.203	MMO	<p>[RR-0743] Para 5.8.4.</p> <p>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.</p>

⁶⁹ MMO. Bass Fishing Guidance 2020. 2021 [Online] Available at: <https://www.gov.uk/government/publications/bass-industry-guidance-2020>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	<p>Some details of the fish impingement and entrainment assessments have been revised following on-going consultation with the Environment Agency for the WDA permit and associated 'Schedule 5' requests. The revisions have caused some of the estimated numbers to change marginally but have no bearing on the assessment output.</p> <p>Appendix 7L of this chapter has been prepared to summarise to the ExA how the various reports link together to form the fish assessments together with any changes requested by the Environment Agency as part of the WDA process (Schedule 5 Requests).</p>
Bio.1.204	MMO	<p>[RR-0743] Para 5.13.1.</p> <p>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?</p>
	Response	<p>SZC Co. agrees with the MMO comments and has proposed a raft of suitable mitigation measures:</p> <ul style="list-style-type: none"> • Temporary designation of a Harbour Authority for the safe management of vessels (Part 6 of the DCO); • A number of standard maritime mitigation measures such as appropriate lighting, Notifications to Mariners, exclusion areas where appropriate, a safety patrol launch, availability of tugs etc which are secured by the CoCP (Doc Ref. 8.11 (B)) and/or Marine Licence Conditions; <p>A Fisheries and Liaison and Coexistence Plan (FCLP) with associated Fisheries Liaison Officer for regular consultation with local fishermen (Condition 20 of the Marine Licence).</p>
Bio.1.205	Applicant	<p>[AS-281] – Proposed changes.</p> <p>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.</p>
	Response	<p>The temporary BLF will be a piled structure, permanently fixed to the seabed for the construction period until it is decommissioned once construction of Sizewell C is complete. There are no maintenance activities associated with the piles and therefore no impact on marine ecology.</p>
Part 11 - Biodiversity and ecology (marine) - Plankton		

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

ExQ1	Question to:	Question:
Bio.1.206	The Applicant	<p>[APP-317], paras 22.6.6 – 22.6.10.</p> <p>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.</p> <p>If this information is already in the application documentation, please indicate where.</p>
	Response	<p>The most detailed description of the hydrodynamic setting of the Greater Sizewell Bay is provided in Volume 2, Appendix 20A of the ES (Coastal Geomorphology and Hydrodynamics: Synthesis for Environmental Impact Assessment) [APP-312], Section 2.3.2.</p> <p>Section 2.3.2.1 details the tides and Section 2.3.2.2 describes the near and offshore wave climate. A glossary of the terms frequently used is provided along with some further context:</p> <p>Tidal excursion: In the context of the Environmental Statement assessments, the tidal excursion represents the body of water either side of the intakes or outfalls that water would be abstracted from or discharged into within a complete tidal cycle. A current meter (S2) deployed in the vicinity of the Sizewell C intakes indicated that the north – south excursion is approximately 16 km, and 2km west - east during spring tides. Water is extracted from this distance either side of the intake, hence the appropriate comparison volume is twice this at approximately 32 km by 2 km [APP-323].</p> <p>Tidal volume: The tidal volume incorporates the tidal excursion and bathymetry to determine the volume of water that interacts with the station over a tidal cycle.</p> <p>Exchange rates: The exchange rate reflects the volume of water exchanged with areas outside of the tidal excursion each tide. The exchange rate is often expressed as a percentage of the tidal volume. The offshore location of the proposed development increases the tidal excursion and exchange rate. The greater these parameters are relative to abstraction/discharges the lower the potential for impacts.</p>

ExQ1	Question to:	Question:
		<p>Rectilinear: The term rectilinear refers to the tidal currents moving in almost straight lines. At Sizewell this is reflected in the elongated north-south tidal excursion relative to limited west-east movement.</p> <p>Tidal trajectory: This relates to the direction of the tide and is often related to the transport of thermal or chemical plumes. Generally, at slack water there is little tidal movement, water moves in a southerly direction for most of the rising flood tide and north during the falling ebb tide.</p> <p>Tidal velocity: The tidal or current velocity is the speed of water movement, this varies across the bay with depth and distance from shore and at different stages of the tide (flood, slack or ebb). Further details are provided below.</p> <p>Wave climate: Wave climate is a collective term representing the seasonal and annual distribution of wave direction, period and wave height. The inshore and offshore wave climatology is provided in the context of the proposed development in [APP-312]</p> <p>Wave fetch: The sea area or distance over which the wind blows in a constant direction to generate waves. The height of wind generated waves increase with increasing fetch.</p> <p>Semi-diurnal: a tidal cycle that has two nearly equal high tides per day (lunar day). Semi-diurnal tides are typical of the UK but other geographic reasons have only 1 high tide per day (diurnal).</p> <p>Spring tide: largest tidal ranges (highest high tides and lowest low tides) due to the gravitational pull of the sun and moon acting in concert (when the sun and the moon are aligned together with the earth).</p> <p>Neap tide: lowest tidal ranges (lowest high tides and highest low tides) due to the gravitational pull of the sun and the moon acting against each other (when the sun and the moon are not aligned).</p> <p>Tidal volume of water together with the exchange rates enables assessments to be made on the impact of water abstraction on different ecological receptors. An example of this is Volume 2, Appendix 22H of the ES - Modelling the Effect of Sizewell C Entrainment on the Phytoplankton [APP-325].</p> <p>Section 22.4 a) i. Hydrodynamics in APP-317 summarises the tidal information of relevance to the marine ecology assessments in paragraphs 22.4.3 onwards.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

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		<p><i>The tidal currents off the Sizewell coast are semi-diurnal and are highly-rectilinear with a north – south orientation. Spring tide velocities are approximately 1.2m/s (peak). Tidal currents reduce close to shore to approximately 0.2m/s (peak) within 50m of the coast. Water movement is dominated by tidal currents that flow south for most of the rising (flood) tide peaking at a velocity of 1.14m/s seaward of Sizewell Bank and flow north for most of the falling (ebb) tide (peak velocity of 1.08m/s). The strong tides and generally shallow bathymetry combine so that the water column is well mixed throughout the year. Tidal ranges increase in the south of the area. To the north at Lowestoft, Spring tidal range is 1.9m, Sizewell is typified by a tidal range of 2.2m whereas a range of 3.5m occurs at Felixstowe.</i></p> <p><i>Data generated from a wave recorder buoy deployed approximately 4km offshore from the Sizewell Bank in 18m of water showed that the offshore wave climate is bidirectional. The most frequent waves propagate from north-east (23%), south (20%) and south-eastly (15%) directions. The largest waves propagate from the north, which is associated with the greatest fetch (ca. 3,000km). South-easterly waves are mostly generated by winds and have a much shorter fetch (up to 150km) and are typically smaller. For the decade from 2008-2018, wave heights recorded by the buoy greater than 1.5m occurred for <8% of the record and were originated from east-north-east and the south.</i></p>
Bio.1.207	The Applicant, EA, MMO	<p>[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.</p>
	Response	No comment required from SZC Co.
Bio.1.208	The Applicant, EA, MMO	<p>[APP-317] para 22.6.31 – “This chapter considers only the holoplankton component of the zooplankton community”.</p> <p>Please will the Applicant explain why it takes this approach and why it is valid and proper.</p> <p>Please will the EA and MMO state if they accept this approach and if they have any relevant concerns.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	<p>Response</p>	<p>The zooplankton community is composed of three main elements:</p> <ol style="list-style-type: none"> 1) the early life stages of fish (ichthyoplankton); 2) early life stages of benthic organisms; and 3) invertebrates that are planktonic throughout their life cycle (holoplankton). <p>To determine the sensitivity of a receptor (e.g. fish or benthic organism) the full life-history must be considered. The Methodology section of APP-317, 22.3 f) iii. Sensitivity describes the process and includes consideration of:</p> <ul style="list-style-type: none"> • the lifespan and age of maturity of the receptor; • factors affecting fecundity, reproductive success and/or larval mortality; • dispersal and recruitment patterns; and • population dynamics including natural mortality. <p>All components of the zooplankton community are assessed in paragraph 22.6.30the relevant receptor assessment of Volume 2, Chapter 22 of the ES [APP-317]. For example, the ichthyoplankton (young fish component and eggs) are considered in the Fish assessment (which considers the effects on fish populations from entrainment of ichthyoplankton and impingement of larger life- history stages up to adults). This approach has been adopted throughout the consultation process and was outlined in Section 2.16 Marine Ecology & Fisheries in the Stage Three Pre-Application Consultation [APP-076].</p> <p>Therefore, Section 2.6 'Plankton Assessment' considers only the holoplankton, because benthic invertebrate larvae and ichthyoplankton are assessed in Sections 22.7 and 22.8, respectively [APP-317].</p>
Bio.1.209	The Applicant, EA, MMO	<p>[APP-317] paras 22.6.262 – 273, Table 22.32 and Plate 22.4 (Section D.d.f). The temperature plume.</p> <p>The ExA is asking this question not only for its relevance to plankton but also to the rest of this chapter of the ES.</p> <p>(i) It would be helpful is the Applicant could please list the other occasions in this chapter on which this data is used.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>(ii) the absolute water temperature exceeds 28° over an area of 0.11 ha at the surface (98th percentile), with Sizewell B & C operating – Table 22.32. Please will the MMO and Environment Agency comment in the significance of this.</p> <p>(iii) Please will the MMO and Environment Agency also comment and explain the relevance of the 23°-28° range</p> <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>
	<p>Response</p>	<p>Sections 22.6.262 – 273 of Volume 2, Chapter 22 of the ES [APP-317] provide a general overview of the thermal plume that is not only relevant to plankton but all the marine ecology receptors groups assessed. Each receptor assessment considers the thermal uplift and absolute temperatures in relation to the specific sensitivity of the receptor being assessed.</p> <p>The sub-headings in Table 22.32 were not visible in Volume 2, Chapter 22 of the ES [APP-317] but were visible in the Additional Submission [AS-035]. For convenience the table is shown below.</p> <p>Question (i):</p> <p>In the Benthic Ecology section, 'Temperature changes: cooling water discharges', paragraph 22.7.391 onwards the data are described and used. It is further applied in relation to 'The effects of climate change on thermal discharge predictions' paragraph 22.7.408 onwards. Benthic invertebrate sensitivity to temperature changes begins at paragraph 22.7.399.</p> <p>In the Fish Ecology section, 'Sensitivity of fish sub-groups to thermal discharges', starts at paragraph 22.8.673 but more specifically the information in the request is cited at 22.8.680 and 22.8.695 in relation to fish sensitivity to the thermal plume.</p> <p>In the Marine Mammal section, both direct effects of thermal uplifts and indirect effects mediated through effects on their prey are considered in section 'Cooling water discharges: temperature changes' paragraph 22.9.245 onwards.</p> <p>Question (ii):</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>No response required from SZC Co. Question (iii): No response required from SZC Co. Question (iv): The figure represents the instantaneous area at the seabed and surface where the plume exceeds 2°C as a result of discharges from Sizewell B and Sizewell C. The Julian day within a given year runs from 1 to 365 and aids plotting the profile on a continuous scale. The data in Plate 22.4 is quite different from Table 22.32 (see below): Table 22.32 relates to the thermal standards and show either uplifts or absolute temperatures exceeded as a 98th percentile from model outputs (see Bio.1.210 for further details). The model has hourly temporal resolution and a spatial resolution of 25x25m. Para. 22.6.268 states: <i>Accordingly, a 98th percentile represents the cumulative spatial area that individual cells (25x25m) within the model domain exceeds a threshold temperature for 7.3 days at any point during the year. The 98th percentile statistics are not necessarily consecutive and could be days or months apart.</i> For example, the thermal plume is shaped by the tides. On a flood tide the plume would travel south, at slack water the plume pools before being transported north on the ebb tide (responses to questions on tidal information is provided in Bio.1.206). Therefore, 98th percentile statistics show total areas affected during the year but are not reflective of what is occurring at any given time. In many cases, Plate 22.4 is a more ecologically coherent approach to representing the thermal plume. The data is also derived from the model but is represented as an instantaneous plume, i.e. how big the thermal uplift is at any given time. For species such as plankton that are also tidally transported, this provides useful context for assessing effects (see Bio.1.210 for further details).</p>

Table 22.32: WFD thermal standards and total areas of exceedance for absolute temperature and temperature uplift during the operation of Sizewell B and Sizewell C (grey boxes indicate not applicable).

Model run	Absolute water temperature (as a 98 th percentile)			Thermal uplift (as a 98 th percentile)			
	Temperature	Status	Position	Uplift	Status	Position	
Sizewell B only	20°C - ≤ 23°C	Good		> 2°C	Good	Surface 2,433ha	
						Seabed 2,127ha	
	23°C - ≤ 28°C	Moderate	Surface 44.9ha	> 3°C	Moderate	Surface 1,263ha	
Seabed 8.75ha			Seabed 668ha				
> 28°C	Poor	Surface 0ha					
Sizewell B + Sizewell C (worst case for EclA).	20°C - ≤ 23°C	Good	-	> 2°C	Good	Surface 7,899ha	
			-			Seabed 6,241ha	
	23°C - ≤ 28°C	Moderate	Surface 89.6ha	> 3°C	Moderate	Surface 2,200ha	
Seabed 25.6ha			Seabed 1,553ha				
> 28°C	Poor	Surface 0.11ha					
Sizewell C only	20°C - ≤ 23°C	Good	-	> 2°C	Good	Surface 1,551ha	
						Seabed 170.6ha	
	23°C - ≤ 28°C	Moderate	Surface 0ha	> 3°C	Moderate	Surface 305.7ha	
Seabed 0ha			Seabed 0ha				
> 28°C	Poor	Surface 0ha					
			Seabed 0ha				

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
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	<p>Table 22.32 is provided in response to Question Bio.1.209, above for convenience. Recommended thermal standards exist for SACs, SPAs and Water Framework Directive waterbodies. Table 22.32 and Table 22.52 present results in relation to thermal standards. In terms of ecological assessments they provide a starting point. It should be noted that the Sizewell C proposed outfalls are further offshore than the WFD coastal waterbodies, however, the areas in exceedance of the standards is provided.</p> <p>The GETM model has a temporal resolution of an hour and is simulated for a year at a spatial resolution of 25x25m. Each 25x25m cell in the model domain has an output temperature for every hour of the year. The 98th percentile values in Table 22.32 represent the total spatial area (sum of the cells) above a given thermal threshold for more than 2% of the time (7.3 days or 175 hours in a year). Maximum (or 100th percentile) events, that occur for just 1 hour in the year-long simulation, are highly</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>skewed by rare events or meteorological forcing in the model and have little ecological meaning hence the use of a 98th percentile. When the text refers to exceedance of a 98th percentile thermal standard or 95th percentile contaminant standard it means that the specified area exceeds the threshold concentration for more than the acceptable 2% or 5% of time respectively. In such cases further investigation is required.</p> <p>Starting at 28°C, 0.11ha of the sea surface (two grid cells in the model) is predicted to be 28°C or warmer for 175 hours a year.</p> <p>The moderate boundary of the WFD is 23°C. As a 98th percentile 23°C is exceeded over 89.6ha. Within that area, the temperatures will range from 23°C to 28°C. However, noting the response in Bio.1.209, exceedance of thermal standards needs to be considered in a wider ecological context.</p> <p>Plate 22.4 provides this ecological context by indicating the spatial extent of predicted thermal uplifts in relation to the ecological processes. The 98th percentile thermal uplift for 2°C is 7,899ha at the surface (Table 22.32), whilst the largest instantaneous uplifts occur in February, with an average plume area exceeding 2°C at the surface of 2,605ha and a maximum 4,689ha. However, this period coincides with low biological activity. In May, the peak of the Spring bloom, the monthly average plume area above 2°C is 680ha (the average surface plume area above 3°C is 242ha) and reduces to a minimum in July of 548ha (see para 22.6.269 of Volume 2, Chapter 22 of the ES [APP-317]).</p> <p>The Environmental Impact Assessment therefore takes note of the standards, which are implemented on the basis of ecological considerations, but also puts the data from thermal modelling into context for each relevant receptor group.</p>
Bio.1.211	The Applicant	<p>[APP-317] para 22.6.304.</p> <p>Please explain what is meant by HABs. The ExA cannot find it in the glossary or defined in this chapter.</p>
	Response	<p>HABs is Harmful Algal Blooms. Often occurring in Spring when conditions are suitable (typically increasing levels of sunlight, increasing sea temperature and high nutrient levels) marine phytoplankton can grow at considerable rates to the point where they form large accumulations or blooms. These "blooms" produce toxins that can kill fish, mammals and birds, and may cause human illness or even death in extreme cases. Other algae are nontoxic, but eat up all of the oxygen in the water as they decay, clog the gills of fish and invertebrates, or smother corals and submerged aquatic vegetation. Still others discolour</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>water, form huge, smelly piles on beaches or contaminate drinking water. Collectively, these events are called harmful algal blooms, or HABs.</p> <p>Harmful algal species have not been confirmed at Sizewell (para. 22.6.24).</p> <p>The reference to HABs in 22.6.304 indicates that <i>“There is some evidence that gelatinous zooplankton abundance may increase in the future and warming seas may be more suitable for HABs”</i>. More background information on harmful algal blooms in relation to climate change is provided in iii. Future baseline para. 22.6.57.</p>
Bio.1.212	The Applicant	<p>[APP-317] section D.d.i, Cooling water discharges: Nutrients, para 22.6.359.</p> <p>The effects on phytoplankton are described. Where does the ExA find the effects on zooplankton?</p>
	Response	<p>Paragraph 22.6.356 of Volume 2, Chapter 22 of the ES [APP-317], assesses ‘Phytoplankton sensitivity to nutrient discharges’ by use of the Combined Phytoplankton and Macroalgae model (Volume 2 Appendix 22H of the ES [APP-325]). The model showed negligible effects on phytoplankton biomass from nutrient additions.</p> <p>Zooplankton are not directly affected by small scale nutrient additions but are sensitive to changes in phytoplankton biomass. Paragraph 22.6.359 of [APP-317] ‘Indirect food web effects of nutrient discharges’ considers such bottom up effects and concludes <i>“Increases in primary production at the base of coastal food webs has the potential to cause bottom-up effects. The Combined Phytoplankton and Macroalgae model predicted negligible changes in gross primary productivity and no indirect food web effects are predicted.”</i> This statement therefore applies for zooplankton which means SZC Co does not anticipate any effects on zooplankton as a result of nutrient additions from cooling water discharges.</p>
Bio.1.213	The Applicant	<p>[APP-317] Section D.e.c.a – Fish recovery and return, plankton and un-ionised ammonia, para 22.6.378.</p> <p>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.</p>
	Response	<p>Yes, the ExA is correct – this is an error. Paragraph 22.6.378 of [APP-317] should indeed read:</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p><i>"Un-ionised ammonia discharges from the FRR are predicted to have minor adverse effects on plankton communities. Effects are not significant."</i></p>
Bio.1.214	The Applicant	<p>[APP-317] Section D.f.b – entrainment and thermal and operational nutrient discharges in combination, para 22.6.384.</p> <p>This refers only to effects on phytoplankton. Where does the ExA find effects on zooplankton?</p>
	Response	<p>The assessment in Volume 2, Chapter 22 of the ES [APP-317] focused on phytoplankton at the base of the food web in response to entrainment as well as thermal and operational nutrient discharges in combination. In paragraph 22.6.383 of Volume 2, Chapter 22 of the ES [APP-317], a statement regarding food webs was made: <i>"Furthermore, food web effects [including zooplankton] are predicted to be minimal as taxa that graze on phytoplankton would be adapted to naturally large variations in standing stock, provided in Appendix 22H (see Volume 2, Appendix 22H of the ES [APP-325] of this volume"</i>.</p> <p>A specific zooplankton assessment on the effects of entrainment and thermal discharges in combination was not provided (see Question Bio.1.212 for nutrients and zooplankton). However, assessments of entrainment (paragraph 22.6.220 onwards) and thermal discharges (paragraph 22.6.286 onwards) have been provided in Volume 2, Chapter 22 of the ES [APP-317] for zooplankton. The in-combination effects of the thermal discharge and entrainment would not change these conclusions.</p>
Part 12- Biodiversity and ecology (marine) - Benthic Ecology		
Bio.1.215	The Applicant, MMO	<p>[APP-317] baseline, benthic invertebrate taxa, section B.a.a, para 2.7.16.</p> <p>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?</p>
	Response	<p>The lagoon sand shrimp (<i>Gammarus insensibilis</i>) is associated with fine sediments in saline lagoons and brackish waters. The benthic characterisation was informed in part from offshore beam trawl and grab samples. Offshore surveys consisted of:</p> <ul style="list-style-type: none"> • A total of 295 x 2m beam trawl samples from 84 stations and 64 commercial otter trawl samples from 11 stations, collected quarterly to annually during 2008-2014. • Eleven subtidal surveys, comprising a total of 890 grab samples (0.1m²) from 88 stations, also collected quarterly to annually during 2008-2014.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> • A shallow subtidal survey, comprising 17 grab samples (0.025m²) collected in 2011. The lagoon sand shrimp was observed within the Greater Sizewell Bay in June 2010 in low abundance in beam trawls. The species was not present in subsequent sampling and occurred outside of its typical lagoon habitat in the northern part of the survey area between Sizewell and Dunwich (see Volume 2, Appendix 22C (Sizewell Benthic Ecology Characterisation) of the ES [APP-320]). Based on the single occurrence of the species in the multi-annual characterisation surveys, and the habitat requirements of the lagoon sand shrimp, it is unlikely that a viable population of this species is present within the subtidal footprint of the proposed works. The proposed activities are not expected to injure or kill this species, nor disturb, damage, destroy or obstruct access to any a place it uses for shelter or protection, and therefore do not contravene Section 9 of the Wildlife and Countryside Act 1981. However, it is not possible to discount the possibility that individuals of this species may be unintentionally injured or killed if they were to occur outside their natural habitat, as was observed in June 2010. We note that that species' natural habitat, saline lagoons, are not expected to be impacted by the proposed development (see Volume 2, Chapter 22 of the ES [APP-317], para 22.7.24).
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	<p>Schedule 41 of the NERC Act 2006⁷⁰ identifies priority species and habitats for conservation but does not, itself, afford them specific protections. The obligation to Public Authorities is defined in the Schedule 40 of the NERC Act 2006; but in summary it stipulates that the Public Authority must have regard for the conservation of biodiversity in exercising its functions. In the case of <i>Sabellaria spinulosa</i>, which is a reef forming benthic species, for which only the reef habitat (not individual <i>S. spinulosa</i>) is of conservation interest, reefs are protected extensively within the UK network of marine</p>

⁷⁰ Parliament of the United Kingdom, Natural Environment and Rural Communities Act 2006, London. 2006

ExQ1	Question to:	Question:								
		<p>designated sites. It is recognised in the assessment that this species forms a habitat with conservation value, which was taken into account in its selection as a relevant receptor (see Volume 2, Chapter 22 of the ES [APP-317], Table 22.2) against which the effects of the development were assessed.</p> <p>The significance of the predicted effects on <i>Sabellaria</i> reefs as a receptor is determined in relation to the site-specific features of the reefs including its location, distribution, and rarity in the Greater Sizewell Bay and more widely in the Anglian Region, as well as its ecological function as detailed in Volume 2, Chapter 22 of the ES [APP-317], Table 22.38 (provided below).</p> <p>Table Error! No text of specified style in document..1: Factors determining the significance of potential effects on <i>S. spinulosa</i> reefs. From [APP-317]</p> <table border="1"> <thead> <tr> <th data-bbox="770 663 943 715">Factor</th> <th data-bbox="943 663 1883 715">Considerations for determining significance.</th> </tr> </thead> <tbody> <tr> <td data-bbox="770 715 943 895">Location</td> <td data-bbox="943 715 1883 895"><i>Sabellaria spinulosa</i> reefs at the offshore Coralline Crag are not located within a designated site for which it is a qualifying feature. However, they are protected as 'habitats of principal importance for the conservation of biodiversity in England' (Section 41 of the NERC Act 2006).</td> </tr> <tr> <td data-bbox="770 895 943 1171">Rarity</td> <td data-bbox="943 895 1883 1171"><i>Sabellaria spinulosa</i> reefs have been identified along the Suffolk coast as part of the East Coast and Outer Thames Regional Environmental Characterisation (Ref. 22.127; 128). Seven major areas of <i>S. spinulosa</i> reef have been reported with varying extents from 7km² and up to 50km² in the East Coast region. One possible site has been identified in the North of the Outer Thames Region. <i>Sabellaria spinulosa</i> has also been identified as amongst the most abundant benthic organisms recorded during REC surveys.</td> </tr> <tr> <td data-bbox="770 1171 943 1445">Distribution</td> <td data-bbox="943 1171 1883 1445">The reefs associated with the offshore Coralline Crag are predicted to cover an area of approximately 18.5ha (Ref. 22.122). Within the GSB, larger reef formations are located at the exposed inshore Coralline Crag off Thorpeness, where an estimated 28ha of habitat within the study area was predicted as having a high probability of supporting <i>S. spinulosa</i> reefs and a further 24.5ha of habitat classified as having moderate probability of supporting <i>S. spinulosa</i> (Ref. 22.121).</td> </tr> </tbody> </table>	Factor	Considerations for determining significance.	Location	<i>Sabellaria spinulosa</i> reefs at the offshore Coralline Crag are not located within a designated site for which it is a qualifying feature. However, they are protected as 'habitats of principal importance for the conservation of biodiversity in England' (Section 41 of the NERC Act 2006).	Rarity	<i>Sabellaria spinulosa</i> reefs have been identified along the Suffolk coast as part of the East Coast and Outer Thames Regional Environmental Characterisation (Ref. 22.127; 128). Seven major areas of <i>S. spinulosa</i> reef have been reported with varying extents from 7km ² and up to 50km ² in the East Coast region. One possible site has been identified in the North of the Outer Thames Region. <i>Sabellaria spinulosa</i> has also been identified as amongst the most abundant benthic organisms recorded during REC surveys.	Distribution	The reefs associated with the offshore Coralline Crag are predicted to cover an area of approximately 18.5ha (Ref. 22.122). Within the GSB, larger reef formations are located at the exposed inshore Coralline Crag off Thorpeness, where an estimated 28ha of habitat within the study area was predicted as having a high probability of supporting <i>S. spinulosa</i> reefs and a further 24.5ha of habitat classified as having moderate probability of supporting <i>S. spinulosa</i> (Ref. 22.121).
Factor	Considerations for determining significance.									
Location	<i>Sabellaria spinulosa</i> reefs at the offshore Coralline Crag are not located within a designated site for which it is a qualifying feature. However, they are protected as 'habitats of principal importance for the conservation of biodiversity in England' (Section 41 of the NERC Act 2006).									
Rarity	<i>Sabellaria spinulosa</i> reefs have been identified along the Suffolk coast as part of the East Coast and Outer Thames Regional Environmental Characterisation (Ref. 22.127; 128). Seven major areas of <i>S. spinulosa</i> reef have been reported with varying extents from 7km ² and up to 50km ² in the East Coast region. One possible site has been identified in the North of the Outer Thames Region. <i>Sabellaria spinulosa</i> has also been identified as amongst the most abundant benthic organisms recorded during REC surveys.									
Distribution	The reefs associated with the offshore Coralline Crag are predicted to cover an area of approximately 18.5ha (Ref. 22.122). Within the GSB, larger reef formations are located at the exposed inshore Coralline Crag off Thorpeness, where an estimated 28ha of habitat within the study area was predicted as having a high probability of supporting <i>S. spinulosa</i> reefs and a further 24.5ha of habitat classified as having moderate probability of supporting <i>S. spinulosa</i> (Ref. 22.121).									

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>Exposed Coralline Crag provides the supporting habitat for establishment of <i>S. spinulosa</i> reefs in the GSB. The exposed area of offshore Coralline Crag is estimated at 57.5ha, whilst the extent of the exposed inshore Coralline Crag is 365ha. With a total of approximately 423ha within the GSB, provided in Appendix 22C of this volume.</p> <p>Reef Quality and Ecological Function.</p> <p><i>Sabellaria spinulosa</i> can form dense subtidal aggregations in the form of extensive 'crusts' or 'sheets', sometimes covering large areas of the seabed, which can act to stabilize sand or gravel habitats (Ref. 22.129–132). The crust formations are ephemeral in nature and are not considered as true <i>S. spinulosa</i> reef as it does not provide a biogenic habitat for associated species to establish. <i>Sabellaria spinulosa</i> formations increase in mass over time and form elevated reefs structures as new recruits are strongly stimulated to settle by cement construction on established colonies (Ref. 22.133). In reef formation, <i>S. spinulosa</i> is an ecological engineer, whereby aggregations form solid biogenic structures on the seabed (Ref. 22.131). <i>Sabellaria</i> reefs are known to enhance biodiversity and biomass in comparison with adjacent soft sediment communities (Ref. 22.130). The ecological function of <i>S. spinulosa</i> means that impacts on reefs have potential indirect effects on other benthic taxa. The reefs associated with the offshore Coralline Crag have been assessed as having 'low' (2-5cm) to 'medium' (5-10cm) elevation (Ref. 22.122) according to the Gubbay (2007) criteria (Ref. 22.134). With crusts also considered likely over a wider area (Ref. 22.122).</p> <p>The construction of the cooling water intakes at the offshore Coralline Crag is expected to have minor adverse effects on the <i>Sabellaria</i> reefs based upon a consideration of the factors described in Volume 2, Chapter 22 of the ES [APP-317], Table 22.38. Specifically, consideration was given to determining the significance of effects on the distribution and the functioning of the reef in the area (see [APP-317], para 22.7.213). Monitoring and further mitigation measures in relation to impacts on <i>Sabellaria</i> reefs at the location of the southern intakes is addressed in Question Bio.1.223.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
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	<p>No significant effects were identified on non-human biota from the routine radiological discharges of the Sizewell C development (see Volume 2, Chapter 25 of the ES [APP-340], paragraph 25.6.44, Table 25.2 and Table 25.3). Therefore, no further assessment was required for the benthic ecology receptors, including <i>Sabellaria spinulosa</i> reefs.</p>
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	<p>Various factors are considered when assessing impact magnitude: spatial extent, amount of change and the duration of the pressure (see Volume 2, Chapter 22 of the ES [APP-317], Table 22.3). For this assessment, the spatial extent of the pressure is very small (i.e., EQS concentrations are exceeded only up to 6.3m from the point of discharge; see [APP-317], paragraph 22.7.150), which would generally mean that impact magnitude is <i>very low</i>. However, as the pressure could last for the duration of the construction phase, the impact magnitude has been increased to <i>low</i>.</p>
Bio.1.219	The Applicant	<p>[APP-317], section C.d.b - para 22.7.200 – precautionary assessment of 6m depth of sediment.</p> <p>Is the Applicant assuming 6m of soft sediment at the Coralline Crags, 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?</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	<p>The precautionary assumption of 6m overlying sediment was used to inform worst-case dredge plume modelling based on reported sediment depths in the vicinity of 0.5m to 6m (Volume 2, Appendix 20J of the ES [APP-327]). Subsequent to the completion of the dredge plume modelling, geotechnical investigations at the location of the intakes and outfalls confirmed the sediment depths in the range from tens of centimetres to over 2m (paragraph. 22.3.122 of Volume 2, Chapter 22 of the ES [APP-317]). The dredge volume and surface area impacted by dredging is a function of the dredge depth and the dredge angle. Therefore, shallower sediment depths would result in lower initial dredge volumes and smaller surface area impacted. As such the assessment, based on current conditions is precautionary and overestimates the surface are of soft sediment impacted.</p> <p>Sediment depth can vary over time and may differ at the time of construction compared to what has been observed in the recent geophysical survey. Sediment depth is generally much less than 6m even at the northern intakes and outfalls. Therefore, the assumed dredge area and volume are precautionary in this case, irrespective of any additional sediment deposition that may occur prior to construction.</p> <p>Any sediment layer over the offshore Coralline Crag at the southern intakes is likely to be shallow at the time of construction even if deposition occurs following the latest geological survey. Dredge volumes at the location of the southern intakes, where exposed offshore Coralline Crag deposits occur, would be minimal. Ground preparation and laying of the gravel bed (paragraph 22.3.88 of Volume 2, Chapter 22 of the ES [APP-317]) for the installation of infrastructure would occur requiring the use of jack-up barges and anchoring. A full assessment of the impacts of ground preparation prior to laying the headworks is provided in Volume 2, Chapter 22 of the ES [APP-317], paragraphs 22.7.215 – 22.7.216.</p>
Bio.1.220	The Applicant MMO	<p>[APP-317] section C.d, paras 22.7.204 and 22.7.211.</p> <p>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 <i>Sabellaria spinulosa</i>, which is only part of the Coralline Crag? If not, please explain further.</p>
	Response	<p>Yes, that is correct. Less than 6% of the <i>Sabellaria</i> reef at the offshore Coralline Crag would be impacted in the worst-case positioning of headworks based on distribution and extent of this feature in the summer of 2019. <i>Sabellaria</i> reef does not cover all the</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>offshore Coralline Crag and its distribution is somewhat heterogeneous, causing the percentage cover of Coralline Crag that would be impacted to be slightly smaller than the percentage cover of <i>Sabellaria</i> reef that would be impacted.</p> <p>Monitoring and further mitigation measures in relation to impacts on <i>Sabellaria</i> reefs at the location of the southern intakes is addressed in Question Bio.1.223.</p>
Bio.1.221	The Applicant	<p>[APP-317] section C.d, para 22.7.205 – medium duration pressures from intake installation.</p> <p>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.</p>
	Response	<p>Yes, the impact would be of medium duration for the installation of the four intakes and the two outfalls together (see paragraph 22.7.205 of Volume 2, Chapter 22 of the ES [APP-317]). In the context of the sentence, ‘intakes’ should be replaced by ‘headworks’.</p>
Bio.1.222	The Applicant	<p>[APP-317]], section C.d para 22.7.212 “<i>Sabellaria spinulosa</i> larvae are reported ... at abundances of approximately 2,500 ind.m³ in July”.</p> <p>Please explain ind.m³.</p>
	Response	<p>ind. m³ is an abbreviation for “individuals per cubic metre”. In this sense, it means the number of individuals <i>Sabellaria spinulosa</i> larvae found in a cubic metre of seawater. Zooplankton is sampled using a Gulf VII high-speed plankton sampler equipped with a small “pup” net used to collect smaller size invertebrate larvae species like <i>Sabellaria spinulosa</i>. The larvae count carried out in the lab are converted to numbers of individual per cubic metre (m³) based on volume of water measured by the flowmeters installed on the plankton sampler (Volume 2, Appendix 22B of the ES [APP-319]).</p>
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>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<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>
Bio.1.224	The Applicant	<p>[APP-317] section C.d.d.b – Sabellaria spinulosa reef sensitivity to changes in suspended sediments, paras 22.7.224 and 225.</p> <p>In para [APP-224] we read "... the sensitivity of S. spinulosa 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 reef 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 Sabellaria spinulosa sensitivity to sedimentation rate changes, section C.d.e.b and elsewhere (e.g. 22.7.242 and 243).</p>
	Response	The approach to determining effects on <i>Sabellaria spinulosa</i> was based on empirical plume modelling for both the inshore navigational dredge activities and the dredging prior to the

ExQ1	Question to:	Question:
		<p>installation of the offshore CWS. The dredge plume modelling was used to inform sensitivity assessments.</p> <p>In paragraphs 22.7.225-225 of Volume 2, Chapter 22 of the ES [APP-317], which considers the CWS dredging, the sensitivity assessment applies the same evidence that was used to determine the sensitivity for the navigational dredge assessment. The approach was to precautionarily assume the same sensitivity as concluded for changes in suspended sediment concentration (SSC) due to navigational dredging, despite the latter causing a larger increase in SSC relative to background levels. The sensitivity of <i>Sabellaria spinulosa</i> reef to changes in SSC due to navigational dredging was assessed as <i>not sensitive</i>, with the increase in sediment supply not expected to have any detrimental effects (see Volume 2, Chapter 22 of the ES [APP-317], paragraphs 22.7.61 and 22.7.62). This level of sensitivity was also considered to be appropriate when assessing the effect of changes to SSC due to the installation of the cooling water system infrastructure (see [APP-317], paragraphs 22.7.224 - 22.7.225). In both cases, the increase in SSC would provide additional material that <i>S. spinulosa</i> uses to construct tubes, thus potentially temporarily enhancing reef building (see Volume 2, Chapter 22 of the ES [APP-317], paragraph 22.7.61). Therefore, it was concluded in both cases that changes to SSC would have a minor beneficial effect on <i>S. spinulosa</i> reefs (see Volume 2, Chapter 22 of the ES [APP-317], paragraph 22.7.63).</p> <p>With respect to sedimentation, the sensitivity of <i>S. spinulosa</i> reef was assessed as <i>not sensitive</i> for both navigational dredging (see Volume 2, Chapter 22 of the ES [APP-317], paragraphs 22.7.75 and 22.7.76) and dredging to install the cooling water system infrastructure (see Volume 2, Chapter 22 of the ES [APP-317], paragraphs 22.7.233 and 22.7.234). In both cases, light sedimentation (<10mm) is expected.</p> <p>Sedimentation associated with drilling and spoil pile formation, <i>S. spinulosa</i> reef would experience a higher level of deposition than would occur due to the two dredging activities above (>50mm vs. < 10mm). However, <i>S. spinulosa</i> can survive more substantial burial in terms of both depth and duration (see Volume 2, Chapter 22 of the ES [APP-317], paragraph 22.7.242). A conclusion of <i>not sensitive</i> would therefore arguably be justifiable; however, to be precautionary the sensitivity has been increased to <i>low</i>. This alongside the <i>low</i> impact magnitude of the pressure led to the conclusion of a minor adverse effect (see Volume 2, Chapter 22 of the ES [APP-317], paragraph 22.7.243).</p>

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	<p>Based on observations following marine aggregate dredging at the Hasting Shingle Bank License Area, <i>S. spinulosa</i> formations can be expected to settle and grow back within 18 months when larval supply is sufficient⁷¹. Evidence indicates that <i>S. spinulosa</i> reefs in the Greater Sizewell Bay are supported by a substantial larval supply, as major <i>S. spinulosa</i> reef populations are present in the Suffolk coastal area⁷²). <i>Sabellaria spinulosa</i> larvae have been recorded during plankton surveys in July at abundances of approximately 2,500 individuals m⁻³ at the sampling station near the Sizewell C cooling water infrastructure; however, larval supply is variable from year to year (see Volume 2, Appendix 22B of the ES: Sizewell Zooplankton Characterisation [APP-319]). The study at Hasting Shingle Bank also found that it took up to 3 years for Sabellaria aggregations to reach a stage equivalent to the oldest aggregations in the area. The reefs associated with the offshore Coralline Crag have been assessed as having ‘low’ (2-5cm) to ‘medium’ (5-10cm) elevation according to the Gubbay (2007;⁷³) criteria. Crusts are also considered likely over a wider area Therefore, it is likely that following initial settlement, reef aggregations would form within 18 months and develop into a form comparable to that observed prior to construction in a minimum of 3 years.</p>
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>

⁷¹ B. Pearce et al (2007). Recoverability of Sabellaria Spinulosa Following Aggregate Extraction. Aggregate Levy Sustainability Fund MAL0027. Marine Ecological Surveys Limited. Bath, UK.

⁷² Parliament of the United Kingdom, The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (as amended), London, 2017.

⁷³ Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<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	<p>Only the southern intake heads would be constructed on the offshore Coralline Crag, which provides a suitable habitat for <i>Sabellaria</i> reef. It is expected that the two southern intake heads would have nominal scour protection at the base with the anticipated footprint approximately 50m x 10m per intake or 0.1ha (1,000m²) in total (see Volume 2, Chapter 22 of the ES [APP-317], paragraph 22.7.257). The northern intake heads and outfalls would be constructed on soft sediment and are expected to have more extensive scour protection; however, soft sediment is not considered a suitable habitat for <i>Sabellaria</i> reef and targeted surveys have found no evidence of <i>Sabellaria</i> reef on soft sediment within the Greater Sizewell Bay (see Volume 2, Appendix 22C (Sizewell Benthic Ecology Characterisation) of the ES [APP-320])). Therefore, the footprints of these headworks and scour protection are not considered appropriate to include as part of the total area of potential suitable <i>Sabellaria</i> reef habitat.</p>
Bio.1.227	The Applicant	<p>[APP-317] Section C.d.i Spread of non-indigenous species: presence of structure. Please will the Applicant explain why Sabellaria spinulosa is not referred to and assessed.</p>
	Response	<p><i>Sabellaria spinulosa</i> is not assessed independently of the benthic invertebrate assessment; however, the potential for invasive non-native species (INNS) to compete for space with native species that 'live attached to the substratum' (such as <i>S. spinulosa</i> reef) is considered in the benthic invertebrate assessment (e.g. paragraph 22.7.110 of Volume 2, Chapter 22 of the ES [APP-317]). It was determined that a range of native fouling species were present in the area, including early colonisers such as mussels and barnacles, and none of these were INNS. Therefore, it is likely that the new structures</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>would be colonised by these taxa, thus limiting the habitat availability for INNS not currently in the area. Subtidal benthic invertebrates were precautionarily assessed as having a low sensitivity to this pressure and, therefore, this also applies to <i>S. spinulosa</i> (and <i>S. spinulosa</i> reefs). The assessment of effects for each development component (CDO, FRR, and CWS), and for their combined effects is applicable for <i>Sabellaria spinulosa</i> and <i>S. spinulosa</i> reefs and was considered. Overall, the assessment concluded that there is little potential for INNS to compete for space with native encrusting species such as <i>S. spinulosa</i>.</p>
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 Why is there no reference to Sabellaria spinulosa?</p> <p>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.</p>
	Response	<p><i>Sabellaria spinulosa</i> is not assessed independently of the benthic invertebrate assessment: potential effects of invasive non-native species (INNS); however, the results of the assessment on benthic invertebrates also apply to <i>S. spinulosa</i> and <i>S. spinulosa</i> reefs (see response to Question Bio.1.227 above).</p> <p>Scoping of the pressures and associated activities that could affect <i>S. spinulosa</i> reefs is provided in the section 'Offshore Sabellaria spinulosa reefs' of Volume 2, Chapter 22 of the ES [APP-317] (see paragraphs 22.7.25 to 22.7.28). Construction phase pressures with the potential to affect <i>S. spinulosa</i> are identified in Table 22.36 whilst and operational phase pressures are identified in Table 22.37. Following identification of potential pressure pathways, specific assessments on <i>S. spinulosa</i> and <i>S. spinulosa</i> reefs have been completed. Effects on <i>S. spinulosa</i> reefs were not assessed when no activity-pressure pathway was identified.</p>
Bio.1.229	The Applicant	<p>[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 <i>S. spinulosa</i>?</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	Yes, this is a typographical error and should read "primarily for <i>S. spinulosa</i> ".
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	<p>The unit 0.06/d means that mysids have a natural mortality term (M) of 0.06 per day. This represents daily losses of approximately 6% and is formally expressed in the form of:</p> $N_t = N_0 e^{-Mt}$ <p>where N_0 is the starting population size, N_t is the population size after time step t, and M is the natural mortality term. The natural mortality term is used to denote natural mortality (disease, predation etc) when estimating other impacts (entrainment in this case) on populations.</p> <p>The sentence in paragraph 22.7.368 of Volume 2, Chapter 22 of the ES [APP-317], refers to mysid mortality rates during entrainment. Mysid mortality was shown to be temperature-dependent in Entrainment Mimic Unit (EMU) studies. In addition to temperature-dependent entrainment mortality, mysid abundance is highly seasonal. The 37.2% mortality statistic provides an annual weighted average based on the relative proportion of mysids that would be exposed to different seasonal entrainment temperatures and thus mortality rates.</p> <p>Entrainment methodologies along with the calculation for annual mysid entrainment mortality is provided in Section 4.2 of Volume 2, Appendix 22G (Predictions of Entrainment by Sizewell C in Relation to Adjacent Fish and Invertebrate Populations) of the ES [APP-324]).</p>
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	Table 22.32 in Volume 2, Chapter 22 of the ES [APP-317] provides the full water quality assessment for each station in isolation and acting together. Table 22.52 in [APP-

ExQ1	Question to:	Question:
		317] focuses on information used in the benthic ecology assessment and shows how Sizewell C would cause water temperature to change in relation to current baselines, which includes: 1) temperature effects caused by Sizewell C beyond the current baseline while Sizewell B is still in operation (i.e. thermal discharges from Sizewell B are part of the current baseline), and 2) temperature effects caused by Sizewell C alone when Sizewell B is no longer in operation. Note that the interplay between the two stations results in the differences between the effect of Sizewell C when Sizewell B is in operation and when Sizewell B is not in operation.
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	The reference to Table 22.32 in Volume 2, Chapter 22 of the ES [APP-317] is correct. This Table is cited here to refer the reader to complete information on thermal plumes associated with each development. Table 22.52 in Volume 2, Chapter 22 of the ES [APP-317] focuses only on information used for the benthic ecology assessment in this section (see response to Question Bio.1.231).
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. 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 highlighted whereas Dab are not.
	Response	The colours schematic in Table 22.61 of Volume 2, Chapter 22 of the ES [APP-317] represents the selection process used to identify key species based on socio-economic, conservation and/or ecological criteria. Twenty-four taxa are considered to be key members of the fin-fish community, based on one or more criteria; socio-economic importance (blue 6), ecological importance (green 8) or conservation status (orange 14). Socio-economic importance is defined as species that contribute to the first 95% commercially-landed finfish of first sale value landed in the area off the East Anglian coast (paragraph 22.8.57 'Summary of key fish taxa' of Volume 2, Chapter 22 of the ES [APP-317]). Section 22.11 b) i. 'Commercial fisheries - current baseline' of Volume 2, Chapter 22 of the ES APP-317 considers the socio-economically important species in more detail. Paragraphs 22.11.13 and 22.11.14 and Table 22.145 [APP-317] described the socio-

ExQ1	Question to:	Question:
		<p>economic species. In 2017, seven species accounted for almost 95% of the first sale value of landings from this ICES rectangle and included:</p> <ul style="list-style-type: none"> • whelks (£279,001; 48.1 %); • seabass (£82,261; 14.2%); • sole (£69,218; 11.9%); • lobsters (£56,913; 9.8%); • thornback ray (£30,872; 5.3%), • herring (£16,263; 2.8%); and • Brown shrimp (£15,432; 2.7%). <p>By live weight, smooth-hound replaces lobster and six species combined contributed almost 94% of the landings from 33F1 in 2017:</p> <ul style="list-style-type: none"> • whelks (279.5t; 74.5%); • herring (31.3t; 8.3%); • thornback ray (18.8t; 5.0%); • sole (9.6t; 2.6%); • seabass (7.3t; 2.0%); and • and smooth-hound (<i>Mustelus sp.</i>; 4.5t; 1.2%). <p>Dover sole are selected as a key socio-economic species due to their landings value (and weight). Seabass, herring and thornback ray are selected for the same reason. Whilst dab form part of the local fishery, they are caught in small numbers and are not selected as a key species on the basis of their socio-economic importance. However, they are selected and assessed as a key species due to their ecological importance as they are common and abundant within the Greater Sizewell Bay. Cod and plaice are included in the list of socio-economic species due to their greater importance regionally, beyond 33F1 (Table 22.145 of Volume 2, Chapter 22 of the ES [APP-317]).</p> <p>Further information and a characterisation of commercial and recreational fisheries are provided in Volume 2, Appendix 22F [APP-323], whereas the fish ecology characterisation is provided in Volume 2, Appendix 22D [APP-321].</p>
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>

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

ExQ1	Question to:	Question:
	Response	<p>Is the MMO satisfied with this approach?</p> <p>Paragraph 22.8.169 of Volume 2, Chapter 22 of the ES [APP-317] is based on⁷⁴ and summarises the recommended guidelines for shipping and continuous noise sources on eggs and larvae.</p> <p>Major gaps still remain regarding potential effects of sound on fish⁷⁵ ⁷⁶ ncluding the understanding of how different fishes and their life stages detect and respond to sounds, and there are few really useful data on the adverse effects of sounds on fishes⁷⁷, particularly in relation to eggs and larvae.</p> <p>In the case of eggs and larvae, no data are available to inform the guidance, hence the application of the relative risk approach applied by⁷⁸ to describe the potential effects in the near (tens of meters), intermediate (hundreds of meters), and far (kilometres) field from the sound source.</p>

⁷⁴ Popper et al. (2014). ASA S3/SC1.4 TR-2014 Sound Exposure Guidelines for Fishes and Sea Turtles: A Technical Report Prepared by ANSI-Accredited Standards Committee S3/SC1 and Registered with ANSI. Springer Briefs in Oceanography.

⁷⁵ Popper, A.N., Hawkins, A.D., Sand, O. and Sisneros, J.A., (2019). Examining the hearing abilities of fishes. The Journal of the Acoustical Society of America, 146(2), pp.948-955.

⁷⁶ Hawkins, A. D., Johnson, C., & Popper, A. N. (2020). How to set sound exposure criteria for fishes. The Journal of the Acoustical Society of America, 147(3), 1762-1777.

⁷⁷ Hawkins, A. D., Johnson, C., & Popper, A. N. (2020). How to set sound exposure criteria for fishes. The Journal of the Acoustical Society of America, 147(3), 1762-1777.

⁷⁸ Popper et al. (2014). ASA S3/SC1.4 TR-2014 Sound Exposure Guidelines for Fishes and Sea Turtles: A Technical Report Prepared by ANSI-Accredited Standards Committee S3/SC1 and Registered with ANSI. Springer Briefs in Oceanography.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>The relative risk approach recommended by⁷⁹ still continues to be the best available criteria and is supported by underwater noise experts in the scientific community^{80 81}, coupled with a review of the latest research, this is best practice when no evidence-based guidance is available.</p>
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	<p>Localised displacement of fish receptors, identified as key taxa at Sizewell is assessed throughout the ES Volume 2 Chapter 22 (Marine Ecology and Fisheries) of the ES [APP-317].</p> <p>The Habitats Regulations and EIA Regulations are different pieces of legislation and require different considerations. In short, the Habitats Regulations are concerned with protecting the integrity of European Sites and the protection of certain species. The EIA Regulations are concerned with the assessment of significant environmental effects. Whilst</p>

⁷⁹ Popper et al. (2014). ASA S3/SC1.4 TR-2014 Sound Exposure Guidelines for Fishes and Sea Turtles: A Technical Report Prepared by ANSI-Accredited Standards Committee S3/SC1 and Registered with ANSI. Springer Briefs in Oceanography.

⁸⁰ Hawkins, A. D., Johnson, C., & Popper, A. N. (2020). How to set sound exposure criteria for fishes. The Journal of the Acoustical Society of America, 147(3), 1762-1777.

⁸¹ Popper, A.N. and Hawkins, A.D., (2019). An overview of fish bioacoustics and the impacts of anthropogenic sounds on fishes. Journal of Fish Biology, 94(5), pp.692-713

ExQ1	Question to:	Question:
		<p>applying these legal regimes may mean that there is overlap in the evidence/information which is considered, given the difference in the two regimes it is appropriate to conduct separate assessments. The effects of localised displacement of fish are common but the assessment under each legal regime is different.</p> <p>The reader is directed to the shadow Habitats Regulations Assessment [APP-145] for information in relation to local displacement of fish receptors in relation to the conservation objectives of the designated site, for example:</p> <ul style="list-style-type: none"> • Underwater noise from dredging (paragraph. 22.8.179 [APP-317]) and impact piling (paragraph 22.8.216 [APP-317]). In such cases the noise contours with the potential to elicit behavioural responses have been applied in the shadow HRA to infer the area over which changes in prey availability may occur during noise generating activities. • Prey fish displacement to thermal (paragraph 22.8.707 [APP-317]) and chlorinated discharges (paragraph 22.8.707 [APP-317]) from the cooling water outfalls have the potential to restrict available foraging habitat for designated species and is assessed in the shadow HRA. • Indirect food web effects (section 22.10 [APP-317]). <p>Localised displacement of fish receptors due to the pressures described above are assessed to have a minor adverse effects on the local distribution of fish (paragraph 22.8.179 and paragraph 22.8.707 of [APP-317]). The implications of localised displacement of fish as prey species for designated bird and marine mammal receptors identified in the shadow HRA are considered in Section 8 and Section 9 of [APP-145], respectively. Paragraph 11.3.5 of [APP-145] concludes that for all SPA and Ramsar qualifying features with marine prey, that construction, operation and decommissioning activities (including those that could have effects on prey availability) would not have an adverse effect on the integrity of the European sites, either alone or in-combination with other plans and projects. Paragraph 11.4.4 of [APP-145] concludes that the assessment of the Humber Estuary SAC (for grey seals), the Southern North Sea SAC (for harbour porpoise) and The Wash and North Norfolk Coast SAC (for harbour seals) (based on the proportion of the management unit population potentially affected) concludes that there would be no adverse effect on the integrity of the above SACs, either alone or in-combination with other plans and projects.</p> <p>In an EIA context, the indirect effects of localised displacement of fish receptors on the availability of fish as prey items has been assessed for bird receptors in Sections 14.12c)i</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>and 14.12c)ii 'Disturbance/displacement effects on birds' of Volume 2, Chapter 14 (Terrestrial Ecology and Ornithology) of the ES [APP-224] and for marine mammals in Section 22.9 of [APP-317].</p>
Bio.1.236	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>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.</p>
	Response	<p>The ExA is correct, displacement effects are considered in addition to direct effects on the fish receptors and are primarily relevant to fish as a prey species.</p> <p>Volume 2, Chapter 22 (Marine Ecology and Fisheries) of the ES [APP-317] assesses direct impacts on each receptor group and the potential for indirect effects. Fish are an important prey resource for marine mammals and seabirds. 'Assessments of effects of localised displacement' throughout the fish assessment in Section 22.8 is intended to describe how pressures from the proposed development could influence the availability of fish as a prey item. These assessments inform the potential for indirect effects on seabirds and marine mammals.</p> <p>Indirect effects on marine mammals are assessed in an Environmental Impact Assessment (EIA) context in Section 22.9 of Volume 2, Chapter 22 of the ES [APP-317] and in a Habitats Regulations Assessment (HRA) context in [APP-145].</p> <p>Indirect effects on seabirds are assessed in an EIA context in Volume 2, Chapter 14 [AS-033] and in an HRA context in [APP-145].</p> <p>The specific sections are signposted in the response to Question Bio.1.235 above.</p> <p>In response to regulatory comments on localised effects in relation to impingement of fish, including in relation to fish as a prey species, BEEMS Report SPP103 provides a local level assessment and was submitted as part of the supplementary fish pack (page 362 of [AS-238]). Continued dialogue between the Applicant and the EIFCA, Natural England and the Environment Agency. In summary, the report concludes that with the proposed mitigation measures in place the power station would cause minor local depletion of fish, orders of magnitude below natural variability in abundance to which predator-prey relationships are adapted.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
Bio.1.237	The Applicant, MMO	<p>[APP-317], Section C.b.g Underwater noise: impact piling, para 22.8.187.</p> <p>This states: <i>“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.</p> <p>Will the Applicant please say if this scoping out was agreed with the MMO.</p> <p>Please will the MMO say if it is content with this approach.</p>
	Response	<p>All assessments of auditory effects on fish receptors follow the latest guidance and are based on sound pressure.</p> <p>In its relevant representation (paragraph 5.4.2.2 [RR-0744]) the MMO commented that <i>“the fish noise assessments is considered sufficiently comprehensive and satisfactory although it would have been helpful for the assessment to estimate the relative temporal exposure of fish within the various impact zones. This would have provided additional context for the worst-case scenario that has been assessed. However, it is noted that this would not have altered the conclusions of the assessment.”</i> These comments were accepted and more information is provided in the assessments in the ES Addendum in relation to exposure to of fish in a tidal environment [AS-181].</p> <p>In consultation on the draft ES chapter, the MMO requested further evidence to be provided on the effects of particle motion. This was completed in the Marine Ecology and Fisheries chapter of the Volume 2, Chapter 22 of the ES [APP-317] and Volume 1, Chapter 2 of the ES Addendum [AS-181].</p>
Bio.1.238	The Applicant	<p>[APP-317] Section C.c.i.h, para 22.8.375.</p> <p>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.</p>
	Response	<p>Section 22.8 c) v Inter-relationship effects can be found on page 492 of Volume 2, Chapter 22 of the ES [APP-317].</p> <p>Section ‘Commissioning discharges of hydrazine on fish discharged from the FRR’ can be found at paragraph 22.8.841 of Volume 2, Chapter 22 of the ES [APP-317].</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
Bio.1.239	The Applicant, MMO	<p>[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.</p> <p>MMO may wish to comment.</p>
	Response	<p>Commissioning of the UK EPR™ reactor is proposed to take place in two stages; (i) cold flush testing and (ii) hot functional testing.</p> <p>Cold-flush testing discharges for both Units would be directed via the CDO and is assessed for fish receptors from para. 22.8.350 onwards.</p> <p>Hot functional testing takes place before fuelling the reactor, once the cooling water infrastructure is operational. The effluent produced during hot functional testing would be diluted within the CWS before being discharged via the outfall tunnel (paragraph 22.3.115 of Volume 2, Chapter 22 of the ES [APP-317]). Hot functional testing discharges are expected to be equivalent to operational discharges (Section 5.13.4 of Volume 2, Appendix 21E [APP-315]) and would be equivalent to the operations phase assessments.</p>
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	<p>Details of the methodology and results of entrainment predictions are provided in Volume 2, Appendix 22G (Predictions of Entrainment by Sizewell C) [APP-324]. Effects of entrainment on the juvenile stages, larvae and eggs of the key fish species is assessed in 'Cooling water abstraction: Entrainment', paragraph. 22.8.491 onwards [APP-317]. Paragraph 22.8.520 considers the effects of entrainment under a future climate scenario [APP-317].</p> <p>Table 22.103 presents the assumptions and parameters in the entrainment predictions.</p> <p>Table 22.102 shows the early life history stages of the key taxa assessed for entrainment. Herring larvae and juvenile stages have been observed in the Sizewell B entrainment monitoring programme and are assessed for entrainment effects. Entrainment effects on plaice were not considered in detail in Volume 2, Chapter 22 of the ES [APP-317] due to their very low abundance of life history stages susceptible to entrainment. Juvenile plaice</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>were found in offshore 2m beam trawl samples but at 55mm minimum length [Volume 2, Appendix 22B of the ES [APP-319] the juveniles were too large to have been entrained. No plaice larvae were identified in the entrainment sampling at Sizewell B and only 1 plaice larva was found in offshore plankton sampling [APP-324]. Impingement effects on plaice are considered in detail from para. 22.8.528 onwards.</p> <p>Entrainment effects are provided in Table 22.106 [APP-317]. The effects of entrainment on Dover sole eggs and larvae and sea bass eggs, expressed as equivalent adult females equates to <0.001% of SSB in both cases.</p> <p>The effects of entrainment under a future climate scenario is considered in paragraph 22.8.520 [APP-317], whereby ambient temperatures and entrainment temperatures would be greater than current conditions. The line <i>"Therefore, only Dover sole and seabass egg entrainment mortality prediction are subject to change"</i> relates to the fact that entrainment assumptions (Table 22.103 [APP-317]) assume 100% mortality for all species except Dover Sole and sea bass. In the case of Dover sole and sea bass, entrainment studies have shown 20% and 40% eggs survival, respectively. Entrainment studies have not been completed on any other ichthyoplankton groups and 100% mortality is precautionarily assumed for all species other than Dover sole and sea bass. As such, predicted entrainment mortality (% of entrained eggs or larvae) would only increase under a future climate scenario for Dover sole and sea bass.</p>
Bio.1.241	The Applicant	<p>[APP-317] Section D.c.c Cooling Water Abstraction: Impingement (para 22.8.528). 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>

ExQ1	Question to:	Question:
	<p>Response</p>	<p>Summary:</p> <ul style="list-style-type: none"> • Impingement occurs when fish (and invertebrates) are trapped against screens that filter the cooling water. • Entrainment occurs when fish (especially eggs and larvae) and plankton pass through the filtration screens and are carried through the entire cooling water system. • <i>Entrapment</i> refers to the entry of marine organisms into the intake head and therefore reflects all organisms removed from the sea, regardless of the route they then take through the rest of the cooling water system. In an assessment context entrapment is the sum of entrainment and impingement as the life history stages of some species will be subject to both impingement and entrainment. <p>So the ExA is correct, Impingement is the term used to refer to the fish and other marine species becoming trapped on cooling water filtration screens. Fish would be filtered by the rotating drum and band screens and returned to the sea via the fish recovery and return (FRR) system.</p> <p>All species large enough to be impinged would be returned to the sea via the FRR. Robust species will benefit from the FRR system, with approximately 50% of demersal and 80% of epibenthic species expected to be returned alive. Delicate species such as sprat and herring are anticipated to have minimal survival through the FRR (100% mortality is assumed in the assessments) (see paragraph 22.8.544 of [APP-317]).</p> <p>Engineering solutions preventing the necessity to chlorinate the drum screens mean impinged fish would not be exposed to chlorine which is toxic to fish. So fish are diverted to the FRR before any the chlorination points, thus improving survival. Therefore, chlorination of the cooling water system is not relevant to impinged fish. Entrained organisms are exposed to chlorine at the injection point and declining concentrations (due to chemical decay of the residual oxidants) until they are discharged at the cooling water outfall.</p> <p>Hydrazine enters the cooling water circuit at the discharge pit before being discharged via the outfalls. Therefore, impinged fish are not exposed to hydrazine and entrained biota are not exposed to hydrazine until after their passage through the condensers. Fish subject to entrainment are assessed for the effects of chlorination and hydrazine additions.</p>

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 Twaité 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 Twaité 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	Please see supplementary note provided at Appendix 7L of this chapter.
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) Twaité 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 comment on its significance. But is the relevant figure the percentage of SSB, namely 0.02%.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		(v) Please will the MMO also comment on all of the above.
	Response	Please see supplementary note provided at Appendix 7L of this chapter.
Bio.1.244	The Applicant, MMO	<p>[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.</p>
	Response	<p>We agree the title of Table 22.113 of Volume 2, Chapter 22 of the ES [APP-317] is not explicit in describing what it shows. Table 22.113 [APP-317] reflects additional species-specific assessment steps - these are detailed in Section 6.5 (Further consideration of impingement effects on eel, bass and thin-lipped grey mullet) of Report Number TR406 (see Chapter 2, Appendix 2.17.A (Supplementary Information on Fish Assessments) of the ES Addendum [AS-238] which provides an update to the version provided in Volume 2, Appendix 22I of the ES [APP-326]. Please see also Appendix 7L of this Chapter. Report TR406 [AS-238] provides updated impingement estimates for both species accounting for the estimated thinlipped grey mullet SSB and provides estimates of seabass SSB effects with/without the distribution in the GSB accounted for. In both cases impingement estimates are provided with and without mitigation measures. Further summary for each species is provided here: <u>Seabass</u> Seabass are not uniformly distributed across the GSB with evidence suggesting juvenile seabass are attracted to the warm water effluents of Sizewell B in winter. Sampling was undertaken inside and outside of the Sizewell-Dunwich Bank, and close to and distant from the current and proposed intake/outfall locations of Sizewell B and C, respectively. The survey identified a statistically significant difference in seabass distribution in the GSB with 95% of seabass recorded inside the Sizewell-Dunwich Bank. The attraction of juvenile</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>seabass to thermal discharges and in relation to an operational Sizewell C is considered in more detail in the Report TR406 at section 7.2.4 [AS-238]. The assessment accounts for the reduction in impingement due to the offshore location of the intake headworks which is considered to be 90%.</p> <p><u>Grey mullet</u></p> <p>There is not a directed commercial fishery for grey mullet in the southern North Sea and therefore the landings data (120 t in Report TR406 [AS-238]) will substantially underestimate the SSB. The mean length in the commercial catch has been estimated to be in the range 36 to 42cm. At this size the annual natural mortality (M) is in the range of 0.5 to 0.4 and the calculated sustainable harvesting rate is approximately 33% - 39% SSB (Section 5.1.1 of Report TR406 [AS-238]). Mullet impingement numbers at SZB show no significant trend over the period 2009-2017 and provide no evidence that fishing on the stock is unsustainable. It is therefore considered unlikely that mortality on the stock is 33%+ in the southern North Sea and instead a conservative assumption has been made that landings represent 20% of SSB. Resulting in a conservative SSB prediction of 600t against which a population estimate is made in Table 22.113 [APP-317].</p>
Bio.1.245	<p>The Applicant, MMO</p> <p>Response</p>	<p>[APP-317] Section D.c.c.c Assessment of impingement losses, Table 22.114. Comparison of the effectiveness of different embedded mitigation measures.</p> <p>In the column LVSE mitigation, % effectiveness, the figure is always 61.7%. Why is this?</p> <p>The method to calculate the LVSE mitigation factor represented a best endeavours approach between Cefas and the Environment Agency to understand the mitigation efficiency, however, it is acknowledged that common ground has not yet been achieved and is the subject of ongoing dialogue.</p> <p>The effectiveness LVSE was estimated to provide 61.7% reduction compared with the Sizewell B intake (from which the data are scaled up from) for all species. It's the same for all species because the calculation represents a geometric assessment of the intercept ratio of the intake apertures between Sizewell B and Sizewell C. The calculation, as detailed in Report SPP099 of Chapter 2, Appendix 2.17.A (Supplementary Information on Fish Assessments) of the ES Addendum [AS-238], estimated that 61.7% of fish (compared with Sizewell B) would be impinged per cumec (cubic metre per second) abstracted.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>The LVSE is designed to reduce intake velocities, in particular by removing tidal flow, and afford fish the opportunity to avoid abstraction by the intakes. The intercept ratio is a geometric calculation which incorporates intake velocities at the face. The calculation did not account for fish behaviour as such the mitigation factor is applied for all species. An updated version of Report SPP099 (Version 5) was submitted to the Environment Agency in April 2021 as part of a Schedule 5 request on the WDA permit. This update includes a simple approximation of swimming speed into the geometric calculation.</p> <p>In light of the ongoing dialogue regarding LVSE effectiveness with the Environment Agency, impingement predictions provided in Report TR406 (Chapter 2, Appendix 2.17.A of the ES Addendum [AS-238]) are sign- posted below:</p> <ul style="list-style-type: none"> • Table 2 (page 80) Summary table of Sizewell C impingement predictions with full mitigation (FRR + LVSE) and consideration of additional ecological factors. • Table 11 (page 129) Sizewell C impingement predictions with no mitigation. • Table 12 (page 130) Sizewell C impingement predictions with LVSE mitigation. • Table 13 (Page 131) Sizewell C impingement predictions with FRR mitigation. • Table 14 (page 132) Sizewell C impingement predictions with full mitigation. <p>Whilst the LVSE is anticipated to reduce impingement by allowing fish a greater opportunity to escape in relation to a conventional head, when impingement predictions do not account for LVSE intake mitigation, effects are not significant for any species assessed.</p> <p>Appendix 7L of this Chapter has been prepared to summarise to the ExA how the various reports link together to form the fish assessments together with any changes requested by the Environment Agency as part of the WDA process (Schedule 5 Requests).</p>
Bio.1.246	The Applicant	<p>[APP-317] section D.c.d, Cooling water abstraction: Entrapment, para 22.8.648.</p> <p>[APP-005] defines Entrapment as "The inadvertent entry into the cooling water system of marine organisms caused by the ingress of water".</p> <p>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 these. Impingement is becoming trapped on the screen. Entrainment is going through the whole cooling water system.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	<p>Different life-history stages of some key species at Sizewell may be subject to both entrainment (eggs, larvae and juveniles stages) and impingement. Therefore, a holistic assessment of impacts on fish considers both the impingement and entrainment routes, this is referred to as entrapment.</p> <p>Please see response to Bio.1.241.</p>
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	<p>We agree the '<i>target 5µg/l EQS</i>' in paragraph 22.8.765 of Volume 2, Chapter 22 of the ES [APP-317] is ambiguous. By-products associated with chlorination are predicted to have limited toxicity once in the receiving waters⁸² and there is no formal EQS for bromoform. A Predicted No Effect Concentration (PNEC) of 5µg/l as a 95th percentile is applied as the recommended standard. This precautionary threshold represents a trigger for further ecological investigation and is by, definition, below the concentration at which the most sensitive species are predicted to show effects.</p> <p>Within the 52ha where the PNEC is exceeded, a concentration gradient would occur decreasing in concentration away from the outfalls. As a 95th percentile, concentrations of 10µg/l (double the PNEC) are exceeded over less than 2ha at the surface at the Sizewell C outfalls; this concentration does not occur at the seabed (Volume 2, Appendix 21E of the ES [APP-315]). There are scarce studies on bromoform toxicity relevant to ichthyoplankton, however, the LC₅₀ for carp embryos (freshwater) demonstrates that lethal effects did not occur until much higher concentrations, orders of magnitude above the PNEC. The assessment of sensitivity of demersal fish to bromoform (paragraph 22.8.768 [APP-317]) again shows fish are tolerant to concentrations orders of magnitude above the immediate discharge plume.</p>

⁸² Taylor.C.J.L. (2006). The Effects of Biological Fouling Control at Coastal and Estuarine Power Stations. Marine Pollution Bulletin, 53 (1), pp. 30–48.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>In the absence of an EQS, we are not suggesting that the PNEC is too low. Instead, paragraph 22.8.765 [APP-317] aimed to provide the wider context in terms of the relative low sensitivity of fish receptors in relation to the PNEC.</p>
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	<p>Hydrazine discharges would not be continuous. The treatment tanks would be discharged once a day meaning the plume could be transported towards the FRR once within a 24-hour period depending on the direction of the tidal currents during release. Whilst the FRR is at an <i>in-situ</i> location the discharged fish that survive FRR passage are mobile, either transported by the tide or actively swimming. Therefore, an acceptable exposure gap is not strictly applicable in this instance as fish are highly unlikely to be at the same location at the FRR outfall at the time of the subsequent plume passage, approximately 24 hours later. Instead, fish sensitivity to hydrazine toxicity for the exposure conditions, assuming they are released into the passing plume, is considered based on model outputs of the plume behaviour.</p> <p>The Canadian Federal Water Quality Guidelines for hydrazine in the marine environment is 200ng/l for low likelihood of adverse effects and this threshold was never exceeded during the model simulation at the surface or the seabed. Maximum predicted concentrations at the seabed are less than 10% of those at the surface. At the surface, the acute PNEC is predicted to be exceeded a maximum of 21 occasions during the month-long model simulation, for a duration of between 0.25 and 3.25 hours at a time. At the seabed, the acute PNEC is exceeded a maximum of 15 occasions during the modelled month for a duration of between 0.75 and 2.75 hours at a time. The total duration above the acute PNEC at the FRR represents 5.1% of the month-long simulation and is not continuous.</p> <p>The acute PNEC is based on data for the most sensitive group of organisms tested (algae) and is derived from continuous exposure for up to 6 days. Available evidence suggests that fish are one of the less sensitive groups to hydrazine exposure. Therefore, the short duration of exposure and relatively low concentration would result in limited toxicity.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>Furthermore, hydrazine has low bioaccumulate potential (paragraph 22.6.147 of Volume 2, Chapter 22 of the ES [APP-317]).</p> <p>Whilst para. 22.8.842 acknowledges that fish exposed to impingement stress may be less tolerant to chemical stress, the low concentrations and transitory nature of the plume, indicates additional mortality would be minimal.</p>
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	<p>This point is fully addressed below, please see the response provided to Question Bio.1.250.</p>
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	<p>Temperature dependent toxicity is suggested to be a result of increased uptake rates and physiology at higher temperatures. A 5°C increase in temperature has been shown to halve the LC₅₀ concentration of free chlorine and chloramine in 30-minute exposures in some planktonic invertebrates⁸³. The concentrations tested in this study were in the 100s of microgram range and temperatures near the thermal tolerance⁸⁴.</p>

⁸³ Capuzzo, J. M., (1979). The effect of temperature on the toxicity of chlorinated cooling waters to marine animals — a preliminary review. — Marine Pollution Bulletin, 10, 45–47.

⁸⁴ Capuzzo, J. M., (1979). The effect of temperature on the toxicity of chlorinated cooling waters to marine animals — a preliminary review. — Marine Pollution Bulletin, 10, 45–47.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>Temperature elevation has been shown to increase toxicity of chlorine TRO in fish. In one case an approximate halving of the lethal concentration of TRO was observed with an increase of temperature between 10 and 20°C⁸⁵. However, the studies reviewed generally report temperature effects on toxicity in acute studies with durations of hours to a few days and with exposure concentrations in the 100s of micrograms. In the same review, in some cases fish were reported to actively avoid much lower TRO concentrations than would be lethal over several days' continuous exposure⁸⁶.</p> <p>At the immediate point of discharge the maximum temperatures at the surface are between 7.5 and 8°C above ambient. As a 98th percentile the 5°C above ambient temperature contour is 30.6ha in a relatively symmetrical position around the outfalls. Within this area TRO concentration above 50µg/l and 20µg/l occur over sea surface areas of ~9ha and 98ha, respectively as a 95th percentile. In small areas of the thermal plume with temperatures of 5°C above background and in which TRO concentrations are >20ug/l increased TRO toxicity may occur. However, the plume conditions sufficient to cause synergistic effects are transient and exposure times of actively mobile organisms or those passively moving with the tides would be short. Therefore, synergistic effects are feasible over limited spatial areas. Furthermore, mobile fish species may be able to avoid TRO plumes (paragraph 22.8.741 of Volume 2, Chapter 22 of the ES [APP-317]). The conclusion 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> is considered appropriate.</p>
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>

⁸⁵ Cooke, S.J. and J.F. Schreer (2001). Additive Effects of Chlorinated Biocides and Water Temperature on Fish in Thermal Effluents with Emphasis on the Great Lakes. Reviews in Fisheries Science, 2001, 9 (2), pp. 69–113.

⁸⁶ Cooke, S.J. and J.F. Schreer (2001). Additive Effects of Chlorinated Biocides and Water Temperature on Fish in Thermal Effluents with Emphasis on the Great Lakes. Reviews in Fisheries Science, 2001, 9 (2), pp. 69–113.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<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> <p>Can the MMO throw any light on this?</p>
	<p>Response</p>	<p>Hydrazine would be discharged into the cooling water flow at the seal pit in a single daily pulse of approximately 2.32h duration resulting in an initial hydrazine concentration of 69ng/l in the cooling water flow or as the alternative daily discharge scenario of 4.6h of 34.5ng/l. In both cases the concentration in the cooling water discharge itself is below the Canadian Federal Water Quality Guidelines for low likelihood of adverse effects toxicity of hydrazine in the marine environment (200ng/l). Once in the receiving waters, dilution and decay results in the acute PNEC (4ng/l as a 95th percentile) occurring over areas of 17.4ha and 13.8ha for the 34.5ng/l and 69ng/l discharge scenarios, respectively.</p> <p>Increases in water temperature have been shown to increase toxicity of hydrazine to fish, however, effect concentrations are orders of magnitude above the acute PNEC. As stated in Question Bio.1.248, the acute PNEC is based on data for the most sensitive group of organisms tested (algae) and is derived from continuous exposure for up to 6 days. Available evidence suggests that fish are one of the less sensitive groups to hydrazine exposure.</p> <p>At Sizewell, seasonal chlorination would be applied. When hydrazine is added to chlorinated seawater, the hydrazine is oxidized to nontoxic nitrogen, sodium chloride and water. An initial hydrazine concentration of 69ng/l fell to 8.4 ng/l in the presence of chlorinated seawater at the planned TRO concentrations for SZC (Volume 2, Appendix 21E of the ES [APP-315]). The combination of elevated temperature and chlorine TRO would increase hydrazine degradation. The elevated temperature and presence of TRO has the potential to enhance the interactions between the stressors. However, as hydrazine exposure occurs for short periods the dynamic interaction between TRO, hydrazine and temperature causing a reduction in hydrazine concentration but also potentially contributing to synergistic effects would be temporally as well as spatially limited.</p> <p>Synergistic effects on the toxicity of hydrazine to fish in the receiving waters would only occur in the very near field and have negligible difference beyond the effects already</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>assessed for the pressures individually. The sensitivity of fish to operational hydrazine discharges is assessed in paragraph 22.8.788 onwards of Volume 2, Chapter 22 of the ES [APP-317]; the effects of fish sensitivity to thermal discharges are assessed in paragraph 22.8.673 to 22.8.787.</p> <p>The assessment of localised displacement due to the synergistic effects of hydrazine and temperature changes in paragraph 22.8.853 of Volume 2, Chapter 22 of the ES [APP-317] are not anticipated to be greater than for the pressures alone. Localised behavioural responses to thermal discharges would override any behaviours to hydrazine.</p>
Bio.1.252	The Applicant, MMO	<p>[APP-317] Section D.e.g, Assessments of effects of localised displacement: hydrazine and temperature changes, para 22.8.853.</p> <p>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.</p> <p>Can the MMO throw any light on this?</p>
	Response	<p>The thermal discharge is anticipated to be the overriding factor causing the stimulus for fish displacement behaviours. Concentrations of hydrazine even in close proximity to the outfall are very low (please see response to Question Bio.1.251) therefore the assessment of displacement due to thermal discharges remains appropriate.</p> <p>For clarification para. 22.8.853 should read:</p> <p><i>"It is unlikely that this inter-relationship would increase the significance of the effects of localised displacement, beyond the effects predicted for the pressures [of hydrazine and temperature changes individually]. This conclusion applies to all fish receptors assessed. Effects are not significant at the sea or regional stock/population level."</i></p>
Bio.1.253	The Applicant, MMO	<p>[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</p> <p>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".</p> <p>Can the MMO assist?</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	<p>Response</p>	<p>These points were not explained as clearly as they should have been in paragraph 22.8.860 of Volume 2, Chapter 22 of the ES [APP-317] . The statement “<i>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</i>” is in respect to local depletion. The replenishment rate of planktonic organisms due to tidal exchange, relative to the volume abstracted is an important relationship in determining depletion and has been applied more widely in the EIA for considering effects on zooplankton (see Section 4.2 in Volume 2, Appendix 22G of the ES [APP-324]). In open coastal systems high replenishment rates dampens any local effects.</p> <p>Section D.e.k of [APP-317] considers the effects on the primary entrainment (passage through the cooling water circuit) and secondary entrainment (exposure to the discharge plume) on ichthyoplankton.</p> <p>The assessment of ichthyoplankton entrainment is precautionary for most species in that all individuals entrained are assumed to incur 100% mortality. The only exception to this is Dover sole and sea bass eggs where entrainment studies have shown 20% and 40% eggs survival, respectively (Table 2 of [APP-324]).</p> <p>Ichthyoplankton in the receiving waters exposed to the discharge plume have the potential to incur lethal effects in the near field of the plume, where thermal and or chemical discharges alone or in-combination are sufficient to cause acute effects. However, only a very small proportion of ichthyoplankton would be exposed. The effects of the thermo/chemical plume and entrainment on ichthyoplankton in terms of future SSB is considered negligible. Losses would not be significant in relation to high natural mortality and large variations in abundance.</p>
<p>Part 14- Biodiversity and ecology (marine) - Marine Mammals</p>		
<p>Bio.1.254</p>	<p>The Applicant, MMO</p>	<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>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<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	<p>(i) The MMO has stated a separate licence application for UXO removal is necessary once the detailed information is available. Therefore, the provisions related to UXO removal have been removed from the deemed Marine Licence (Doc Ref. 3.1(D)). Should UXOs be identified on site, a separate Marine Licence application will be made. This has been discussed during consultation with the MMO and Natural England. Please see statements at MDS_ML2 of the SoCG with the MMO (Doc Ref. 9.10.18) for further detail.</p> <p>(ii) The Marine Mammal Mitigation Protocol (MMMP) was to be secured by way of Condition 39 of the deemed Marine Licence as part of the UXO licensed activity however this has now been removed (see (i)). A MMMP for piling works has been drafted and is secured by deemed Marine Licence Condition 40. Measures necessary to mitigate any impact on marine mammals from UXO clearance activities will be identified and secured through any separate UXO clearance licences.</p> <p>(iii) Mitigation measures for seals are specified in the draft MMMP that has been submitted for piling activities (Volume 2, Appendix 22N of the ES [APP-331]) secured by Condition 40 of the deemed Marine Licence. Any measures required to mitigate the impact on seals due to UXO clearance, where required, will be identified and secured through any separate UXO clearance licences. A summary of such considerations and mitigation options is provided in paragraph 22.3.125 of Volume 2, Chapter 22 of the ES [APP-317].</p>
Bio.1.255	The Applicant	<p>[APP-317] section D.b.b – Cooling water infrastructure, para 22.9.248 and following. 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	<p>Table 22.214 of Volume 2, Chapter 22 of the ES [APP-317] refers to thermal threshold and areas of exceedance for all seasons against relevant standards.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>Harbour porpoise are highly mobile and most abundant in the Greater Sizewell Bay in Winter (paragraph 22.9.251 of Volume 2, Chapter 22 of the ES [APP-317]). The instantaneous area of thermal plume in Winter is considered appropriate for determining the potential impacts on harbour porpoise (the ecological context of the instantaneous plume is described in Bio.1.210).</p> <p>Volume 2, Appendix 21E of the ES [APP-315] details the monthly mean area of the instantaneous SZB+SZC plume at 2°C and 3°C excess temperature. The areas of exceedance for Winter (as referred to in the para 22.9.251 of [APP-317]) are provided in Plate 22.4 [APP-317].</p>
Bio.1.256	The Applicant, MMO	<p>[APP-317] section D.b.b.a – Sensitivity to temperature changes, para 22.9.257. 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) Please will the Applicant indicate where this is assessed in the shadow HRA and with what conclusion?</p> <p>Please cover all the instances of habitat loss for marine mammals, not just those mentioned specifically in this question.</p>
	Response	<p>The Shadow Habitats Regulations Assessment (shadow HRA) [APP-145] describes the potential effects on marine mammals and their prey from: changes in water quality (including temperature changes and chlorinated discharges); direct habitat loss or direct / indirect habitat fragmentation; underwater noise; and physical interaction with vessels or project infrastructure.</p> <p>The shadow HRA [APP-145] covers the following instances of habitat loss for marine mammals, with further site-specific assessment for the Southern North Sea Special Area of Conservation (SAC) provided in section 9.5 of the shadow HRA:</p> <ul style="list-style-type: none"> • Potential for habitat loss and fragmentation due to construction and decommissioning activities (Section 9.3.ii, starting at paragraph 9.3.19) • Potential for habitat loss during operation (Section 9.3.iii starting at paragraph 9.3.22) • Potential for impacts of the thermal plume on marine mammals (starting at Paragraph 9.4.17)

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> Potential for impacts of chemical discharges on marine mammals (starting at 9.4.15) <p>As per Table 9.38 (Summary of the potential effects of the Sizewell C Project on the Southern North Sea SAC alone and in-combination with other plans and projects) in the shadow HRA [APP-145], there would be no potential for adverse effects on the integrity of the site in terms of direct habitat loss and indirect habitat fragmentation during construction, decommissioning and operation alone or in combination.</p> <p>For pinniped species, habitat loss is not considered to be a potential effect in the shadow HRA. For the Wash and North Norfolk Coast SAC, in relation to the conservation objective for harbour seal, the conclusion is that there is no potential for adverse effects on the integrity of the SAC to arise due to the Sizewell C Project either alone or in-combination with other plans or projects (paragraph 9.6.50 of [APP-145]). For the Humber Estuary SAC, in relation to the conservation objective for grey seal, the conclusion is that there is no potential for adverse effects on the integrity of the Humber Estuary SAC to arise due to the Sizewell C Project either alone or in-combination with other plans or projects (paragraph 9.4.69 of [APP-145]).</p>
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	<p>(i) Material in the HRA is not being used to inform the EIA but the EIA does reference the HRA assessment for information. For avoidance of doubt, the two assessments run in parallel and in many instances rely on the same evidence base, but involve different tests. Paragraph 22.10.1 of Volume 2, Chapter 22 of the ES [APP-317] identifies that in addition to the EIA assessments of indirect effects on prey</p>

ExQ1	Question to:	Question:
		<p>availability, the shadow HRA [APP-145] (in Section 8 and Section 9) also considers such effects in relation to designated features and the conservation objectives of the site. Section 22.10 [APP-317] on indirect effects and food web considers food webs in the context of the marine ecology EIA. The assessment is informed from a food web analysis approach summarised in Section 22.10 b) 'Method summary'.</p> <p>(ii) HRA information is not directly used to inform the ES, which applies a parallel but independent assessment, but is referenced for additional information only. Food web effects, or more specifically prey availability, in the marine ecology ES [APP-317] is informed from the effects on each receptor group. For example, the ES considers pressures leading to localised depletion of fish (e.g. underwater noise and increases in suspended sediment; Section 22.8c [APP-317]); this is then considered in terms of prey availability for marine mammals in an EIA context (Section 22.9 [APP-317]).</p> <p>(iii) Shadow HRA material is not being imported into the EIA, which completes independent assessments for each receptor but is referenced for additional information only. Section 22.10 [APP-317] considers the food web as a whole i.e. the potential for pressures to cause food web perturbations. As described in point (ii) indirect effects on a receptor mediated through changes in the availability of prey resources is considered for each receptor section in the marine ecology ES [APP-317].</p> <p>(iv) Changes in prey availability for focal species are considered independently for each receptor in the ES and assessed under different criteria in the context of the shadow HRA in relation to designated features and the conservation objectives of the site. The assessment in Section 22.10 [APP-317] provides a system level approach to food web effects and determines the potential for development impacts to perturb the food web. Assessments of focal species of short term or localised changes in the availability of food are also considered in the ES. Such changes in prey availability can have indirect effects for focal species without wider food web implications. For example, fish avoidance to transient SSC plume or underwater noise has the potential to cause changes in prey availability for marine mammals or seabirds. However, such short term or spatially limited behavioural effects are unlikely to perturb the food-web at the system level. Table 22.144 [APP-317] provides more details. An assessment of the system level effects of discharges of dead and moribund fish from the FRR is provided in Section 22.10 [APP-317]. The conclusions</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>of Section 22.10 do not influence the individual assessments on focal species within the ES or shadow HRA due to different impacts with the potential to change local prey availability for focal species.</p>
<p>Part 16- Biodiversity and ecology (marine) - Mitigation</p>		
<p>Bio.1.258</p>	<p>The Applicant</p>	<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> <p>Response</p> <p>Paragraph 22.12.14 of Volume 2, Chapter 22 of the ES [APP-317] refers to piling activities. The provision of a draft Marine Mammal Mitigation Protocol (MMMP) is secured by Condition 40 of the deemed Marine Licence (Ref. 3.1(C)). A MMMP was developed outlining proposed mitigation measures to reduce the impacts of piling noise on marine mammals and submitted with the application (Volume 2, Appendix 22N of the ES [APP-331]). The document has subsequently been revised to reflect changes related to the new freight options (i.e. number and locations of piles for enhanced permanent beach landing facility (BLF) and temporary BLF as described in the Section 2.17 (Marine Ecology and Fisheries) of Volume1, Chapter 2 of the ES Addendum [AS-181])). The revised version of the MMMP willk be submitted at Deadline 3.</p> <p>The MMMP does not cover unexploded ordinance (UXO) as measures necessary to mitigate any impact on marine mammals from UXO clearance activities will be identified and secured through a separate UXO clearance Marine Licences. Effects of the removal of UXO provisions from the MMMP have been considered in [APP-317].</p> <p>As stated in paragraph 22.12.22 of [APP-317], there is a requirement to produce a <i>Sabellaria spinulosa</i> monitoring plan. This is secured by deemed Marine Licence Condition 45 (Doc Ref. 3.1(C)).</p>
<p>Bio.1.259</p>	<p>The Applicant</p>	<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	Question to:	Question:
		<p>practically. For example, how are cases identified, likewise appropriate mitigation and dispute resolution.</p>
	<p>Response</p>	<p>A Fisheries Liaison and Coexistence Plan (FCLP) must be prepared, to be secured under Marine Licence Condition 20 (Doc Ref. 3.1(C)). The Eastern Inshore Fisheries and Conservation Authority will be consulted on the FCLP and it will be approved by the MMO. Amongst other things, the FCLP will set out the appointment and responsibilities of a Fisheries Liaison Officer. The FCLP will also likely include nomination of a Fishing Industry Representative (FIR).</p> <p>The primary role of the FLO is to facilitate the interaction of the marine works with fishing activities. The FCLP will set out how the commencement and nature of licenced activities will be discussed to address the interaction of the licensed activities with fishing activities. The FLO role will implement this FCLP. The details of the FLCP are not yet confirmed but it is likely to include procedures for notifying fishermen of works that are likely to affect them, liaise with the FIR to ensure good communications between the project and local fishermen and means for dispute resolution.</p>
<p>Part 17- Biodiversity Net Gain – unless stated otherwise, references are to the Applicant’s Biodiversity Metric Calculations document [APP-266]</p>		
<p>Bio.1.260</p>	<p>The Applicant, Natural England, ESC</p>	<p>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.</p> <p>In all cases, please provide the necessary references and internet addresses.</p>
	<p>Response</p>	<p>A summary of legislation and policy is provided in the cover note for the latest reports. Please see Appendix 7M of this chapter.</p> <p>The ‘25 Year Plan for the Environment and the National Planning Policy Framework’ requires new developments to identify and pursue opportunities for securing measurable net gains for biodiversity and for the wider environment. The Environment Bill 2019-2021⁸⁷ which was first introduced on 15 October 2019, was re-introduced to parliament following a general election on 30 January 2020. The Environment Bill is viewed as helping</p>

⁸⁷ UK Parliament, Environment Bill 2019-2021, <https://bills.parliament.uk/bills/2593>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>deliver the government's manifesto commitment to '<i>delivering the most ambitious environmental programme of any country</i>'. The Environment Bill introduces a mandatory requirement for biodiversity net gain for new developments to ensure that they enhance biodiversity and create new green spaces for local communities to enjoy. Integrating biodiversity net gain into the planning system will provide a step change in how planning and development is delivered.</p> <p>The Environment Bill 2019-2021⁸⁸ has passed its second reading in the House of Commons and is has been at reporting stage since 26 January 2021. The Bill still needs to undergo a third reading in the House of Commons and be passed to the House of Lords. In the reporting stage amendments to the Bill can still be made.</p> <p>The Environment Bill in its present form includes a mandatory Biodiversity Net Gain of 10% for development and this needs to be maintained for a minimum of 30 years. National Significant Infrastructure Projects (NSIP) are excluded from mandatory Biodiversity Net Gain.</p> <p>Biodiversity Net Gain cannot be used to mitigate for the loss of habitats in statutory designated sites or irreplaceable habitats such as Ancient Woodland.</p> <p>The NPPF, sets out how the planning system should protect and enhance nature conservation interests. Section 15, paragraph 170d discusses biodiversity net gain. The relevant parts include:</p> <p>Planning policies and decisions should contribute to and enhance the natural and local environment by:</p> <ul style="list-style-type: none">• minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures; <p>Then paragraph 174b, to protect and enhance biodiversity and geodiversity, states plans should:</p> <ul style="list-style-type: none">• promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species: and identify and pursue opportunities for securing measurable net gains for biodiversity

⁸⁸ UK Parliament, Environment Bill 2019-2021, <https://bills.parliament.uk/bills/2593>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>Finally, paragraph 175d, which specifies the approach to be used when determining planning applications, local planning authorities are expected to apply the following principles:</p> <ul style="list-style-type: none"> development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.
Bio.1.261	The Applicant	<p>Executive summary – Use of Defra / Natural England Biodiversity Metric 2.0. Please will the Applicant confirm this is the current metric</p>
	Response	<p>Biodiversity Metric 2.0 is the latest version of the metric at the time of drafting this response.</p>
Bio.1.262	The Applicant	<p>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?</p>
	Response	<p>The reports dedicated to the associated development sites can be found at [REP1-017, REP1-018, and REP1-019].</p> <p>Integrated conclusions are presented in each report, for example in Section 9 of the main development site report [REP1-004].</p>
Bio.1.263	The Applicant	<p>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</p>
	Response	<p>These areas are shown the Figures of the BNG report submitted with Volume 2, Chapter 14, Appendix 14E of the ES [APP-266]. These areas are also shown in figures of the latest main development site report [REP1-004].</p>
Bio.1.264	The Applicant	<p>Executive summary. The achievement of the scores is reliant on creation and management plans. Please specify where these are secured in the DCO and which they are of the plans submitted.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	<p>The achievement of the scores is reliant on the Outline Landscape and Ecology Management Plans (oLEMPs).</p> <p>The oLEMP for the main development site [REP1-010] is secured via draft Requirement 14. The LEMPs in respect of the two village bypass site [AS-263] and Sizewell link road site [AS-264] are secured via draft Requirement 22A, where they are referred to as 'Ecology Management Plans'. These include management plans for the target habitats and these habitats are in accordance with the habitats assessed in the BNG Reports [REP1-018 and REP1-017].</p> <p>The Undertaker, acting on behalf of the Applicant, will be required to establish and manage the required habitats in general accordance with the oLEMPs and LEMPs.</p>
Bio.1.265	The Applicant	<p>Executive summary – "It is recommended that post planning, additional surveys are undertaken".</p> <p>Where is this secured in the DCO?</p>
	Response	<p>This comment is not present in the latest reports [REP1-004 ,REP1-017, REP1-018, and REP1-019]. Further survey work has now been undertaken and is reported in the updated report.</p>
Bio.1.266	The Applicant	<p>Executive summary.</p> <p>Please explain why the metric cannot assess loss of part of the Sizewell Marshes SSSI.</p>
	Response	<p>The Biodiversity Metric 2.0 User Guide⁸⁹ states that the '<i>The Biodiversity Metric 2.0 is not designed for use determining compensation for impacts on such sites</i>' (referring to designated sites, such as SSSIs). As such, the SSSI was excluded from the BNG calculations. These habitats are considered to be '<i>untradeable</i>' and so cannot be part of a '<i>net gain</i>' calculation.</p> <p>An assessment of the landtake impacts to the SSSI and an outline of the proposals for compensatory habitats is presented in Volume 2, Chapter 14 of the ES [AS-033]. Two subsequent documents address the compensatory habitats, these being the Fen Meadow Strategy [AS-033] and the Wet Woodland Strategy [REP1-020]. See also the answers</p>

⁸⁹ Natural England, Biodiversity Metric 2.0 User Guide. July 2019. [Online]. Available at: <http://publications.naturalengland.org.uk/file/5366205450027008>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		to questions Bio 1.36, Bio 1.50, Bio. 1.65, Bio. 1.72, Bio. 1.77, Bio.1.83, Bio. 1.86 and Bio. 1.271 .
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	Marine aquatic habitats are not included within the methodology of the Biodiversity Metric 2.0, so were not included within the assessment.
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	This comment is not present in the latest reports [REP1-004 , REP1-017 , REP1-018 , and REP1-019]. Further survey work has now been undertaken and is reported in the updated report.
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	The BNG assessments have been undertaken on a voluntary exercise. NSIPs are also currently excluded from any future mandatory requirement, based on the current proposals within the Environment Bill ⁹⁰ (see also Bio 1.260 above). These assessments have been undertaken to address stakeholder requests and no targets have been set. Updated Biodiversity Net Gain Reports [REP1-004 , REP1-017 , REP1-018 , and REP1-019] clarify this position.
Bio.1.270	The Applicant	Para 5.1 and Table 13. (i) Please clarify which are the “interventions” referred to a being changed. (ii) Have not some of the changes already been made, for example the Aldhurst Farm areas?

⁹⁰ UK Parliament, Environment Bill 2019-2021, <https://bills.parliament.uk/bills/2593>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	<p>Response</p>	<p>(iii) If so, is it valid to take them into account?</p> <p>(i) Details of the off-site interventions are presented in sections 2.3.3 to 2.3.8 and Figures 1 and 2 of the updated main development site report [REP1-004].</p> <p>(ii) Changes have already been made in some of these areas (see also Bio 1.51 above) as advanced creation of habitats is considered best practice. This approach minimises development effects by ensuring mitigation or compensatory habitats are either partially or fully established prior to construction impacts occurring. The baseline in the BNG assessments was taken prior to any habitat mitigation or compensation works relating to Sizewell C taking place.</p> <p>(iii) This approach is valid and is in accordance with Natural England approaches which encourage habitat creation measures in advance of development. The approach improves the value of the habitats and minimises effects related to landtake of habitats (discussed in BNG cover note (Appendix 7M of this chapter) and main development site executive summary [REP1-004]). This approach is also in accordance with Natural England’s consultation response⁹¹, which states the proposal ‘to include an option within the final Metric that will enable Time to Target Condition to be reduced by the relevant number of years to take account of habitats created ahead of a development.’ This approach, using historic baseline states has been used for the assessments undertaken for Sizewell C.</p>
Bio.1.271	The Applicant, Natural England	<p>Para 7 – areas excluded.</p> <p>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?</p>

⁹¹ Natural England, The Biodiversity Metric 2.0 – Beta Test Version Consultation Response. August 2020. [Online]. Available at: <http://publications.naturalengland.org.uk/file/5724981218770944>

ExQ1	Question to:	Question:
	Response	The habitat compensation for land take impacts to the Sizewell Marshes SSSI have been discussed with Natural England and other stakeholders. Specifically in relation to fen meadow, the compensation is addressed through the Fen Meadow Strategy included as Volume 3, Appendix 2.9.D of the ES Addendum [AS-209] and also see the answer to Question Bio 1. 65 above. Natural England's requirements for a greater area of fen meadow is addressed in the Fen Meadow Strategy. However, the land take of fen meadow from the SSSI and the replacement fen meadows to be created under the Fen Meadow Strategy [AS-209] are entirely excluded from the BNG assessment because (as stated in the response to Question Bio.1.266 above) the Biodiversity Metric 2.0 is not designed to assess impacts to SSSIs. These habitats are considered to be 'untradeable' and so it would not be appropriate to include any such component of this in the BNG calculations (including areas lost or created).
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	This comment is not present in the updated reports [REP1-004 , REP1-017 , REP1-018 , and REP1-019]. Further survey work has now been undertaken to address these matters and is reported in the updated reports.
Chapter 8 - 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	No response from SZC Co. is required. However, SZC Co. notes that the reference to the Shadow HRA Addendum refers to [AS-178]. Please note that this is one of the appendices to the Addendum; the full Shadow HRA Addendum is provided in [APP-173 to APP-178]. This should also be read alongside the Shadow HRA Second Addendum (Doc Ref. 5.10Ad 2).

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

ExQ1	Question to:	Question:
HRA.1.1	The Applicant	<p>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) 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.</p>
	Response	<p>The response to Bio.1.190 in Part 2 sets out the effect of the 2019 Amendment Regulations⁹² upon the Habitats Regulations 2017⁹³.</p> <p>In short, the overarching duties relating to compliance with the Habitats Directive⁹⁴ and Wild Birds Directive⁹⁵ have not changed. The amendments to the 2017 Regulations do not alter the approach to or conclusions of the assessments which have been carried out in the Shadow HRA Report [APP-145 to APP-149], the Shadow HRA Addendum [AS-173 to AS-178] and the Shadow HRA Second Addendum (Doc Ref. 5.10Ad 2).</p> <p>The 2019 Regulations have created a national site network on land and at sea, including both the inshore and offshore marine areas in the UK. The definition of ‘<i>national site network</i>’ in Regulation 3 includes all existing SACs and SPAs. SACs and SPAs in the UK no longer form part of the EU’s Natura 2000 ecological network. Any reference to Natura 2000 in the Shadow HRA and Shadow HRA Addendum should now be to the new ‘<i>national site network</i>’.</p> <p>The 2019 Regulations provide that, for the purposes of the 2017 Regulations and any guidance issued before 31 December 2020 at 11.00 pm by the appropriate authority (in relation to England, ‘<i>the appropriate authority</i>’ means the Secretary of State) or the appropriate nature conservation body, relating to the application of the 2017 Regulations,</p>

⁹² Statutory Instruments 2019 No. 579. The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019.

⁹³ Statutory Instruments 2017 No. 1012. The Conservation of Habitats and Species Regulations 2017.

⁹⁴ Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (Habitats Directive). 1992. Official Journal of the European Communities.

⁹⁵ European Parliament and of the Council. Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds (Bird Directive). 2009. Official Journal of the European Union.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>references to 'Natura 2000' are now to be construed as references to the national site network.</p> <p>The 2019 Regulations provide that the Habitats Directive is to be construed as if references to 'a site of Community importance designated by the Member States' included, in relation to the United Kingdom, a reference to site of national importance designated under any of the retained transposing regulations.</p> <p>Ramsar sites do not form part of the national site network. However, in a Policy Paper entitled '<i>Changes to the Habitats Regulations 2017</i>' published by Defra⁹⁶, it is stated that '<i>many Ramsar sites overlap with SACs and SPAs, and may be designated for the same or different species and habitats. All Ramsar sites remain protected in the same way as SACs and SPAs</i>'.</p> <p>Given the above, SZC Co. does not consider that the new network objectives change the scope of or approach to the Shadow HRA Report [APP-145 to APP-149], the Shadow HRA Addendum [AS-173 to AS-178] or the Shadow HRA Second Addendum (Doc Ref. 5.10Ad 2).</p> <p>It can be noted that footnote 5 of the Shadow HRA Report [APP-145 to APP-149] states that the 2019 Regulations "<i>have no material effect on the HRA process as applied to the Sizewell C Project</i>". The term "no material effect" was used to confirm that 2019 Regulations have no bearing on the Shadow HRA Report in terms of assessment methodology for each stage of the HRA process or on the conclusions reached in the assessments.</p>
HRA.1.2	Environment Agency	<p>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</p>

⁹⁶ Policy paper: Changes to the Habitats Regulations 2017. Published 1 January 2021. <https://www.gov.uk/government/publications/changes-to-the-habitats-regulations-2017/changes-to-the-habitats-regulations-2017>.

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

ExQ1	Question to:	Question:
		European sites. If the Environment Agency has outstanding concerns on these matters, please could they expand.
	Response	No response from SZC Co. is required.
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	Please refer to response to HRA.1.0 .
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.
	Response	Northumbrian Water Limited (NWL) has indicated that they expect to be able to supply the Sizewell C Project from their Northern/Central Water Resource Zone (WRZ). NWL has commissioned an abstraction sustainability study of this WRZ as part of an Environment Agency led 'Water Industry National Environment Programme' (WINEP) scheme. An interim report due in June 2021 is expected to demonstrate that the Sizewell C demand would be sustainable without causing any impact on designated wetland sites. As there would be no net increase in abstraction from the local Blyth WRZ to meet SZC's demand for potable water, there is no plausible impact pathway for any in-combination effects.
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	ZC Co. does not believe that there are any aspects of the proposed development that could lead to likely significant effects on European sites via this pathway. SZC Co. will provide a written commitment, including a plan, showing access routes to maintain access for the RSPB to continue management to the southern side of the

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>Minsmere reserve (within the Minsmere-Walberswick Special Protection Area (SPA) and Ramsar site and Minsmere to Walberswick Heaths and Marshes Special Area of Conservation (SAC)) and also retained areas of Sizewell Marshes SSSI. SZC Co. commits to not impede the management practices required for the conservation of any European sites (or the retained areas of the Sizewell Marshes SSSI). SZC Co. will submit the above to the Examination and will share with stakeholders at the earliest opportunity.</p> <p>SZC Co. does not believe that the commitment referred to above constitutes mitigation that is intended to avoid or reduce an effect on European sites. The access route defined for southern side of the Minsmere reserve is the existing access route, lies outside the proposed order limits and will be unchanged. The commitment, therefore, will simply record and capture an aspect of construction planning.</p>
HRA.1.6	The Applicant	<p>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]?</p>
	Response	<p>As noted by the ExA, the Shadow HRA Report, Volume 4: Compensatory Measures [APP-152] concludes by assessing the suitability of the proposed compensatory measures against the criteria defined in NPS EN-6⁹⁷, namely that in cases where site level assessments identify that compensation is required it must meet the following criteria and be:</p> <ul style="list-style-type: none"> • appropriate for the area and the loss caused by the project; • capable of protecting the overall coherence of the Natura 2000 network; • capable of implementation;

⁹⁷ Department of Energy and Climate Change, National Policy Statement for Nuclear Power Generation (EN-6). (London: The Stationary Office, 2011).

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<ul style="list-style-type: none">capable of ensuring that the Natura 2000 site is not irreversibly affected by the project before the compensation is in place;directed in measurable proportions to the habitats and species negatively affected;related to the same biogeographical region (within the UK);serves functions that are comparable to those that motivated the original area's submission for designation; andclearly defined, with implementation goals and managed so that the compensatory measures can achieve the goal of maintaining or improving the overall coherence of the Natura 2000 network. <p>The February 2021 guidance⁹⁸ describes the requirements of the three legal tests involved in seeking a derogation for a proposal that has failed the integrity test. 'Test 3: Secure compensatory measures' is relevant to the provision of compensatory measures and refers to points that should be considered in order to be confident that the proposed measures will fully compensate for the negative effects of the proposal.</p> <p>Although the considerations listed in the February 2021 guidance are not the same as those addressed at the conclusion of the Shadow HRA Report, Volume 4: Compensatory Measures [APP-152], the factors have, in practice, been considered in that document.</p> <p>The factors referred to in the February 2021 guidance are listed below; the references in brackets indicate where each factor has been addressed: in the Shadow HRA Report, Volume 4: Compensatory Measures [APP-152]:</p> <ol style="list-style-type: none">1. How technically feasible and effective the measures will be - based on scientific evidence and previous examples (sections 3.2, 3.3, 3.4a of the Shadow HRA Report, Volume 4: Compensatory Measures [APP-152], supported by the Marsh Harrier Compensation Area Design Update report (Doc Ref. 9.16)).

⁹⁸ Defra (2021) Habitats regulations assessments: protecting a European site Guidance. Available at: <https://www.gov.uk/guidance/habitats-regulations-assessments-protecting-a-european-site>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>2. How financially viable the measures are - the proposer must have enough funds to cover costs (see comment following this numbered list).</p> <p>3. How the compensation would be carried out, including how it'll be managed and monitored over the time that's needed, and how it's been secured (sections 2.1, 2.2, 2.3, 3.4 c) of the Shadow HRA Report, Volume 4: Compensatory Measures [APP-152]).</p> <p>4. Distance from the affected site - compensation closer to the site is generally preferred, unless measures further away will benefit the network of European sites as a whole (section 3.4 b) of the Shadow HRA Report, Volume 4: Compensatory Measures [APP-152]).</p> <p>5. How long the compensatory measures will take to reach the required quality and amount of habitat (section 2.4 of the Shadow HRA Report, Volume 4: Compensatory Measures [APP-152]).</p> <p>The Shadow HRA Report, Volume 4: Compensatory Measures [APP-152] does not explicitly address how financially viable the measures are, but does note that the compensatory measures have been initiated and would have been developing over a period of approximately 7 years prior to start of construction. The land required for the compensatory measures is located entirely within the EDF Energy estate.</p>
HRA.1.7	The Applicant	<p>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.</p>
	Response	<p>For ease of reference and context, paragraph 2.4.1 of the Shadow HRA Report, Volume 4: Compensatory Measures [APP-152] is reproduced below:</p> <p><i>"The proposed habitat enhancement land was taken out of agricultural production approximately 4 years ago and some habitat management – for the purposes of offsetting the effects of the Sizewell C Project – has been implemented in the intervening period</i></p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p><i>and is ongoing. Further habitat enhancement, including scrub and hedgerow planting was undertaken in early 2020”.</i></p> <p>The habitat management measures have been undertaken in a phased manner. The following measures have been undertaken to date (refer to locations of different habitat types on Figure 3.1 of the Marsh Harrier Compensation Area Design Update report (Doc Ref. 9.16)):</p> <ul style="list-style-type: none"> • When the proposed habitat enhancement land was taken out of agricultural production approximately 4 years ago, tussocky grassland was initially planted. • In early 2020, areas of short grassland, scrub, hedge / scrub / bank belt and tall tussocky grassland were planted. • In mid-late 2020, areas of wildflower and nectar seed mix were planted. <p>To date, the implementation of the proposed wetland habitats (open water, wet woodland, reedbed and open water channel) has not commenced. Given the extent of excavation required (estimated at 120,000m³), it is considered that a Development Consent Order needs to be in place before the excavation and subsequent establishment of these other habitats can be commenced.</p>
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>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<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>
	<p>Response</p>	<p>Proposed future management measures will be set out in an EDF estate-wide management plan, which will explain the long-term management of the marsh harrier compensation habitat area.</p> <p>ES, Volume 2, Chapter 14 (Terrestrial Ecology and Ornithology), Appendix 14C5: Marsh Harrier Mitigation Area Feasibility Report [APP-259] is updated by (Doc Ref. 9.16), which includes the proposed wetland habitats. Appendix B to Doc Ref. 9.16 includes 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.</p> <p>The revised proposals, which now include transforming 10% of the compensation area to wetland, represent a positive enhancement of the previously proposed design reported in the Marsh Harrier Mitigation Area Feasibility Report [APP-259] given the high suitability of wetland habitats for foraging marsh harriers. Therefore, the wetland creation will augment the previously proposed management that was focussed solely on enhancing prey abundance and availability on 'dry' habitat. The high suitability of wetland habitats for foraging marsh harriers is a point recognised throughout the discussions on the design of the compensation area and acknowledged by Natural England in its relevant representation; Part II, item 27.</p>
HRA.1.9	Natural England	<p>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</p>

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

ExQ1	Question to:	Question:
		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	No response from SZC Co. 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 3 OF 6

Chapter 9 CC.1	Climate change and resilience
Chapter 10 CG.1	Coastal Geomorphology
Chapter 11 CA.1	Compulsory Acquisition
Chapter 12 CI.1	Community Issues
Chapter 13 Cu.1	Cumulative impact and transboundary effects

ExQ1	Question to:	Question:
Chapter 9 - 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	<p>(i) Volume 2, Chapter 26 of the ES [APP-342], paragraphs 26.5.21 to 26.5.38 summarise measures which mitigate the effects of climate change on the proposed development. The key measures include:</p> <ul style="list-style-type: none"> • specification of minimum main platform and SSSI crossing crest heights to minimise the risk of flooding; • provision of sea defences and specification of a minimum crest height to reduce the risk of overtopping, with an adaptive design to raise the sea defence in the future, if required; • specification of the Outline Drainage Strategy (Doc Ref. 6.3 2A(A)) to account for an increase in surface water flows with climate change at the main development site and associated developments; • specification of planting tolerant of likely future site and environmental conditions, and long-term management and monitoring of planting through the Outline Landscape and Ecology Management Plan (oLEMP) [REP1-010]; • other measures which provide climate change resilience, including the highly transmissive nature of the BLF to water and sediment flows and the use of subterranean tunnels for the cooling water infrastructure; • specification of measures within the CoCP (Doc Ref

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> • . 8.11(B)) for the management of extreme weather events and procedures for the management of construction traffic during severe weather events in the Traffic Incident Management Plan Doc Ref. 8.6(A)); • design and management of the Sizewell C nuclear power station in compliance with the requirements of the Nuclear Site Licence. <p>Since the issue of Volume 2, Chapter 26 of the ES [APP-342], an ES Addendum [AS-179 to AS-260] was subsequently prepared that considered any Additional Information and proposed changes, which were accepted by the Examining Authority on 21st April 2021. Volume 1, Chapter 2 of the ES Addendum [AS-181] included updates to the Climate Change Resilience (CCR) assessment. Paragraph 2.21.16 of the Volume 1, Chapter 2 of the ES Addendum [AS-181] concludes that the proposed design changes, which were accepted in April 2021, either result in no change or improve the CCR of the proposed development with regards to flood resilience. Therefore, no further additional mitigation or adaptation measures were identified. The accepted changes (April 2021) which improve the flood resilience of the proposed development include the following:</p> <ul style="list-style-type: none"> • Change 5 – change to the location of the water storage area and the addition of flood mitigation measures; • Change 6 – change to the SSSI crossing design; • Change 9 – change to the sea defence; • Change 12 - Extensions and reductions of the Order Limits for works on the Sizewell link road, as well as minor changes to the public right of way proposals (including changes to drainage arrangements). <p>Furthermore, the outline landscape and ecology management plans for two village bypass [AS-263] and Sizewell link road [AS-264] have been drafted to incorporate planting tolerant to existing and future climatic conditions (e.g. resilient to drought and disease) and to provide a strategy for the long-term management of habitats that takes into account climate change adaptation and resilience.</p> <p>(ii) The measures specified for CCR cover the period that they have been specified to mitigate for. For example, the main platform height, SSSI crossing crest height and sea defence crest height are defined based on protection of the site until all nuclear wastes and spent fuel have been removed from the site (i.e. 110 years post</p>

ExQ1	Question to:	Question:
		<p>commercial operation date, up to 2140). Performance requirements relating to design life, such as sea levels and wave overtopping (which are influenced by climate change and sea level rise), are captured in the design of the sea defence crest height. In addition degradation of the sea defence is considered and accounted for within the design to ensure that appropriate measures are taken (such as concrete cover for the crest wall and erosion protection for the backslope) that ensure the design life can be met. Refer to CC.1.1 for further information. Similarly, the Outline Drainage Strategy (Doc Ref. 6.3 2A(A)) for two village bypass and Sizewell link road has been informed by hydraulic modelling covering the design life of these roads (100 years).</p> <p>(iii) Paragraphs 4.8.6 and 4.8.7 of EN-1 state the need to use current climate projections, follow the current Representative Concentration Pathway and show projection percentiles of 10, 50%, and 90%. To satisfy these requirements, Volume 2, Chapter 26 of the ES [APP-342] presents the future baseline with all three of these attributes, as detailed from paragraph 26.5.17 onwards.</p>
CC.1.1	<p>The Applicant</p> <p>Response</p>	<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> <p>The critical features of the scheme referred to in paragraph 4.8.8 of EN-1 would be located on the main platform within the main development site. The proposed level of the platform itself has been set to 7.3mAOD (as described in Description of Permanent Development ES chapter (refer to Volume 3, Appendix 2.2.A of the ES Addendum (Doc Ref. 6.14(A)) for the latest version) ensuring that it would be raised above extreme sea levels, considering sea level rise for the reasonably foreseeable climate change scenarios (i.e. up to the 1 in 10,000-year event in 2140).</p> <p>The risk of flooding on the main platform has been assessed for a range of return period events and climate change scenarios considering all sources of flooding, as reported in the Main Development Site Flood Risk Assessment (MDS FRA) [AS-018] and the MDS FRA Addendum [AS-157]. It was concluded that the main platform would not be at risk of fluvial flooding, taking into account the credible maximum climate change scenario for</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>increases in fluvial flows (i.e. an 80% increase beyond 2070 and by the end of the development life, i.e. 2190).</p> <p>With respect to coastal flood risk, as stated in the MDS FRA Addendum [AS-157], the updated design of the HCDF with a crest level of 12.6mAOD would protect the platform from wave overtopping during the 1 in 10,000-year return period design event (considering UKCP18 climate projections) until the end of the interim spent fuel store decommissioning phase (2140) and would have future adaptability to be raised to a crest of 16.4mAOD to account for any change in risk beyond that identified within the UKCP18 projections. As noted in the response to the Examining Authority's written question FR.1.2 within Part 4, the impacts of climate change on sea level rise would be monitored and assessed at set intervals (e.g. 10 years) to determine whether the projections (e.g. in terms of sea level rise or increased storminess) follow the currently predicted trajectory (i.e. if there is any change from either the currently considered projections or the climate change guidance), as applied within the Application.</p> <p>Beyond the operational phase (i.e. 2090 onwards), there is likely to be a residual risk of platform inundation during extreme surge events considering the credible maximum climate change allowances. However, by this point in time the activities on site would be limited to removal of buildings and storage within the spent fuel store.</p> <p>As required by the ONR, a separate Safety Case Assessment is being prepared to provide further details on how the safe operation of the site would be managed during extreme events.</p>
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>
	Response	<p>All decommissioning projects of nuclear power stations require consent from the Office for Nuclear Regulation (ONR) before the decommissioning can begin and then must comply with the conditions of that consent. Before consent for the decommissioning of a nuclear power station is granted by the ONR, there is a requirement for the operator to undertake</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>an EIA and prepare an ES under the relevant EIA Regulations, such as the Nuclear Reactors (Environmental Impact Assessment for Decommissioning) Regulations 1999¹ and the Marine Works (Environmental Impact Assessment) Regulations 2007².</p> <p>For the Sizewell C UK EPR™ units, the preparation and submission of the EIA will take place in the years leading up to the end of generation under the relevant EIA Regulations. The EIA performed at that time would take full account of the environmental impacts of decommissioning and confirm mitigation measures implemented.</p> <p>However since the preparation of the ES, SZC Co. has undertaken a Life Cycle Carbon Assessment. This includes an estimate of GHG emissions from activities and infrastructure associated with the decommissioning phase and radioactive waste management. A copy of this report is provided within Appendix 9A. Further information is also provided within the response to CC.1.5.</p>
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	<p>The 6th carbon budget was published by the Committee for Climate Change in 2020 and is currently under consideration by the Government. It is the first budget to reflect the amended carbon reduction trajectory to net zero by 2050.</p> <p>The greenhouse gas assessment presented in Volume 2, Chapter 26 of the ES [APP-342] was undertaken before the publication of the 6th carbon budget.</p> <p>The table below presents the impact of the proposed development in each carbon budget period. The 6th carbon budget period includes the final year of construction and first four years of operation. Despite the 6th budget being a significant reduction from previous years, the emissions only account for 0.06% of this budget. Under the significance criteria</p>

¹ HMSO (1999) Nuclear Reactors (Environmental Impact Assessment for Decommissioning) Regulations 1999

² HMSO (2007) Marine Works (Environmental Impact Assessment) Regulations 2007

ExQ1	Question to:	Question:																				
		<p>used, this would remain as of low magnitude and not having a significant effect on the UK's ability to meet its carbon budget commitments.</p> <table border="1" data-bbox="768 323 1809 1091"> <thead> <tr> <th data-bbox="768 323 1028 555">UK Carbon Budget</th> <th data-bbox="1028 323 1288 555">Total Budget (Mt CO_{2e})</th> <th data-bbox="1288 323 1547 555">Estimated Emissions During Budget Period (Mt CO_{2e})</th> <th data-bbox="1547 323 1809 555">Project Emissions as Percentage of Carbon Budget</th> </tr> </thead> <tbody> <tr> <td data-bbox="768 555 1028 644">3rd (2018-2022)</td> <td data-bbox="1028 555 1288 644">2,544</td> <td data-bbox="1288 555 1547 644">0.52 (1 year of construction)</td> <td data-bbox="1547 555 1809 644">0.02%</td> </tr> <tr> <td data-bbox="768 644 1028 767">4th (2023-2027)</td> <td data-bbox="1028 644 1288 767">1,950</td> <td data-bbox="1288 644 1547 767">2.62 (4 years of construction)</td> <td data-bbox="1547 644 1809 767">0.13%</td> </tr> <tr> <td data-bbox="768 767 1028 895">5th (2028-2032)</td> <td data-bbox="1028 767 1288 895">1,725</td> <td data-bbox="1288 767 1547 895">2.62 (4 years of construction)</td> <td data-bbox="1547 767 1809 895">0.15%</td> </tr> <tr> <td data-bbox="768 895 1028 1091">6th (2033-2037)</td> <td data-bbox="1028 895 1288 1091">965</td> <td data-bbox="1288 895 1547 1091">0.61 (1 year of construction, 4 years of operation)</td> <td data-bbox="1547 895 1809 1091">0.06%</td> </tr> </tbody> </table> <p>Since the preparation of the ES, SZC Co. have undertaken a Life Cycle Carbon Assessment to inform its Environmental Product Declaration (refer to Appendix 9A). The Life Cycle Carbon assessment provides a more detailed calculation of the GHG emissions from the Sizewell C Project over its lifetime and calculates a carbon intensity value to achieve the energy output. This independent assessment calculated the carbon intensity to be 6.1 g CO_{2e} per kWh generated (compared 4.5 g CO_{2e} per kWh within the ES). The updated analysis identifies a lower total construction carbon footprint of c3.8Mt (compared to the estimated c5.7Mt provided in the ES). The updated analysis does not provide impacts on a year by year basis, so is not directly comparable with the table above, but the lower total construction number is supportive of the conclusions in the table above.</p>	UK Carbon Budget	Total Budget (Mt CO _{2e})	Estimated Emissions During Budget Period (Mt CO _{2e})	Project Emissions as Percentage of Carbon Budget	3 rd (2018-2022)	2,544	0.52 (1 year of construction)	0.02%	4 th (2023-2027)	1,950	2.62 (4 years of construction)	0.13%	5 th (2028-2032)	1,725	2.62 (4 years of construction)	0.15%	6th (2033-2037)	965	0.61 (1 year of construction, 4 years of operation)	0.06%
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ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>The information provided above only considers the impact of the carbon emissions produced by Sizewell C in the context of the UK’s carbon budgets. However, the importance of low carbon power generation projects such as Sizewell C (and other nuclear or renewable projects) for the UK’s carbon budgets should also be considered from the perspective of the carbon emissions that would otherwise be produced by other sources, if they were not generating.</p> <p>In simple terms, if there is insufficient low carbon power being produced to meet electricity demand, then a fossil fuelled gas plant would be expected to be operating producing significant carbon emissions. Furthermore, in order to meet the future carbon budgets, it is considered likely that there will have to be widespread electrification of transport and heating with low carbon power providing the electricity consumed by those sectors.</p> <p>In summary, the impact of the steepening carbon budgets for the assessment provided in the ES (and further information provided in responses to the Examining Authorities questions on this subject) shows:</p> <ul style="list-style-type: none"> • the emissions produced during the construction are insignificant relative to the carbon budget; • meeting the steepening carbon budgets is expected to require an increased need for new low carbon power generation projects such as Sizewell C. <p>The Planning Statement Update (Doc Ref 8.4Ad) explains the role of new nuclear generation in the context of the 6th carbon budget and the latest statements of Government policy.</p>
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> <p>(i) those aspects of the GHG assessment for which professional judgment has been used;</p> <p>(ii) the outcome of those judgements; and</p> <p>(iii) the justification for the assumptions made in the exercise of that professional judgement.</p>

ExQ1	Question to:	Question:
	Response	<p>(i) Professional judgement has been used both during the calculation of the GHG emissions footprint presented in Volume 2, Chapter 26 of the ES [APP-342] and when putting the GHG impact of the proposed development into context with the UK meeting its carbon reduction targets. Professional judgment used to draw conclusions on the displacement of GHG emissions is discussed in response to question G.1.21 in Part 1.</p> <p>Some of the specific details relating to the Sizewell C Project, such as the exact specification of construction materials or distances construction workers will travel to and from site are not available at this stage. In this instance, worst-case estimates and approximations were used. For example, to calculate emissions associated with construction materials, a general emissions factor for the material was selected. The '<i>general</i>' emission factor for a material type tend to have higher emission factors than a material type with specified qualities.</p> <p>To calculate emissions associated with the transportation of construction workers to and from the construction site, estimates were made based on the assumption that workers would be travelling from the nearest major towns.</p> <p>The assumptions used for the calculation of the GHG footprint are presented in Volume 2, Chapter 26 of the ES [APP-342], Table 26.6.</p> <p>As stated in the Volume 2, Chapter 26 of the ES [APP-342], there is currently no industry guidance defining the magnitude and significance of GHG emissions from a project on the climate. IEMA state that any GHG emissions from a project might be considered to be significant and that it is up to a practitioner's professional judgement on how to contextualise a project's GHG impact, suggesting the use of carbon budgets³. In this case, the impact of Sizewell C has been contextualised against the UK's carbon budgets. As stated in Volume 2, Chapter 26 of the ES [APP-342], paragraph 26.4.11, it is common practice to consider emissions sources that are <1% of an emissions inventory as <i>de minimis</i>. On this basis professional judgement was used when considering 1% of the UK carbon budget as a threshold when assessing the impact of emissions from the project. This approach was agreed</p>

³ HMSO (1999) Nuclear Reactors (Environmental Impact Assessment for Decommissioning) Regulations 1999

ExQ1	Question to:	Question:
		<p>by the Planning Inspectorate in the EIA Scoping Opinion (Volume 1, Appendix 6B) of the ES [APP-169]).</p> <p>(ii) Where professional judgement has been used during the calculation of the GHG footprint, this has resulted in a worst case being presented.</p> <p>With regards to the methodology adopted for the assessment of the magnitude and significance of the Sizewell C Project, the overall GHG impact of Sizewell C is considered not significant.</p> <p>(iii) The justification for the assumptions made is outlined in part (i) above. Further details are provided in in Volume 2, Chapter 26 of the ES [APP-342], paragraph 26.4.11 and Table 26.6. Further, in validation of the professional judgement decisions that were made within this Chapter, an independent detailed Lifecycle Carbon Assessment has also been undertaken (refer to Appendix 9A), since the publication of the ES, to inform the Environmental Product Declaration and commensurate results and conclusions were made, as demonstrated in CC.1.3 response.</p>
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	<p>The assumptions that underpin the GHG assessment within the ES are detailed within Volume 2, Chapter 26 of the ES [APP-342]. However, since the preparation of the ES, SZC Co. has commissioned an updated Lifecycle Carbon Assessment to assess the carbon footprint of the project and with the aim of producing an Environmental Product Declaration (EPD), which considers other environmental impacts as well as the carbon footprint. A copy of the carbon focused life cycle assessment report, hereafter “LCA” (which provides the assessment of Sizewell C’s potential future carbon footprint) is provided within Appendix 9A and the full EPD report, covering categories beyond carbon is expected to be published in the coming months.</p> <p>The LCA was carried out under the most relevant Product Category Rules (PCR) for electricity generation. PCRs specify how a LCA should be conducted and reported via an EPD for products that fulfil similar requirements. The PCRs that the LCA has been</p>

ExQ1	Question to:	Question:
		<p>conducted under is that for '<i>Electricity, Steam and Hot Water Generation and Distribution PCR2007:08, version 4</i>'. This PCR was created by the International EPD® System (IES) in accordance with standards such as ISO 14025 and ISO 14044. The LCA has been independently reviewed and verified by a third-party (WSP), with the verification statement certificate attached to the report.</p> <p>The LCA provides a more detailed calculation of the GHG emissions from the Sizewell C Project over its lifetime than the carbon assessment provided in the ES, with updates to data (where available), and was performed using different software tools. The LCA includes the full 'cradle to grave' lifecycle activities of Sizewell C including:</p> <ul style="list-style-type: none"> • all upstream activities required for the supply of nuclear fuel (including uranium mining, conversion, enrichment, and fuel fabrication); • construction materials and activities; • Sizewell C operational activities (in addition to the supply of nuclear fuel); • decommissioning and waste management infrastructure and activities. <p>Inventory data covering the activities described above were used to calculate the potential carbon footprint per kWh generated by Sizewell C. In addition, the PCR requires that a measure of carbon per kWh '<i>distributed to a potential consumer</i>' is provided with an assessment of the carbon impact of downstream infrastructure (the UK's transmission and distribution electricity grid). It should be noted that downstream impacts of a similar magnitude would be expected to apply to all large power generators.</p> <p>The LCA assessed the potential carbon intensity of Sizewell C's generation as 6.1 g CO₂e/kWh of electricity generated.</p> <p>Whilst the Lifecycle Carbon Assessment provides an updated estimate of GHG emissions associated with the Sizewell C Project, it does not change the overall conclusions of the assessment presented within Volume 2, Chapter 26 of the ES [APP-342], namely that the Sizewell C Project will provide a significant contribution to reducing GHG emissions from electricity generation in the long term.</p> <p>In the short-term, the updated assessment shows that the expected GHG emissions associated with the construction of Sizewell C will be lower than the estimate provided in the ES. Therefore the ES conclusion that the construction of Sizewell C will not affect the ability of the Government to meet its relevant carbon budgets (refer to response CC.1.3) remains robust.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
CC.1.6	The Applicant	<p>Green House Gas emissions</p> <p>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?</p>
	Response	<p>The development of design in general accordance with the Associated Developments Design Principles (Doc Ref. 8.3(A)) is secured through Requirements 18, 20 and 22 of the draft DCO (Doc Ref. 3.1(C)), as relevant for each associated development.</p> <p>Chapter 5 of the Main Development Site Design and Access Statement (Doc Ref. 8.1Ad2 (A)) has been updated for the Deadline 2 submission to include Principles 1, 2, 3 referenced within Volume 2, Chapter 26 of the ES [APP-342]. The development of design in general accordance with Chapter 5 of the Main Development Site Design and Access Statement (Doc Ref. 8.1Ad2 (A)) is secured through Requirement 11 of the draft DCO (Doc Ref. 3.1(C)).</p>
CC.1.7	The Applicant	<p>Green House Gas emissions</p> <p>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?</p>
	Response	<p>The requirement to measure, monitor and report energy and water consumption and GHG emissions during construction will be passed to SZC Co. contractors through their contracts. Contractors will be required to set out how they will measure and monitor their performance within their Construction Environmental Management Plans, which will include submitting monitoring results into a SZC Co. project recording and reporting tool. Contractors' performance will be monitored by SZC Co. through the recording and reporting tool, and audits will be undertaken to identify any non-compliance(s) against contractual requirements (including compliance with the CoCP (Doc Ref. 8.11(B))), opportunities for improvement or areas of good practice implemented by the specific</p>

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

ExQ1	Question to:	Question:
		contractor. The completion of actions from audits will be tracked and any lessons learnt shared across all SZC Co. contractors. Further information on the implementation of the requirements set out within the CoCP is provided within Part A, Section 2.3 of the CoCP (Doc Ref. 8.11(B)).
CC.1.8	The Applicant	<p>Green House Gas emissions</p> <p>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?</p>
	Response	<p>The GHG emissions factors used to calculate the emissions footprint, as presented in Volume 2, Chapter 26 of the ES [APP-342], were the latest emissions factors available at the time the assessment was undertaken. Emission factors provide a ratio of the emissions that are released per unit of a process, activity or material. Emission factors are updated periodically to reflect changing practices and new data. The emissions factor data set published and updated by the Department for Business, Energy and Industrial Strategy (BEIS)⁴ on an annual basis was the primary source of energy related emissions factors. These were used for calculating carbon emissions from the transportation of materials, staff/workers and waste. Emissions factors from version 3 of the Inventory of Carbon and Energy published by Circular Ecology in 2019⁵ were used to calculate the embodied carbon in construction materials. This data set was previously updated in 2013. It is not possible to say with any certainty how these emissions factors will change between 2019 and 2034. However, based on Government policy to decarbonise the UK</p>

⁴ DBEIS (2020) Greenhouse gas reporting: conversion factors 2020. Available at: <https://www.gov.uk/government/publications/greenhouse-gas-reporting-conversion-factors-2020>

⁵ Circular Ecology (2019) Embodied Carbon - The ICE Database. Available at: <https://circularecology.com/embodied-carbon-footprint-database.html>

ExQ1	Question to:	Question:
		<p>economy by 2050, and similar policy across Europe, it is reasonable to suggest that these factors will reduce over time.</p> <p>The trajectory set out in the UK carbon budgets requires the UK to reduce carbon emissions by 78% by 2035 based on 1990 levels. Between the 3rd carbon budget covering the period 2018 to 2022 and the 6th carbon budget covering the period 2033 to 2037 the carbon budget decreases from 2544MtCO₂e to 965 MtCO₂e, a 62% decrease in emissions. If the UK is to meet these targets, carbon reduction will need to be achieved across the majority of UK sectors. As transport and energy decarbonises in line with these budget it is anticipated that emissions factors (i.e. emissions per a quantity of a material) will reduce.</p> <p>In addition to the emissions factors reducing, it is reasonable to anticipate that there will be an uptake of lower carbon and more efficient technology. The Committee on Climate Changes states that if the 6th carbon budget is to be met, a number of key steps will need to be taken⁶. For example by the early 2030, in line with Government policy, all new cars and vans will be electric and grid electricity production will need to decarbonise by 2035. On this basis a 15% reduction in emissions between 2019 and 2034 is considered to be conservative.</p>
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</p>

⁶ CCC (2020) The Sixth Carbon Budget: The UK's path to Net Zero. Available at: <https://www.theccc.org.uk/wp-content/uploads/2020/12/The-Sixth-Carbon-Budget-The-UKs-path-to-Net-Zero.pdf>

ExQ1	Question to:	Question:								
		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</p>	<p>(i) As described in the SZC Co. response to CC.1.3, the 6th carbon budget is currently under consideration by the Government, and is the first budget to reflect the amended trajectory to net zero by 2050. As this was not available when Volume 2, Chapter 26 of the ES [APP-342] was being developed, it was not included in the assessment.</p> <p>The 6th carbon budget period includes the final year of construction and first four years of operation. The table below presents the GHG impact of Sizewell C in the context of the UK carbon budgets. Despite the 6th budget being a significant reduction from previous budgets, GHG emissions from Sizewell C only account for 0.06% of this budget. Under the significance criteria used, this would remain as low magnitude and have no significant effect on the UK's ability to meet its budget commitments would occur.</p> <p>As described in the response to CC.1.3, the impact of new low carbon power generators such as Sizewell C on the UK's ability to meet its carbon budgets is not limited to the carbon emissions produced during their construction. Specifically, the low carbon power the new projects produce will be needed in order to achieve the reduction in unabated fossil fuels required for the UK to meet future carbon budgets.</p> <table border="1" data-bbox="869 1123 1906 1441"> <thead> <tr> <th data-bbox="869 1123 1111 1358">UK Carbon Budget</th> <th data-bbox="1111 1123 1373 1358">Total Budget (Mt CO_{2e})</th> <th data-bbox="1373 1123 1630 1358">Estimated Emissions During Budget Period (Mt CO_{2e})</th> <th data-bbox="1630 1123 1906 1358">Project Emissions as Percentage of Carbon Budget</th> </tr> </thead> <tbody> <tr> <td data-bbox="869 1358 1111 1441">3rd (2018-2022)</td> <td data-bbox="1111 1358 1373 1441">2,544</td> <td data-bbox="1373 1358 1630 1441">0.52 (1 year of construction)</td> <td data-bbox="1630 1358 1906 1441">0.02%</td> </tr> </tbody> </table>	UK Carbon Budget	Total Budget (Mt CO _{2e})	Estimated Emissions During Budget Period (Mt CO _{2e})	Project Emissions as Percentage of Carbon Budget	3 rd (2018-2022)	2,544	0.52 (1 year of construction)	0.02%
UK Carbon Budget	Total Budget (Mt CO _{2e})	Estimated Emissions During Budget Period (Mt CO _{2e})	Project Emissions as Percentage of Carbon Budget							
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ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:												
		<table border="1" data-bbox="869 244 1906 692"> <tr> <td data-bbox="869 244 1113 368">4th (2023-2027)</td> <td data-bbox="1113 244 1368 368">1,950</td> <td data-bbox="1368 244 1630 368">2.62 (4 years of construction)</td> <td data-bbox="1630 244 1906 368">0.13%</td> </tr> <tr> <td data-bbox="869 368 1113 493">5th (2028-2032)</td> <td data-bbox="1113 368 1368 493">1,725</td> <td data-bbox="1368 368 1630 493">2.62 (4 years of construction)</td> <td data-bbox="1630 368 1906 493">0.15%</td> </tr> <tr> <td data-bbox="869 493 1113 692">6th (2033-2037)</td> <td data-bbox="1113 493 1368 692">965</td> <td data-bbox="1368 493 1630 692">0.61 (1 year of construction, 4 years of operation)</td> <td data-bbox="1630 493 1906 692">0.06%</td> </tr> </table> <p data-bbox="763 699 2121 1174">(ii) In preparing its response to the ExA’s questions and comments made by interested parties on the assessment, SZC Co. has considered the issue further and concluded that within the context of Sizewell C, and any other new low carbon generation project, the grid average comparison approach used in Volume 2, Chapter 26 of the ES [APP-342] is overly conservative and has significant limitations as a means of assessing the carbon savings that new low carbon generators can provide. The reasons for this are outlined in response to question G.1.21 in Part 1. However, this does not affect the overall conclusion of the assessment presented within Volume 2, Chapter 26 of the ES [APP-342] namely that the Sizewell C Project will provide a significant contribution to reducing GHG emissions in the long term. In the short-term, the GHG emissions associated with the construction of Sizewell C will not affect the ability of the Government to meet its relevant carbon budgets. These conclusions remain robust.</p>	4 th (2023-2027)	1,950	2.62 (4 years of construction)	0.13%	5 th (2028-2032)	1,725	2.62 (4 years of construction)	0.15%	6th (2033-2037)	965	0.61 (1 year of construction, 4 years of operation)	0.06%
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CC.1.10	The Applicant	<p data-bbox="763 1185 1223 1219">Green House Gas emissions</p> <p data-bbox="763 1230 2121 1410">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>												

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	<p>Response</p>	<p>The GHG assessment presented in Volume 2, Chapter 26 of the ES [APP-342] has been undertaken in line with the World Resources Institute (WRI) & World Business Council for Sustainable Development (WBCSD) GHG Protocol⁷, and IEMA guidance for assessing the GHG impacts of a project for EIA⁸. The GHG impact assessment is reported as tonnes of carbon dioxide equivalent (tCO₂e) and includes the seven Kyoto Protocol gases:</p> <ul style="list-style-type: none"> • Carbon dioxide (CO₂). • Methane (CH₄). • Nitrous oxide (N₂O). • Sulphur hexafluoride (SF₆). • Hydrofluorocarbons (HFCs). • Perfluorocarbons (PFCs). • Nitrogen trifluoride (NF₃). <p>The Paris Agreement, 2050 net zero commitments and UK Committee for Climate Change reports concern GHGs. Waste heat is not considered as a GHG and does not contribute to global warming, and is therefore not considered applicable to the assessment of impacts on carbon budgets, presented within Volume 2, Chapter 26 of the ES [APP-342].</p> <p>However, an assessment of the thermal plume on the marine environment is presented within Volume 2, Chapter 21 (Marine Water Quality and Sediments) of the ES [AS-034]. The effects are identified as minor adverse, not significant.</p>
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>

⁷ WRI & WBCSD (2004) The GHG Protocol, A Corporate Accounting and Reporting Standard. Available at: <https://ghgprotocol.org/sites/default/files/standards/ghgprotocol-revised.pdf>

⁸ HMSO (1999) Nuclear Reactors (Environmental Impact Assessment for Decommissioning) Regulations 1999

ExQ1	Question to:	Question:
	Response	<p>As presented in Volume 1, Chapter 2 of the ES Addendum [AS-181], Section 2.21 Climate Change, the GHG assessment was updated to account for:</p> <ul style="list-style-type: none"> • the Additional Information on updated materials management strategy assumptions; • the proposed changes (accepted in April 2021), including: <ul style="list-style-type: none"> ○ potential increase in rail movements (Change 1) and vessel movements by sea (Change 2) during the construction of Sizewell C, and consequent reduction in HGV movements; ○ extension of the Order Limits to provide for additional fen meadow habitat at Pakenham as mitigation for fen meadow loss (Change 11); and ○ revised waste quantities as a result of changes to the two village bypass and Sizewell link road site areas (Change 12).
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	<p>As described within Volume 2, Chapter 26 (Climate Change) of the ES [APP-342], under the regulatory and legal requirements for obtaining a Nuclear Site License (NSL) from the ONR, SZC Co. is required to demonstrate that consideration has been given to the potential impacts of climate change and that the necessary measures to adapt the Sizewell C Project have been agreed. The Safety Case for the NSL must demonstrate that the Sizewell C Project is safe in normal operation and that any non-standard operations resulting from the impacts of climate change do not lead to nuclear emergencies, before the ONR would grant consent.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>As part of the NSL application process, SZC Co. must demonstrate that the design of the Sizewell C power station mitigates external hazards related to climate change, including the following:</p> <ul style="list-style-type: none"> • Coastal flooding – tidal effects, wind generated waves, storm surges. • Rainfall and surface run-off – direct rainfall, run-off, snow melt, fluvial, pluvial, high groundwater. • Extreme climatic conditions – snow and frost, extreme wind, extreme cold and heat (air), fog. <p>As such, the sufficiency of measures embedded within design for climate change resilience required for the safe operation of the Sizewell C nuclear power station is assessed by the ONR as part of the NSL application process. This includes the safety of operation during flooding and storm events, and the impact of sea level rise, coastal erosion and extreme weather conditions on the operation of Sizewell C. Furthermore, the Sizewell C Project will be subject to a periodic and systematic review and reassessment of the Safety Case in line with the requirements of the NSL during its operation.</p> <p>The assessment of climate change resilience of the elements of the Sizewell C Project other than the operation of the Sizewell C nuclear power station itself fall within the remit for consideration through the DCO application process. This includes:</p> <ul style="list-style-type: none"> • the climate change resilience of the main development site during construction; and • climate change resilience of associated developments during construction and operation. <p>Further breakdown of climate change resilience measures controlled through the DCO and the NSL is set out within Volume 2, Chapter 26 of the ES, Table 26.18 [APP-342].</p> <p>In addition, the assessment of in-combination climate impacts of the Sizewell C Project on off-site receptors is presented within Section 26.6 of Volume 2, Chapter 26 of the ES [APP-342].</p>
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>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<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	No response from SZC Co. required.
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	No response from SZC Co. required.
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	<p>Volume 2, Chapter 26 of the ES [APP-342], paragraphs 26.5.21 to 26.5.29 summarise measures embedded within the design proposals of the Sizewell C Project which mitigate the effects of climate change on the proposed development.</p> <p>Out of these measures, the following have been identified and assessed with regards to their potential to give rise to consequential impacts:</p> <ul style="list-style-type: none"> the assessment of flood risk to on-site and off-site receptors as a result of the main development site parameters (including the main platform, SSSI crossing and sea

ExQ1	Question to:	Question:
		<p>defence crest heights) – refer to the Main Development Site Flood Risk Assessment [AS-018] and Flood Risk Assessment Addendum [AS-157];</p> <ul style="list-style-type: none"> the assessment of flood risk to on-site and off-site receptors as a result of the design principles set out within the Outline Drainage Strategy (Doc Ref. 6.3 2A(A)) for the main development site and associated developments – refer to the main development site and associated developments Flood Risk Assessments [APP-093 to APP-144] and Flood Risk Assessment Addendums [AS-157 to AS-172] and (Doc Ref. 5.6Ad); the assessment of impacts on coastal processes receptors as a result of the hard coastal defence feature and soft coastal defence feature, which protect the site from coastal flooding and erosion – refer to Volume 2, Chapter 20 of the ES [APP-311] and Volume 1, Chapter 2 of the ES Addendum [AS-181]; and the assessment of impacts on landscape and visual and amenity and recreation receptors as a result of the hard coastal defence feature and soft coastal defence feature and the SSSI crossing – refer to Volume 2, Chapters 13 and 15 of the ES [APP-216 and APP-267] and Volume 1, Chapter 2 of the ES Addendum [AS-181]. <p>Impacts associated with the construction of the above design elements have also been considered as part of the noise and vibration, air quality and terrestrial ecology and ornithology assessments of the ES within the relevant site volumes.</p>
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</p>

ExQ1	Question to:	Question:
		disagreement, please identify the area of dispute and any further steps proposed to resolve the matter?
	Response	<p>(i) The Application includes a number of embedded mitigation measures designed to overcome flood risk, which have not been altered as part of the accepted design changes. These include locating elements of the main development site in Flood Zone 1 and retaining the height of the main platform at 7.3mAOD. The MDS FRA Addendum [AS-157] states that there is no fluvial flood risk to the main platform through the lifetime of the development as a result of these embedded measures. The MDS FRA Addendum [AS-157] also notes that the risk from coastal inundation and wave overtopping for the design event (1 in 10,000-year event at 2140 epoch with reasonably foreseeable climate change allowance) is managed by the design of the HCDF. The HCDF forms part of the embedded mitigation. By increasing the height of the permanent HCDF from the initially proposed 10.2mAOD to 12.6mAOD, this further limits the risk from overtopping and thereby reduces the potential flood risk to the main platform.</p> <p>The Applicant considers that the proposed embedded mitigation measures would provide appropriate mitigation for all sources of flood risk to the main platform for the lifetime of the proposed development.</p> <p>(ii) As noted above, the main development site would be safe throughout its lifetime. With regard to off-site impacts, Sections 3.3 and 3.4. of the MDS FRA Addendum [AS-157] identify where there is a limited flood risk impact elsewhere. The mitigation measures embedded within the design, including the flood mitigation area and the revised SSSI crossing design, reduce this impact further when comparing the results in the MDS FRA Addendum [AS-157] with those in the MDS FRA [AS-018]. The Applicant considers that the relative change in flood risk to the off-site receptors as a result of the main development site is not significant when compared to the baseline flood risk, with a maximum relative change in peak flood depth of up to 0.06m by the end of operation in the coastal inundation scenario (2090 epoch).</p>

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	<p>The accepted changes, as reflected within the Description of Permanent Development ES chapter (refer to Volume 3, Appendix 2.2.A of the ES Addendum (Doc. Ref 6.14(A)) for the latest version) do not change the main platform elevation of 7.3mAOD from the original Application. However, the design of the HCDF has been revised to raise the initial crest level of the permanent defence from 10.2mAOD to 12.6mAOD (excluding landscaping). As the elevation of the main platform has not changed, the conclusion of the MDS FRA Addendum [AS-157] remain the same as in the MDS FRA [AS-018] (i.e. there is no fluvial flood risk to the main platform through the lifetime of the proposed development).</p> <p>The MDS FRA Addendum [AS-157] states that the main platform would not be at risk from coastal inundation (still water levels) for the design event (i.e. the 1 in 10,000-year event at 2140 epoch) with the reasonably foreseeable climate change allowance. In addition, an adaptive approach to the design of the HCDF is proposed which would accommodate raising the level of the defence to a crest level of 16.4mAOD (excluding landscaping), if required.</p> <p>UKCP18 RCP8.5 95th percentile climate change allowance has been adopted within the assessment of flood risk, in respect of the main platform and sea defence designs, in accordance with the guidance set out in the Position Statement on the Use of UK Climate Projections 2018 (UKCP18) by GB Nuclear Industry, March 2019⁹, which was the latest guidance at the time of the assessment.</p>

⁹ Office for Nuclear Regulation (2019) Use of UK Climate Projections 2018 (UKCP18) by GB Nuclear Industry, Position Statement March 2019

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>Furthermore, as noted in our response to question FR.1.2 in Part 4, the impacts of climate change on sea level rise would be monitored and assessed at set intervals (e.g. 10 years) to determine the trajectory of the projections (e.g. in terms of sea level rise or increased storminess) and consider whether there is any change from either the currently considered projections or the climate change guidance as applied within the Application. The Applicant considers that the measures proposed within the design provide appropriate mitigation against future flood risk throughout the lifetime of the proposed development.</p>
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	<p>(i) Table 7.4 of the MDS FRA [AS-018] shows the overtopping rates calculated for the initial design of the HCDF with the initial crest height of 10.2mAOD. However, by 2090 the predicted overtopping rate would be above the acceptable threshold for the design event (i.e. the 1 in 10,000-year return period with reasonably foreseeable climate change allowance). Similarly, considering the 1 in 1,000-year event in 2140, the overtopping rates would exceed the threshold, indicating that the defence would need to be raised within the operational lifetime of the power station.</p> <p>Table 4.1 of the MDS FRA Addendum [AS-157] shows that the updated design of the HCDF, with an initial crest level of 12.6mAOD, would limit the overtopping rates to within the acceptable threshold until the end of the decommissioning of the interim spent fuel store (i.e. 2140) when considering the 1 in 10,000-year event. The revised design of the HCDF would not require raising within the operational lifetime of the power station, and the revisions would also contribute to extending the period before which the raising of the defence may need to be implemented.</p>

ExQ1	Question to:	Question:
		<p>The impacts of climate change on sea level rise would be monitored and assessed at set intervals (e.g. 10 years) to determine the trajectory of the projections (e.g. in terms of sea level rise or increased storminess) and consider whether there is any change from either the currently considered projections or the climate change guidance as applied within the Application.</p> <p>Where observed monitoring data fits with the current projections, such that the crest level is sufficient to manage the 10,000-year event with reasonable foreseeable climate change allowance at 2140, then no future raising would be required to mitigate for flood risk. No future raising to mitigate for flood risk is proposed after 2140 based on current climate change projections.</p> <p>(ii) As noted above, the proposed changes to the HCDF would extend the period before which future raising of the defence might be needed. Furthermore, the adaptability of the design is such that it will enable raising of the defence up to 16.4mAOD (18.0mAOD with landscaping). As this is 2.2m higher than the initially proposed design, it would increase the resilience of the main platform from the potential risk associated with sea level rise and wave overtopping due to climate change.</p>
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 '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	<p>(i) The methodology and approach for the in-combination climate change impact (ICCI) assessment is presented in Volume 2, Chapter 26 of the ES [APP-342], section 26.6a). This approach has been used to assess in-combination climate change impacts at other major infrastructure projects, including Nationally</p>

ExQ1	Question to:	Question:
		<p>Significant Infrastructure Projects (NSIPs) such as HS2 Phase 2b and the A303 Amesbury to Berwick Down scheme.</p> <p>(ii) The 'consequence' and 'likelihood' classifications of potential ICCI's were determined through discussions with other relevant EIA disciplines. Each technical assessment team were presented with the climate change projections and were supported to determine the influence that these climate change hazards could have on the sensitive receptors considered within their technical assessment. Professional judgement was used to support the technical specialisms to determine these classifications.</p> <p>As the assessment is semi-quantitative in nature, it requires professional judgement to be applied. The environmental disciplines that this applies to include the technical assessment areas referenced within Table 26.19 of Volume 2, Chapter 26 of the ES [APP-342].</p>
Chapter 10 - 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	<p>(i) The design process for the elements likely to affect coastal processes that have been altered by the Accepted Changes (April 2021) have taken full cognisance of the need to minimise impacts on coastal processes.</p> <ul style="list-style-type: none"> - The temporary BLF has been designed with widely spaced piles so that it is transmissive (i.e. does not block) to currents and waves. The chosen design, one of four consulted on, is the longest and minimises impacts on coastal processes by removing the need for navigational dredging and placing the head far enough

ExQ1	Question to:	Question:
		<p>offshore to minimise impacts on the beach (refer to the Preliminary Design and Maintenance Requirements for the Sizewell C Soft Coastal Defence Feature report; Doc Ref. 9.12).</p> <ul style="list-style-type: none"> - The enhanced, permanent BLF retains a transmissive design and includes a temporary grounding structure (concrete mattress; see G.1.39 in Chapter 2, Part 1) to prevent the need for frequent dredging of a berthing pocket. - The sea defence (Hard Coastal Defence Feature; HCDF) has necessarily (due to land constraints to the west) moved seaward due to an increase in crest height so it is resilient to the most recent predictions of climate change (UK Climate Partnership 2018; UKCP18). SZC Co. is aware of concerns relating to coastal processes and the design has been optimised to limit movement of the HCDF seaward as explained in Sizewell C Coastal Defences Design Report (Doc Ref. 9.13). <p>(ii) As detailed in Volume 2, Chapter 20 (Coastal Geomorphology and Hydrodynamics) of the ES [APP-311], the Sizewell frontage is comparatively stable compared to neighbouring shorelines. The Soft Coastal Defence Feature (SCDF) is deliberately sacrificial and will erode with time releasing sediment into the local sediment system. When the SCDF has eroded to pre-defined levels it will be recharged ('topped up' with sediment) such that a beach is maintained between the HCDF and the sea. This will ensure that the HCDF does not interrupt the prevailing sediment transport processes. The Coastal Processes Monitoring and Mitigation Plan (MMP) (Volume 3, Appendix 2.15.A of the ES Addendum) [AS-237], to be approved under Requirement (7A) of the draft DCO and Marine Licence Condition (17) (Doc Ref. 3.1(C)) details the methods to monitor erosion of the SCDF and defines levels at which recharge is required. Supporting information is provided in Preliminary Design and Maintenance Requirements for the Sizewell C Soft Coastal Defence Feature report (Doc Ref. 9.12).</p> <p>The Coastal Processes MMP includes monitoring and management actions for potential impacts of the two BLFs, the two Fish Recovery and Return outfalls, the Combined Drainage Outfall, and the main cooling water intake and outfall heads to ensure that no significant effects on coastal processes occur throughout the life of Sizewell C.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
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 impacts of the project on coastal processes would be managed to minimise adverse impacts on other parts of the coast.</p> <p>Response</p> <p>As described in response to question CG.1.0, a Coastal Processes Monitoring and Mitigation Plan (MMP) has been developed ensure any impacts on coastal processes will be detected and managed. See Volume 3, Appendix 2.15.A of the ES Addendum [AS-237]).</p> <p>The Coastal Processes MMP is secured by way of Requirement 7A on the dDCO and Condition 17 on the Marine Licence (Doc Ref. 3.1(C)).</p> <p>Please refer to responses to questions CG.1.14(i) and CG.1.16 for further details on the impact extents for geomorphology, which are shown to be small and localised around the development. Our response to question CG.1.3(i) describes the conservative approach for monitoring extents to fully encompass impacts.</p>
CG.1.2	The Applicant, EA, Natural England, ESC	<p>Impacts on coastal processes</p> <p>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):</p> <p>(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.</p> <p>(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?</p> <p>(iii) Are there any draft DCO changes that would be required to exercise sufficient control over that process?</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	<p>Response</p>	<ul style="list-style-type: none"> (i) As stated in the CG.1.1 response, the Coastal Processes MMP is secured as a DCO Requirement 7A and a Marine Licence Condition 17A (Doc Ref. 3.1(C)), so failure to comply with it is enforceable by the ESC and MMO. The operation and funding of the Marine Technical Forum (MTF) is secured by the Deed of Obligation (see Schedule 11, Paragraph 10) (Doc Ref. 8.17(C)). (ii) The proposed detailed design of the HCDF is complete and the details are provided in Sizewell C Coastal Defences Design Report (Doc Ref. 9.13). Final design will be subject to approval by ESC in consultation with MMO by way of Requirement 12B on the draft DCO (Doc Ref. 3.1(C)). (iii) The latest version of the draft DCO (Doc Ref. 3.1(C)) includes Requirement 12B for ESC to approve the detailed design of the HCDF before works can commence. No other changes to the draft DCO are considered necessary.
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> <ul style="list-style-type: none"> (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? (ii) If not, why not? (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? (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. (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. (vi) Please comment further on the proposal for an independent body to monitor the MMP, and to direct SZC Co. mitigation and compensation requirements.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		(vii) Please provide an update on the Council's consultation with MMO as regards the delivery of the MMP.
	Response	<p>(i) SZC Co. agrees, and is of the view that it has followed the precautionary approach. (see SoCG; Ref. 9.10.12) The extents set out in the Coastal Processes MMP (Volume 3, Appendix 2.15.A of the ES Addendum [AS-237]) are always larger than the predicted impacts, to allow for uncertainty. An example is the permanent BLF piles with proposed monitoring extents 7-11 times larger than the predicted scour impact. The difference in spatial extent between the predicted impacts and monitored area will be included in Table 1 in the next version of the Coastal Processes MMP (to be submitted to the ExA at Deadline 4).</p> <p>If the impact footprint exceeds the monitored area, the spatial extent will be adjusted accordingly. That is, the Coastal Processes MMP will take an adaptive approach to monitoring.</p> <p>(ii) n/a</p> <p>(iii) Preparation and compliance with the Coastal Processes MMP is a requirement on the DCO (Requirement 7A) and a Condition on the Marine Licence (Condition 17); see the latest version of the draft DCO (Doc Ref. 3.1(C)). The Coastal Processes MMP is specifically maintained as a 'live' document that will require review and update as required to reflect prevailing conditions or perceived impacts at the time.</p> <p>(iv) The implementation of the Coastal Processes MMP is intended to start at the start of construction and remain in place until the end of decommissioning (see CG.1.5 response for details). Section 9 of the Coastal Processes MMP (Volume 3, Appendix 2.15.A of the ES Addendum) [AS-237] sets out the considerations of the Cessation Report. SZC Co. is committed through the DCO and DML to implement the measures identified in the CPMMP and has included that in the evolving project cost estimate.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>(v) SZC Co's approach to ensuring that the land is bound by the obligations in the Draft Deed of Obligation (Doc Ref. 8.17(C)), including those relating to the MTF, is set out in Section 2 of the Draft Deed of Obligation Explanatory Memorandum (Doc Ref. 8.20(B)).</p> <p>Article 9 of the latest draft DCO (Doc Ref 3.1(C)) provides that where the benefit of the DCO is transferred to another party, that party would be <i>'subject to the same restrictions, liabilities and obligations (including the SZC development consent obligation and any other 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>. No other changes to the draft DCO are considered necessary.</p> <p>(vi) SZC Co. does not support the suggestion of an independent body to monitor the Coastal Processes MMP and to direct SZC Co. mitigation and compensation requirements. The Coastal Processes MMP is secured as a DCO Requirement and a Marine Licence Condition which are ultimately enforceable only by the ESC and MMO, respectively. The Coastal Processes MMP will be reviewed by the Marine Technical Forum (MTF) which is secured and funded through the Draft Deed of Obligation (Doc Ref. 8.17(C)). SZC Co feels this is the appropriate mechanism for management of the Coastal Processes MMP as the MTF brings together all relevant agencies and expertise.</p> <p>(vii) No response from SZC Co. is required.</p>
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 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</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>the removal of the hard sea defence; (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>
	Response	<p>The latest draft Coastal Processes MMP is provided in Volume 3, Appendix 2.15.A of the ES Addendum [AS-237]). Drafting and agreement is intentionally an iterative process, secured by DCO (Requirement 7A) and Marine Licence (Condition 17) (Doc Ref. 3.1(C)).</p> <p>i) A draft version of the Coastal Processes MMP was provided to ESC, EA, MMO, NE and RSPB in 2020 followed by a Marine Technical Forum meeting to discuss. An updated version of the Coastal Processes MMP will be provided to key stakeholders for comment and submission to the ExA at Deadline 4 to reflect the latest monitoring and modelling outputs and comments from stakeholders.</p> <p>The cost of complying with the MMP will depend on the results of monitoring. SZC Co. is committed through the DCO and DML to implement the measures identified in in the CPMMP and has included that in the evolving project cost estimate. The MMP will remain in force throughout the construction and operation of Sizewell C.</p> <p>ii) The plan is still being developed and much is still being discussed, but 2 potential areas of dispute are the geographical extent of what should be monitored and whether there is a need to monitor for changes in sediment grain size.</p> <p>iii) The Coastal Processes MMP is a requirement on the DCO (Requirement 7A) and a Condition on the Marine Licence (Condition 17); see the latest version of the draft DCO (Doc Ref. 3.1(C)). The operation of the MTF is secured through the Draft Deed of Obligation (Doc Ref. 8.17(C)).</p>
CG.1.5	The Applicant	<p>Impacts on coastal processes</p> <p>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	<p>The Coastal Processes MMP (Volume 3, Appendix 2.15.A of the ES Addendum [AS-237]) is scheduled to run until the end of decommissioning. Ten years beforehand</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>(potentially around 2130), a final assessment will be made based on the actual coastal setting, conservation designations, marine and coastal processes and function of the HCDF (if it is to be left in place after decommissioning) at that time. This assessment would be included in the Cessation Report (a future component of SZC Co's monitoring and mitigation) and would be based upon decades of coastal change data, which is needed to identify and assess any residual effects and, if required, make assessments for compensation (see Section 9 of the Coastal Processes MMP (Volume 3, Appendix 2.15.A of the ES Addendum [AS-2371])). These assessments are timed for the end of SZC Co's operational life and return of the site to the relevant decommissioning body. Responses regarding impact extents can be found in questions CG.1.14 (i) and CG.1.16. The cost of complying with the MMP will depend on the results of monitoring. SZC Co. is committed through the DCO and DML to implement the measures identified in in the CPMP and has included that in the evolving project cost estimate. The MMP will remain in force throughout the construction and operation of Sizewell C.</p>
CG.1.6	The Applicant, SCC, EA	<p>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?</p> <p>Response Sizewell C requires a Funded Decommissioning Programme (FDP), approved by the Secretary of State (Department for Business, Energy and Industrial Strategy), before 'construction work on buildings with nuclear safety significance' commences. The FDP is a legal requirement of the Energy Act (2008). The FDP consists of two key documents the Decommissioning and Waste Management Plan (DWMP) which details how the reactor site will be decommissioned and the cost estimate for undertaking that decommissioning and management of the associated waste, and a Funding Arrangements Plan (FAP) which details the financing arrangements for generating the required funds to meet the full costs of decommissioning the reactor site.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>Under the future Sizewell C Nuclear Site License, along with the FDP the DWMP will be required to be reviewed in 5 yearly intervals and updated accordingly.</p> <p>The Sizewell C FDP has not yet been submitted to UK Government, however the DWMP has been drafted. As noted, the current DWMP does not cover the cost of the full removal of the hard sea defence as part of the decommissioning process.</p> <p>Should future studies informed by monitoring and other data, change this position, the DWMP and FDP will be updated as part of the Quinquennial Review. It should be noted that due to the high levels of contingency within the current cost estimates, the exclusion of the removal of the hard sea defences in the current draft DWMP, does not pose a substantial risk in terms of funding arrangements.</p>
CG.1.7	The Applicant, ESC	<p>Impacts on coastal processes</p> <p>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.</p>
	Response	<p>SZC Co. has had regular discussions with the ESC and MMO regarding securing mechanisms for activities in the inter-tidal area where both parties have vires. All parties are agreed that the monitoring plan should be secured by both the Marine Licence and the DCO due to overlap and separation of enforcement powers (see SoCGs with MMO and ESC: Doc Ref 9.10.18 and Doc Ref 9.10.12, respectively).</p> <p>The monitoring plan is now secured as DCO Requirement 7A and Marine Licence Condition 17 (see draft DCO; Doc Ref. 3.1(C)).</p>
CG.1.8	The Applicant, MMO, ESC	<p>Impacts on coastal processes</p> <p>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.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	<p>Monitoring extent and scale of predicted impact: Please refer to CG.1.3 (i) response.</p> <p><u>More detailed plans for each element, criticisms and MMP update:</u> SZC Co. has consulted with the Marine Technical Forum's (MTF) Coastal Geomorphology and Hydrodynamics subgroup via:</p> <ul style="list-style-type: none"> • an introductory MMP virtual workshop (September 2020), • provision of version 1 of the MMP, • provision of responses to comments on version 1 (October 2020) and • inclusion of the Coastal Processes MMP in the ES Addendum (Volume 3, Appendix 2.15.A) of the ES Addendum [AS-237]. <p>At the September 2020 workshop, SZC Co. set out the workplan to develop the Coastal Processes MMP further during 2021 in accordance with the feedback received. That feedback will be taken into account in Version 2 of the Coastal Processes MMP version, to be submitted to the ExA at Deadline 4. SZC Co has received no further feedback on its response to MMO feedback on the draft (Ver 1) (response to MMO issued 6th November 2020). SZC Co. agrees that further details are required for each project element, as set out within the requirements of the draft DCO and the conditions of the Marine Licence (Doc Ref. 3.1(C)), which are to be discharged and approved before activities related to each element can commence.</p> <p>Please refer to the Statement of Common Ground (SoCG) between SZC Co and MMO (Doc Ref. 9.10.18) which deals with each criticism raised by the MMO on the Coastal Processes MMP.</p>
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	No response from SZC Co. is required.
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-</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>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	No response from SZC Co. is required.
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>
	Response	No response from SZC Co. is required.
CG.1.12	MMO	<p>Impacts on coastal processes</p> <p>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.</p> <p>(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?</p> <p>(ii) Are there any other factors which should have been taken into account?</p> <p>(iii) Please provide an update in the light of Change 2 to the original application.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	No response from SZC Co. is required.
CG.1.13	The Applicant, MMO	<p>Impacts on coastal processes</p> <p>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:</p> <p>(i) the assumptions set out in Appendix 20A of Volume 2 of the ES [APP-312] made in relation to dredging are agreed;</p> <p>(ii) that these assumptions would over-represent the required barge traffic over the construction period; and</p> <p>(iii) the assessments conservatively assume maintenance of the approach channel and grounding pocket throughout the construction period of the proposed development.</p> <p>(iv) Please provide an update in the light of Change 2 to the original application.</p>
	Response	<p>By way of general update for this question, SZC Co. no longer intends to proceed with ground beams and cross beams. A concrete mattress is instead proposed, which comprises concrete pads connected by steel or polymer rope. The mattress would be the same size as the current proposal and dredging assumptions remain unchanged. See response to questions G.1.38 and G.1.39.</p> <p>(i) Agreed (see SoCG; Doc Ref. 9.10.18)</p> <p>(ii) The assessment assumed 178 AIL deliveries over the construction campaign, which was the estimate at the time of the assessment. However, it is noted that this does not influence dredging frequency, as that is dependent on infilling rates driven by hydrodynamic conditions. Deliveries have since been revised, as outlined below.</p> <p>(iii) Section 20.8 a. v & vi of Volume 2, Chapter 20 of the ES [APP-311] show that the duration considered for construction phase assessment of the dredging access and grounding pocket is 8-9 years, which is longer than the four year intended usage. Section 4.2.2 of Volume 2, Appendix 20A of the ES [APP-312] estimated that on average a small 460m³ monthly maintenance dredge including both the grounding pocket and navigational access would be required for each year that the permanent BLF was in</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>use during the construction period. Change 2, as accepted in April 2021, would replace the use of a dredged grounding pocket with a dedicated berthing structure (concrete mattress) that would reduce the volume of dredging to remove sand accumulating on the grillage, as required.</p> <p>(iv) The purpose of the enhanced permanent BLF, accepted as part of Change 2 in April 2021, is to increase delivery of construction materials and AILs by sea as part of an optimised freight management strategy. The enhanced design allows an increase to approximately 100 deliveries via the enhanced permanent BLF per campaign period. This does not influence dredging frequency, as that is dependent on infilling rates driven by hydrodynamic conditions. The total number of barge deliveries expected remains unchanged.</p> <p>There is no change in the capital dredging method for access and installation of the concrete mattress at the enhanced, permanent BLF compared with the original assessment presented in Volume 2, Chapter 20 of the ES [APP-311]. That is, plough dredging would be used to displace sediment locally (no excavation or removal). The volume moved in the initial capital dredge to install the grillage would be up to 4,600m³, plus approximately 4,600m³ for navigational access. The dredging to allow placement of the concrete mattress would only be required once, as part of the permanent BLF installation. Overall, the dredging requirement associated with the permanent BLF during the construction phase is expected unchanged from that assessed in Volume 2, Chapter 20 of the ES [APP-311].</p> <p>During the first year of use, the two capital dredging activities (associated with the installation of the concrete mattress and access) would be separated in time, so that the plume from the grillage dredging would have completely dispersed before the access dredging begins (see paragraph 2.15.41 of Volume 1, Chapter 2 of the ES Addendum [AS-181]). As there would be no interaction between these plumes and individually, the volumes are the same or less than the original assessment (based on individual 4,600m³ dredge events; Volume 2, Chapter 20 of the ES [APP-311]), the impact magnitude and extent are unchanged. As detailed in Table 2.42 of Volume 1, Chapter 2 of the ES Addendum [AS-181] this dredge volume during construction is within the envelope of the assessment presented within Volume 2, Chapter 22 of the ES [APP-317], so no further assessment was undertaken to account for modifications introduced as part of Change 2.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>In addition to the enhancement of the, permanent BLF, a second sea freight management facility was proposed in Change 2 (Volume 1, Chapter 2 of the ES Addendum [AS-181]), namely a temporary BLF for delivery of, primarily, aggregates.</p> <p>As described in Change 2 (Volume 1, Chapter 2 of the ES Addendum [AS-181]), no dredging is required for the temporary BLF as the water depth at the offshore jetty head is sufficient to allow for vessel approach and docking.</p>
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	<p>(i) The Zone of Influence (ZoI) was based on the active sediment cell in the area, aligns with the Shoreline Management Plan (SMP)¹⁰ zonation and was agreed with the MTF (via the EIA Scoping Report; see Volume 1 Chapter 6 of the ES (APP-168)). SZC Co. agrees with the MMO that low longshore transport rates alone do <i>'not imply automatically that there cannot be any impact of SZC outside of the sub cell'</i> – the low longshore transport rate is one of several reasons why the ZoI was based on the whole Greater Sizewell Bay sediment cell and is appropriate to the coastal geomorphology assessment.</p> <p>Detectable impacts are localised (see response to CG.1.16). No sediment is removed from the system and any minor disruptions to sediment transport would be rebalanced over</p>

¹⁰ SCDC (2010) First Review of Shoreline Management Plan Sub cell 3c. Available at: <http://www.suffolksmp2.org.uk/publicdocuments/finalsmp2/Section%201%20-%20Introduction.pdf>

ExQ1	Question to:	Question:
		<p>tens to hundreds of metres – substantially less than the distance to the sediment cell boundary. Therefore, SZC Co. considers that the evidence base does not support a pathway to detectable impact for Sizewell C activities on geomorphic receptors at or beyond Thorpeness, which is the nearest cell boundary and along the present net southward longshore transport pathway.</p> <p><u>Sizewell – Dunwich Bank</u></p> <p>The behaviour stability of Sizewell – Dunwich Bank is described in paragraphs 20.4.13 – 20.4.15 of Volume 2, Chapter 20 of the ES [APP-311] and Section 2.3.1 of Appendix 20A of Volume 2 of the ES [APP-312]. Its very large mass (c. 6.5 million m³) means that change is relatively slow and generally observed on decadal timescales.</p> <p>Dunwich Bank (in the north) is historically dynamic, changing its elevation, position and extent over the decades, a process which continues today. In contrast, Sizewell Bank (in the south) has been positionally stable across the historical c. 150-year-long record, with relatively minor fluctuations in crest elevation. That stability is linked to the persistent deflection of the tidal streams by the erosion resistant Coralline Crag seaward of Thorpeness. This has implications for nearshore wave climate.</p> <p>Inshore (of the bank) wave climate is primarily a function of offshore wave climate, which is predicted to remain similar or weaken in energy terms (Section 2.4.2 Appendix 20A of Volume 2 of the ES [APP-312]). The bank's most significant influence on inshore waves occurs during infrequent extreme wave heights with return intervals of 1:10 years or longer (significant wave heights > 4.5 – 5 m). Under such conditions, waves break and dissipate energy extensively along the seaward flank of the bank, capping energy levels inshore.</p> <p>Wave breaking is determined by the ratio of water depth (h) to wave height (H_b), where H_b / h = 0.78. Typical H_b for waves breaking over feature crests are:</p> <ul style="list-style-type: none"> • Sizewell Bank (h = 5-7m), H_b = 3.9-4.5m, • Dunwich Bank (h = 7-8m), H_b = 5.5-6.2m <p>This suggests that wave breaking on the Dunwich bank is very rare because the maximum significant wave height recorded in the last 13 years, 2.5 months is 4.72 m (i.e. the more mobile section of the bank does not significantly affect inshore wave climate). Thus, despite recent lowering and reduction in the extent of Dunwich Bank, historical erosion of Dunwich Cliffs is not recurring – but, if it were to do so under net southerly transport,</p>

ExQ1	Question to:	Question:
		<p>potential sediment supply to the Sizewell C frontage would increase, which could reduce demand for beach management mitigation.</p> <p>Sand supply to Sizewell Bank is expected to remain similar or to rise, as a result of regional cliff erosion. Given its positional stability, the bank's large mass suggests that if any unexpected changes do occur, they are likely to be some decades away during the Sizewell C operation or decommissioning phases. During these phases the marine elements of the development would be: cooling water intakes and outfalls, two FRR outfalls and the permanent BLF piles, all of which have very minor impacts that are lessened by sea level rise. Although there would be no change in the assessment status for these structures, a substantially increased wave climate may increase the required frequency for beach management to mitigate for potential HCDF exposure. However, waves also break on the longshore bars, in shallower water closer to shore –</p> <ul style="list-style-type: none"> • inner bar (h = 1-2m), $H_b = 0.8-1.6m$, • outer bar (h = 2.5-3.5m), $H_b = 2-2.7m$ <p>In comparison to the bank, the longshore bars initiate wave breaking and energy dissipation on a much more regular basis. The bars are likely, therefore, to continue to function under future wave climates as they do in the present, and so the action of waves on the upper beach and shoreline will most likely be largely similar to the present.</p> <p><u>Assumptions and limitations</u></p> <p>The approach to assessment has been to use worst-case assumptions where there are uncertainties, for example in designs of some marine elements. If designs move out of the assessed envelope, re-assessment is required. For example, the design adjustments to the HCDF and the permanent BLF, and the inclusion of the second temporary BLF, have been reassessed in the Volume 1, Chapter 2 of the ES Addendum [AS-181] as a result of design changes.</p> <p><u>(ii) Consideration of wave climate reversion to the erosive Dunwich and accretional Sizewell pre-1925 phase associated with a strongly north-east (NE) dominant wave climate</u></p> <p>The inferred historical NE wave climate has been considered (paragraph 20.14.3 of Volume 2, Chapter 20 of the ES [APP-311]) and reviewed / discussed with the MMO at a meeting with SZC Co. on Monday 19 October 2020. UKCP18 climate change evidence indicates a similar or lower energy wave climate for Sizewell, particularly for the more</p>

ExQ1	Question to:	Question:
		<p>severe RCP8.5 predictions (Section 2.4.2 of Appendix 20A of Volume 2 of the ES [APP-312]); i.e., there are no climate change metrics to suggest a return to the former wave climate or otherwise. However, this historical case was not specifically assessed as part of the baseline in the EIA because it does not substantively differ from the worst-case baseline for impacts from Sizewell C - this case is already characterised by net southward longshore transport within the Greater Sizewell Bay (GSB), and the potential for variable rates of change under the net-southward transport condition has been recognised in Appendix 20A of Volume 2 of the ES [APP-312].</p> <p>Variation of a NE-dominated climate does not substantively alter the worst-case impact of the HCDF potentially acting as a blockage to longshore transport, or the required mitigation being maintenance of the transport pathway.</p> <p>Further, the primary effect of a more NE dominated climate would be increased sediment supply into the GSB which could contribute to a reduction in, or elimination of, the need to mitigate for disruption to longshore transport by HCDF exposure. The inferred historical NE climate was associated, pre-1925, with severe erosion at Dunwich and increased sediment supply and accretion at Sizewell. Under these conditions the probability of a marine impact from Sizewell C would decline relative to the present and move further away from a worst-case scenario.</p> <p><u>(iii) Assumption that the present wave regime, and hence little coastal change and impact, will continue.</u></p> <p>The effect of climate change on wave climate is described in the response to (ii) above – wave energy levels are likely to remain similar to present or decrease.</p> <p>Regarding coastal change, the Sizewell frontage has a long history of accretion (1836 – 1883) and stability (low net rates of change; 1883 - present). Whilst shorter-term fluctuations can be expected, and the broader pattern is expected to change during Sizewell C’s life (due to sea level rise), the impacts of marine structures would remain small in extent and magnitude (there are no drivers to change this), and would lessen with time, owing to deeper water and reduced bed shear stress.</p> <p>As the Sizewell C frontage would be maintained and have a large volume SCDF, changes in nearshore wave climate are not expected to expose the HCDF. Although changes in the wave climate are not expected to expose the HCDF, they are likely to affect beach maintenance and SCDF recharge frequency over the station life (see Preliminary Design</p>

ExQ1	Question to:	Question:
		<p>and Maintenance Requirements for the Sizewell C Soft Coastal Defence Feature report; Doc Ref. 9.12).</p>
CG.1.15	The Applicant	<p>Impacts on coastal processes 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>
	Response	<p>The assessments have not neglected the shoreline to the south, though they tend to focus on the sensitive (high value) shorelines to the north, because these tended to represent the worst-case impacts (due to the designation of high value). The assessments of impact magnitude and duration apply to the whole shoreline, north and south of the Sizewell C infrastructure, because the impacts occur on both sides (owing primarily to the bi-directional wave climate).</p> <p>Whilst the impact magnitudes are similar north and south of structures (e.g. BLFs), the northern frontage is often referred to as worst-case because the overall assessment also considers the high value of the designated conservation sites north of Sizewell C (even though it may only represent part of the impacted area). The effects assessment included therefore is a worst case, and the mechanism for that is often due to the intersection with the designated sites.</p> <p>Furthermore, in defining the need to mitigate (avoid) the possible impacts of exposing the HCDF and to preserve the longshore sediment transport pathway along the Sizewell C frontage, the assessment has explicitly recognised the need to limit impacts on the coastline to the south (see Section 7 of Appendix 20A of Volume 2 of the ES [APP-312]).</p>
CG.1.16	The Applicant	<p>Impacts on coastal processes 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,</p>

ExQ1	Question to:	Question:
	<p>Response</p>	<p>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> <p><u>The Greater Sizewell Bay and why geomorphic impacts are local to Sizewell and do not reach as far as, or beyond, Thorpeness.</u></p> <p>There is no evidence to support detectable geomorphic impacts of Sizewell C at, or beyond, Thorpeness. There are two primary reasons for this:</p> <ul style="list-style-type: none"> • the impacts to geomorphic receptors have very small extents and no sediment would be removed from the system, which means that the activities can only cause a localised disturbance. • The net sediment transport rates are very low, which means that if an impact were able to persist and migrate (very unlikely) it would travel slowly and could be mitigated. <p>The following provides additional background:</p> <ol style="list-style-type: none"> 1. Sizewell C’s marine structures and activities are transmissive to sediment transport, meaning that they would not create a downstream deficit of sediment and would only cause small, localised disturbances since: <ol style="list-style-type: none"> a. BLF piles would be slender, circular and well-spaced (i.e. very transmissive). b. Nearshore outfalls are small and located seaward of the main transport corridor for sand (longshore bars). c. Plough and/or injection dredging methods to be used in the nearshore move sand short distances, retaining it within the system (i.e. no sediment losses) <p>On the sub-aerial beach (above low tide), the SCDF would be maintained to avoid HCDF exposure and the disruption to longshore transport that would result. The SCDF provides a large reservoir of shingle (primarily pebble sized with 4-64mm diameter) designed to release sediment into the coastal system and thereby avoid or minimise disruption to longshore shingle transport and the potential for downdrift beach erosion. Any sediment lost from the SCDF (during erosive storms) would be expected to deposit at Sizewell C and on adjacent beaches (immediately north and south of Sizewell C), potentially reducing erosion rates there.</p>

ExQ1	Question to:	Question:
		<ol style="list-style-type: none"> 2. Secondary (additional) mitigation methods would also be used, if necessary, i.e. beach recharge, recycling or bypassing (Section 7.5.1 Appendix 20A of Volume 2 of the ES [APP-312]) to maintain sediment supply across the Sizewell C frontage. 3. Net longshore transport is very slow along the Sizewell frontage, as shown by the Shoreline Management Plan¹¹, the scientific literature (Halcrow, 2001; Black and Veatch, 2005), sediment transport modelling and studies tracing beach pebbles during storms (Section 2.3.4 of Appendix 20A of Volume 2 of the ES [APP-312]). This means that any unmitigated geomorphic impacts at Sizewell C would spread slowly and would not be detectable far (10s – 100s of metres) from the impact source because no sediment is removed from the system. For example, scour around Sizewell C marine structures has extents of < 10 m around nearshore structures and < 20 m at the offshore intakes and outfalls (Sections 4.2.2.1.1, 4.3.2.1 and 4.4.2 of Appendix 20A of Volume 2 of the ES [APP-312]). 4. Thorpeness is beyond the southern end of the sediment cell; there is limited transport southward across the ness. This is evidenced by the Shoreline Management Plan¹², longshore transport modelling and measurements of pebble movement during storms (Section 2.3.4 of Appendix 20A of Volume 2 of the ES [APP-312]). 5. Sandy sediments move primarily along the subtidal longshore bars, more quickly than the shingle is transported along the beach, because it is smaller (more easily moved) and continuously exposed to wave and tidal currents. The southerly net sand transport is disrupted at the subtidal Coralline Crag ridges extending to the NE of Thorpeness. These erosion-resistant ridges have persisted in the same position since the earliest bathymetric surveys (1868). Several forms of evidence (numerical modelling, bedform analysis and sediment trends) show that the ridges funnel sand offshore and onto the Sizewell – Dunwich Bank, and not (to any large degree) around the ness (Section 2.3.1 of Appendix 20A of Volume 2 of the ES [APP-312]). Hence it also marks the boundary of the sediment cells in terms of sand.

¹¹ SCDC (2010) First Review of Shoreline Management Plan Sub cell 3c. Available at: <http://www.suffolksmp2.org.uk/publicdocuments/finalsmp2/Section%201%20-%20Introduction.pdf>

¹² SCDC (2010) First Review of Shoreline Management Plan Sub cell 3c. Available at: <http://www.suffolksmp2.org.uk/publicdocuments/finalsmp2/Section%201%20-%20Introduction.pdf>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>In summary, there is no pathway for Sizewell C geomorphic impacts to reach Thorpeness during the construction phase or whilst the SCDF is maintained during the operation and decommissioning phases. Furthermore, as a result of the SCDF, the Sizewell C development would add sediment to the coastal system and not remove it, thereby avoiding down-drift impacts to sediment supply.</p>
CG.1.17	<p>The Applicant</p> <p>Response</p>	<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> <p>The assessment of coastal processes in Volume 2, Chapter 20 (Coastal Geomorphology and Hydrodynamics) of the ES [APP-311] refers to a suggested date when the HCDF might become exposed if mitigation (by way of replenishment of the SCDF) is not implemented. The date range stated was determined by Expert Geomorphological Assessment as described in Section 7.4 of Volume 2, Appendix 20A of the ES [APP-312]. The assessment was made using expert judgement based on detailed understanding of likely geomorphological scenarios but at a much higher level than the accuracy of a detailed HCDF design would provide. The projections of when the HCDF would be exposed were made primarily to assess the need for mitigation to avoid blockages to longshore shingle transport. They show that it is likely that the HCDF would be exposed during the station life without SCDF mitigation, and hence justify that mitigation.</p> <p>The proposed detailed design of the HCDF is complete and the details are provided in Sizewell C Coastal Defences Design Report (Doc Ref. 9.13). Final design will be subject to approval by ESC in consultation with MMO by way of Requirement 12B on the draft DCO (Doc Ref. 3.1(C)).</p> <p>Whilst adjustments in HCDF position affect the mitigation requirements (for example the frequency of SCDF recharge, bypassing or recycling; see also response at Bio.1.75 in Part 2) they do not affect impacts because the mitigation would ensure that the HCDF is not exposed during the operational and decommissioning phases of Sizewell C).</p> <p>Monitoring and mitigation arrangements are set out in the Coastal Processes MMP (Volume 3, Appendix 2.15.A of the ES Addendum [AS-237]) and secured through DCO Requirement 7A and Marine Licence Condition 17 (Doc Ref. 3.1(C)).</p>

ExQ1	Question to:	Question:
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>
	Response	<p>(i) The East Suffolk Internal Drainage Board indicate concerns regarding accretion at the Minsmere Sluice, which is approximately 1.6 km north of Sizewell C. The potential accretion (or a reduction in erosion rates) on the southern Minsmere frontage (within a few hundred metres of Sizewell C) arising from deposition SCDF sediments would not extend to the sluice. Therefore, it would not affect the sluice's ability to discharge, for the following reasons:</p> <p>(a) SCDF beach shingle (proposed mitigation) would, in net terms, drift slowly to the south, not to the north. Some shingle may accumulate immediately to the north of Sizewell C, but not as far as the sluice (longshore transport calculations and tracer studies indicate that detectable volumes of SCDF shingle are not likely to be encountered more than a few hundred metres north of Sizewell C). Therefore, there would be no impact at the Minsmere Sluice outfall.</p> <p>(b) Any SCDF sediments that are transported north of Sizewell C would most likely be deposited and retained in areas where the shoreline has already receded to a more westerly position than the SCDF (tens to a few hundred metres north of Sizewell C). This would tend to trap shingle and prevent further northward transport for as long as the more westerly shoreline position persisted.</p> <p>(c) The sluice's outfall pipe will continue to disrupt natural shingle transport for as long as it is present, which can be seen as an alternating accumulation of sediment on either side of the sluice determined by storm direction. Sizewell C's activities will have no bearing on that process.</p> <p>ii) n/a (see response to CG.1.18 (i) above).</p>

ExQ1	Question to:	Question:
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.</p> <p>(i) Please respond to the specific concerns of National Trust on this topic;</p> <p>(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	<p>The National Trust’s specific concerns are addressed below: <u>Potential impacts of the proposal on Dunwich Heath and Beach.</u></p> <p>The Applicant has taken a holistic and integrated approach to assessing the potential implications of the proposal on the coastal geomorphology extending over the lifetime of the development. This has involved state of the art modelling of coastal hydrodynamics and sediment transport, collection and interpretation of fine-scale coastal monitoring over many decades to derive an environmental baseline addressing the drivers of change in the short and long-term (Volume 2, Appendix 20A of the ES [APP-312]), and impact assessment of each element of the development using the same tools (Volume 2, Chapter 20 of the ES [APP-311]), covering the Zone of Influence (ZoI) defined as the Greater Sizewell Bay, including Dunwich Heath and Beach, overseen at all stages by a wide ranging Marine Technical Forum (including representatives from Marine Management Organisation, Environment Agency, Natural England & East Suffolk Council) and with the cooperation of expert panels from multiple organisations. The conclusions from the evidence gathered demonstrate that the impacts of the proposed development do not extend to Dunwich Heath and Beach. Furthermore, the evidence in Volume 2, Appendix 20A of the ES [APP-312] demonstrated that there was no known pathway for impacts from the proposed development to interact with or affect cliff processes at Dunwich.</p> <p><u>Impacts at Dunwich</u></p> <p>The ZoI is limited to the extent over which any aspect of the development can have a direct and measurable impact on coastal geomorphology (Section 3.1 of Volume 2,</p>

ExQ1	Question to:	Question:
		<p>Chapter 20 of the ES [APP-311], Section 3.1). Furthermore, as outlined in the responses to CG1.14, CG.1.16 and Section 4 of Volume 2, Chapter 20 of the ES [APP-311], there is no link between natural geomorphic changes observed at Sizewell C and those observed to the north of Minsmere sluice outfall - the patterns of behaviour at each location are not correlated. The changes on one stretch of coastline therefore do not reflect, and cannot be predicted from, the other section.</p> <p><u>Extreme events</u></p> <p>The geomorphology assessments typically consider events with a return interval for peak wave height of 1:20 years, as these events are rare, severe and likely to occur a few times during the station's life. This is because larger, more infrequent events interact with the Sizewell-Dunwich Bank and produce similar inshore wave heights – the bank is effectively a cap on inshore energy for very extreme conditions. It is worth noting that the UKCP18 predictions for the Sizewell area show a similar or decreasing wave climate.</p> <p>Extreme conditions (1:1000 – 1:10,000 year return interval) events are considered in the Flood Risk Assessment [AS-018, AS-157]. Such events would cause natural widespread damage to the Minsmere shingle ridge and severe erosion of the region's cliffs, including the Dunwich Cliffs. Under such conditions, the SCDF would release large quantities of sediment, some of which would be transported to adjacent foreshores, where they would reduce natural erosion rates. However, as stated above, there is no mechanism for impacts originating at Sizewell C to affect erosion at the Dunwich Cliffs.</p> <p><u>Uncertainty</u></p> <p>The National Trust's Relevant Representation refers to non-specific '<i>uncertainty about the assumptions supporting the baseline assessment of large scale/long term/accelerated coastal change</i>'. However, the assumptions were themselves based on extensive assessment of the long-term uncertainties in relevant environmental processes. Factors considered included – beach volume changes, potential for breaching of the Minsmere barrier (based on existing sediment volumes), changes to longshore transport rates, changes to sediment supply (regional-scale changes in the amounts of sand derived from natural cliff erosion elsewhere, including Minsmere cliffs, Dunwich, Walberswick, and potentially areas to the south of Sizewell), changes in future storm surge climatology, changes to the inshore wave climate (due to changes in the Sizewell bank), and sensitivity to the rate of sea level rise.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>The assessment of uncertainty in each parameter, (assuming the 'worst case' changes in each according to present available evidence) indicated with a high degree of certainty that the HCDF could be exposed by shoreline change in the period between 2053-2087 (assuming the SCDF is not maintained). This assessment therefore prompted the design of mitigation, in the form of the SCDF, to counter the worst-case outcome. Furthermore, SZC Co. has committed to maintaining the SCDF over the station life in order to avoid exposure of the HCDF.</p> <p>The uncertainty assessment also determined that confidence in future projections rapidly declines beyond the same timescale (2053-2087), because each factor becomes too unpredictable. Section 7.7.1 and Table 27 of APP-312 discuss this 'post-mitigation' future uncertainty and present plausible long-term scenarios. The most significant feature of long-term change is likely to be loss of the Minsmere sluice outfall – this, rather than Sizewell C, is likely to be the major factor in long-term change at both Sizewell and Dunwich.</p> <p>(ii) There are no plans for mitigation or compensation which are specific to Dunwich Heath and Beach from Sizewell C as no plausible impact on them has been identified.</p>
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	<p><u>HCDF Design</u></p> <p>At the time of the DCO submission the detailed design of the HCDF was not available; only the basic design was available. This is not unusual and does not prevent the assessment of either its role in flood protection or its potential impacts on the environment because the key parameters that define those assessments <i>are</i> known. The design of the HCDF has continued and been refined (for example Change 9 in Volume 1, Chapter 2 of the ES Addendum [AS-181]). A document providing the illustrative detailed design, including plans and drawings, has been submitted at Deadline 2 (Sizewell C Coastal Defences Design Report (Doc Ref. 9.13)).</p> <p><u>MMP</u></p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>The latest draft of the Coastal Processes MMP (Volume 3, Appendix 2.15.A of the ES Addendum [AS-237]) was submitted at the Application Change Request in January 2021 and is available for review by all interested parties. The final version must be approved by ESC and MMO prior to works commencing. Details of the Marine Technical Forum are provided in the draft Deed of Obligation (Doc Ref. 8.17(C)).</p> <p><u>Coastal effects to the south</u></p> <p>Coastal effects to the south will not extend beyond the coralline crag to the north of Thorpeness.</p> <p>Refer to CG.1.14(i) and CG.1.16.</p>
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 has been taken into account and, if not, why not and how that affects the soundness of any assessments.</p>
	Response	<p>(i) Monitoring and mitigation is not required for Aldeburgh to Shingle Street because the evidence shows there is no pathway to impact at these locations (see responses to CG.1.14 (i) and CG.1.16).</p> <p>Coastal erosion beyond Sizewell Bay is a regional scale process driven by large-scale geophysical, hydrodynamic and climatic forcing. The processes affected by Sizewell C are shown to be small scale and local as detailed in responses to CG.1.14 and CG.1.16.</p> <p>Therefore, funding is not required for the works suggested. However, in the broader sense, the cost of complying with the Coastal Processes MMP [AS-237] will depend on the results of monitoring. SZC Co. is committed through the DCO and DML to implement the measures identified in in the CPMMP and has included that in the evolving project cost estimate. The MMP will remain in force throughout the construction and operation of Sizewell C.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>(ii) The latest climate change estimates for coastal change have been used in assessments (UKCP18; APP-312, Section 2.4). Predictions for climate-related storm, wind, and wave changes applied in APP-312 are up to date and based on UKCP18. Work regarding the associated uncertainty is addressed in the response to CG.1.19 (i). The future shoreline assessment described in CG.1.19 (i) considered the possible timescales for accelerated change because, for example, the response of the shoreline to sea level rise is not a direct and predictable retreat¹³. Variation in rates of climate change result in changes to the timing, but not the nature, of required HCDF mitigation. The underlying processes of coastal change requiring mitigation (to maintain a sediment transport pathway across the Sizewell C frontage) also remain the same, and are addressed in the Coastal Processes MMP [AS-237].</p>
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	<p>As acknowledged in RR-0329, these are sites of existing rapid erosion without Sizewell C. Both locations are beyond the present 'sediment cell' within which Sizewell C can plausibly exert any influence, even if the defences were exposed to the marine environment. Monitoring during the development lifetime is proposed in the Coastal Processes MMP (Volume 3, Appendix 2.15.A of the ES Addendum [AS-237]) that will identify the expansion of any zones of impact and allow them to be mitigated.</p> <p>Maintenance of the SCDF and SZC's beach frontage (mitigation) will avoid blockages to the longshore sediment transport corridor and therefore maintain sediment transfer north and south of the station. Monitoring is designed to be flexible and adaptive and can be extended (both in terms of spatial extent and duration), if impacts are observed to grow beyond the monitoring zone, as stated in the response to CG.1.3.</p>

¹³ J. A. G. Cooper, G. Masselink, G. Coco, A. D. Short, B. Castelle, K. Rogers, E. Anthony, A. N. Green, J. T. Kelley, O. H. Pilkey & D. W. T. Jackson (2020) Sandy beaches can survive sea-level rise. [Nature Climate Change](#) volume 10, pages 993–995

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>Flanking erosion is extremely unlikely to arise at distant sites unconnected to Sizewell C - rather, it would spread outward from the location of Sizewell C along the shorelines immediately adjacent, were the HCDF to be exposed – but this is prevented from occurring by the SCDF mitigation.</p>
CG.1.23	The Applicant	<p>Impacts on coastal processes 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>
	Response	<p>This answer is presented in four parts to reflect the structure of the question: (i) Natural England (NE)’s [RR-0878] specific comments are: <i>“...but there is less explanation of how the various beach measures will avoid an adverse effect and maintain condition of SAC foreshore annuals vegetation communities. It is important this is clarified, particularly where future beach management measures might require manual intervention (for example, vehicle movements on the beach) which in turn could adversely affect the feature by hindering colonising plants. This is important as manual beach management schemes elsewhere often involve lorry movements directly on beaches, which is disturbing to flora and fauna”.</i> Firstly, it is important to note that no part of the Sizewell C development will cause a direct adverse effect on the vegetated shingle – the only link from Sizewell C to shingle communities are natural coastal processes. Adverse effects will occur due to natural reduction in beach volumes already taking place. The annual vegetation communities are maintained by the natural beach volume and form; so, by supporting these (as agreed by</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>NE) via natural processes, the measures (additional sediment supply to the southern Minsmere frontage from the SCDF) will support the potential re-establishment of those communities.</p> <p>The 'various beach measures' referred to by Natural England are those set out in paragraph 20.14.24 of Appendix 20A of Volume 2 of the ES [APP-312] (i.e. beach recycling, sediment bypassing and beach recharge).</p> <p>However, more importantly in regards to the issue raised by NE is that these measures, and the means by which they will be delivered, will be provided in the Coastal Processes MMP (Volume 3, Appendix 2.15.A of the ES Addendum [AS-237]. The latest draft of the Coastal Processes MMP was submitted at the Application Change Request in January 2021, although the detailed methodology for the various mitigation measures has yet to be confirmed. Before works can begin, the Coastal Processes MMP requires approval under DCO Requirement 7A and Marine Licence 17 (Doc Ref. 3.1(C)) and that approval process will require consultation with NE. SZC Co is working with NE (and other MTF members) to progress the Coastal Processes MMP, and will need to demonstrate that methods will not adversely affect the feature. Nonetheless, as noted in paragraph 20.14.25 of Appendix 20A of Volume 2 of the ES [APP-312], none of the possible mitigation approaches would involve direct placement of sediment on the supra-tidal beach within European sites. It is, therefore, reasonable at this time to assume that direct effects on qualifying features can be avoided and that approval of the Coastal Processes MMP can secure management and control measures necessary such that direct effects on the SAC that could negatively affect condition (e.g. through vehicle movements) are avoided.</p> <p>(ii) NE identifies a risk of future saltwater overtopping or breaching. The major factor in overtopping risk is increasing sea level (relative to the beach height) (see Section 2.1 of Appendix 20A, Volume 2 of the ES [APP-312] wherein it is stated throughout that overtopping is likely to increase naturally in frequency north of Minsmere Sluice (and to become more likely south of the sluice). Reduction in the beach and shingle ridge height would have the same effect – but no element of the Sizewell C construction involves physically reducing the existing height of the beach (indeed it is proposed to increase the beach level along the SCDF). The SCDF is also likely to add volume to the adjacent beach, due to the localised longshore transport of shingle released from the SCDF during SE</p>

ExQ1	Question to:	Question:
		<p>storms, increasing (but by no possible route reducing) the resistance of the adjacent shorelines to breaching.</p> <p>(iii) The area of the Sizewell Beaches CWS which will be lost to temporary landtake is 6.95ha, which represented by 18% of the total (38.83ha), so it is incorrect to characterise this as the loss of most of the site. However, the area within the order limits will be entirely removed during the establishment of the new defences with habitats re-established over the top of the defences once these are in place, as explained in the ES at paragraph 14.4.16 of Volume 2, Chapter 14 [AS-033], using similar approaches to those which were successfully used for the establishment of similar habitats on the Sizewell B frontage. The area of replacement vegetated beach habitats will be 5.09 ha of coastal sand dunes and 3.95 ha of coastal vegetated shingle (see Main Development Site Biodiversity Net Gain Report, as updated), which is marginally greater than the area of the CWS subject to landtake. Volume 2, Chapter 14 of the ES [AS-033] identifies a significant adverse effect associated with the impacts to the CWS because of the loss, albeit initially temporary, of 18% of habitat which is considered of national importance and the effect of habitat reinstatement in context with future sea level rise, which is likely to be more susceptible to erosion. Further information can be found in Preliminary Design and Maintenance Requirements for the Sizewell C Soft Coastal Defence Feature report (Doc Ref. 9.12).</p> <p>(iv) Firstly, the proposed development would prevent eventual exposure and entrainment into the coastal environment of the unnatural materials of the Bent Hills (which is made ground created when Sizewell B was constructed). Apart from that, the methods proposed would not directly alter any coastal process and changes in shoreline form would be driven by natural processes alone. Adding sediment to the shoreline (from the SCDF) increases resilience as climate change (sea level rise) is likely to increase shoreline recession. The potential benefit of the SCDF is to preserve the present shoreline form longer than would otherwise be the case, by supplying a greater volume of protective shingle material to the shoreline and delaying the inevitable loss of the dunes at Minsmere south and subsequent increase in saline intrusion, potential breaching, and shoreline retreat. The SCDF provides a maintained supra-tidal reservoir of shingle designed to release sediment into the coastal system, prevent HCDF exposure, and thereby avoid or minimise disruption to longshore shingle transport and the potential downdrift beach erosion. It uses a “working with nature” approach where the release of sediment into the coastal system, and its distribution, are determined by natural coastal processes (erosion by waves). It would</p>

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

ExQ1	Question to:	Question:
		<p>supply additional shingle to the Sizewell C frontage and the neighbouring coast (including the southern Minsmere frontage) during erosive storms.</p> <p>Erosion rates would also be reduced to the south of Sizewell C, across the Sizewell B frontage.</p>
CG.1.24	The Applicant	<p>Impacts on coastal processes</p> <p>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.</p> <p>(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.</p> <p>(ii) In relation to the assessed new significant benefit associated with the changes, please explain in detail the basis for that conclusion.</p>
	Response	<p>(i) Although no significant adverse effects were identified by the assessments presented in Volume 1, Chapter 2 of the ES Addendum [AS-181], paragraphs 2.15.85 – 2.15.87 do identify a precautionary mitigation option for the barge grounding pocket during the operational phase, which would be needed for 3 – 4 weeks every 5 – 10 years. This arises because the design change to a longer permanent BLF requires a grounding pocket that would extend further into the outer longshore bar. Paragraph 2.15.87 proposes mitigation to manually infill the grounding pocket if it has not infilled naturally moving into the winter season. This action may not be needed, if the bar is further offshore (i.e. the grounding pocket makes a smaller incision into the bar) or if the activity occurs earlier in the summer – both allow natural infilling to restore the bed levels. The next version of the Coastal Processes MMP to be submitted to the ExA at Deadline 4 will be updated to include a trigger for precautionary grounding pocket mitigation if natural infilling is identified to be insufficient ahead of the winter season.</p>

ExQ1	Question to:	Question:
		<p>Since the pocket is generated by plough dredge, if conditions have not promoted natural infilling, the mitigation would largely consist of moving dredged sediments back into the pocket.</p> <p>ii) The significant benefit referred to is associated with changes to the soft coastal sea defence design, in particular the supply of a large volume of additional sediment to the coast from the SCDF over the 85 year operation and decommissioning phases (Volume 1, Chapter 2 of the ES Addendum [AS-181] Section 2.3k). Provision of the SCDF sediment into the coastal system would reduce erosion rates at the high value Sizewell C, Sizewell B and south Minsmere frontages (as described in CG.1.23 (iv)). On the south Minsmere frontage (up to a few hundred metres north of Sizewell C), natural transport and deposition of SCDF sediments would increase beach volume and thereby slow the rate of retreat of the shingle barrier, preventing or reducing overtopping, and seawater ingress to the Minsmere south levels. The increased volume may evolve into supra-tidal deposits and lead to re-establishment of the annual vegetated drift lines habitat, which was destroyed by natural coastal erosion in 2010-2011 (Volume 2, Appendix 20A of the ES [APP-312]).</p>
CG.1.25	The Applicant, MMO	<p>Impacts on coastal processes</p> <p>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.</p> <p>(i) Please indicate whether any other components should be monitored?</p> <p>(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.</p>
	Response	<p>(i) Monitoring during the development's lifetime is proposed in the Coastal Processes MMP [AS-237] as noted by the ExA. The MMP is comprehensive and employs a suite of state of the art and applied monitoring techniques and methodology. Furthermore, the monitoring programme is designed to be flexible and adaptive and can be extended (both in terms of spatial extent and duration) if impacts are observed to grow beyond the monitoring zone, as stated in the response to CG.1.3. All appropriate marine Sizewell C components are monitored for impacts to coastal geomorphology receptors over the lifetime of the development, as set out in the Coastal Processes MMP (see response to CG.1.19).</p>

ExQ1	Question to:	Question:
		<p>The MMO has previously mentioned a potential need to monitor for changes in sediment size in dredged nearshore areas. SZC Co. considers that this is unnecessary for the following reasons:</p> <ul style="list-style-type: none"> • Coarsening of the substrate is not likely as the sediments are all sand-sized. • Given the particle size range, any coarsening to the substrate that did occur would be very subtle and difficult to detect from natural background variability. As the dredged areas would be very small and changes in sediment size would very subtle, the effects on geomorphology would be difficult to detect both at and beyond the dredging site. <p>(ii) Please refer to CG.1.3 (i) for justification of the extent and scale of proposed monitoring and the rationale for adopting an adaptive monitoring cycle.</p> <p>The frequency of monitoring varies for each component – see Sections 3.3, 4.3 & 5.3 of Volume 3, Appendix 2.15.A of the ES Addendum [AS-237] – and has been determined considering the impact magnitude and effect, as well as the expected evolution with time of the feature and the impact (rate of change and whether an equilibrium impact is reached).</p> <p>(1) <u>Equilibrium impacts</u>. Some impacts will reach a dynamic equilibrium within a few months and not require ongoing targeted monitoring, such as scour around structures. The approach follows a standard pre- and post-construction survey schedule, with additional post-construction surveys according to the potential for natural changes in geomorphology (e.g. nearshore outfalls just seaward of the outer bar). Background monitoring is also used throughout the operation and decommissioning phases. Allowance will also be made for the possibility of modifications to sampling design or survey frequency in response to unanticipated manmade or natural influences as part of an adapted monitoring programme.</p> <p>(2) <u>Monitoring frequency for SCDF mitigation</u>. This monitoring will be based on continuous sampling remote sensing data and scheduled field surveys (see Section 6.2 of Volume 3, Appendix 2.15.A of the ES Addendum) [AS-237]), which can typically provide reliable results on a weekly timescale. This is required as storms may arrive at high frequency and so a rapid mitigation response will be needed to maintain the standard of protection. A conservative early warning trigger will be set for remote sensing data that, if triggered, would result in an ad hoc confirmatory field survey for</p>

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

ExQ1	Question to:	Question:
		<p>verification. If the volumetric trigger for mitigation has been met, mitigation (most likely beach recharge) would be applied.</p> <p>All nearshore components will also be covered by continuous sampling remote sensing methods.</p>
CG.1.26	The Applicant, MMO	<p>Impacts on coastal processes</p> <p>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.</p> <p>Response</p> <p>(i) Other techniques may be available in future but at the present time the proposed methods are comprehensive and state of the art, so there is no obvious benefit in adding additional methods. A watching brief will be maintained regarding emerging methods that improve monitoring whilst maintaining consistency in the records. Any proposed changes would be presented to the MTF with justification for changes and require approval from the relevant regulator.</p> <p>(ii) The suite of methods proposed has generated an extensive and high-quality baseline dataset (particularly in comparison with other coastal developments of comparable scale) which has been reviewed throughout by the MTF. The suite of techniques and the overall design of the monitoring plan aims to provide early warning should unexpected changes occur between regular surveys, which themselves are frequent. This approach allows for intervening ad hoc field surveys (i.e. between scheduled surveys) should concerns arise from the remote sensing results. In essence, the proposed plan is designed to be part of an adaptive monitoring cycle that evolves iteratively as new evidence emerges, whilst providing a robust basis for decision-making.</p>

ExQ1	Question to:	Question:
CG.1.27	The Applicant, MMO	<p>Impacts on coastal processes</p> <p>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:</p> <p>(i) why the altered bed shear stress over this area would have low impact duration and probability;</p> <p>(ii) why the occurrence of a storm could be relied upon to result in rapid shrinkage of the effect;</p> <p>(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.</p>
	Response	<p>(i) Please note that no reference is made to probability in the EIA method. The statement in the monitoring plan is a reference to the low magnitude of impact outside of storm periods, and the infrequency of storms occurring during the summer BLF operational period each year. As bed shear stress is proportional to wave heights, the peak bed shear stresses during a storm reduce as wave heights lessen when a storm passes. However, paragraph 20.8.17 of Volume 2, Chapter 20 of the ES [APP-311] applied a precautionary definition of duration as 'high', in recognition of the length of the 5-10 year period over which access is required and this was unchanged in the Accepted Change (see paragraph 2.15.52 of Volume 1, Chapter 2 of the ES Addendum [AS-181].</p> <p>(ii) Storm activity increases the amount of sediment (sand in particular) in motion. The wave orbital velocity at the seabed (the speed of the current induced at the seabed by a passing wave) which is responsible for sediment motion decreases as water depth increases. Therefore, sediment transported over a deeper dredged area will experience reduced velocities, increasing deposition there, leading to infilling. During calmer conditions there would be less sediment in motion, and so infilling would occur more slowly. The dredged sediments themselves, cast laterally by the plough dredger, are expected to constitute some of the material depositing in the dredged area.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>(iii) Sediment suspended by tugboat wash will move in the direction of the tide at the time of generation (there being little wave-driven transport when tugs approach the shore owing to the navigational wave height limit of 0.5 m). As detailed in Section 4.2.2 of Appendix 20A of Volume 2 of the ES [APP-312], the barge will approach and dock on the flooding tide, during which the tidal current flows south. The barge approach will take place at a similar stage of the tide on each occasion. Barges will unload while grounded over the subsequent low water and then depart on the following flood tide.</p>
CG.1.28	The Applicant, MMO	<p>Impacts on coastal processes</p> <p>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?</p>
	Response	<p>Continuous monitoring of the shoreline and barlines is part of the proposed monitoring strategy. The proposed change is a matter of measurement frequency. The intention is to undertake an adaptive monitoring programme. This consists of initially assessing the impact during operation with a higher-frequency mapping and reporting to determine what, if any, impacts are detectable in the short term. Longer term, the BLF would be in use very infrequently and no direct impacts would be occurring. Therefore, the longer-term monitoring is designed to ensure sufficient data collection to detect any impacts occurring over extended periods consistent with any long-term processes. As noted in the quoted section (Section 5.2) of the Coastal Processes MMP (Volume 3, Appendix 2.15.A of the ES Addendum [AS-237]), the background monitoring (terrestrial remote sensing and occasional topographic and bathymetric surveys) is expected to remain in place, effectively providing continued high frequency data, available for analysis should future changes indicate higher frequency assessment is appropriate.</p>
CG.1.29	The Applicant	<p>Impacts on coastal processes</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>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?</p>
	<p>Response</p>	<p>The degree of profile translation would be limited as the beach and SCDF would be recharged once erosion reaches a volumetric beach threshold (see, Section 6.3 of Volume 3, Appendix 2.15.A of the ES Addendum [AS-237]). The monitoring of piles would include any translation of the beach profile in either direction (causing piles to move between the terrestrial, subaerial (above low tide) and subtidal beach), because all of these areas would be monitored using topographic and bathymetric field survey techniques. These methods are suitable for detecting elevation changes around the BLFs.</p>
<p>CG.1.30</p>	<p>The Applicant</p>	<p>Impacts on coastal processes</p> <p>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 conditions would not threaten HCDF exposure and could be satisfactorily mitigated at that time?</p>
	<p>Response</p>	<p>Whatever the precise details of water levels and wave action, the beach conditions that threaten exposure will always be the same – a reduced volume and width of beach. The mitigation remains the same, that is, maintaining the volume of shingle material forming the Sizewell C frontage above a protective threshold. Shingle is a relatively stable beach material requiring high forces to transport and the storm wave energy of the North Sea is limited by the basin scale. Climate change predictions suggest wave heights at this location are likely to be similar to present conditions or indeed reduce in future. Thus, the proposed mitigation of increasing and maintaining the quantity of coarser shingle (in the SCDF), coupled with similar or reduced wave energy at the shore, suggest that the shoreline can be stabilised for the operation and decommissioning phases. Furthermore,</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		SZC Co. has committed to maintaining the SCDF over the operation and decommissioning phases in order to avoid exposure of the HCDF.
CG.1.31	The Applicant, MMO	<p>Impacts on coastal processes</p> <p>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.</p>
	Response	Written feedback from the MMO on their review of Version 1 of the draft Coastal Processes MMP (Appendix 2.15.A, Volume 3, Appendix 2.15.A of the ES Addendum [AS-237]) (received by email on 22 September 2020) stated for Section 6: <i>"This section is very thorough, no significant comments."</i>
CG.1.32	The Applicant, MMO	<p>Impacts on coastal processes</p> <p>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.</p> <p>(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.</p> <p>(ii) Is it agreed that the Leiston - Aldeburgh SSSI is too distant to be affected by beach management activity at SZC?</p>
	Response	Both questions (i) and (ii) pertain to content in Section 6. As stated in the response to CG.1.31, written feedback from the MMO on Section 6 of Volume 3, Appendix 2.15.A of the ES Addendum [AS-237] stated <i>"This section is very thorough, no significant comments."</i>
Chapter 11 - CA.1. Compulsory acquisition		
CA.1.0	The Applicant	<p>The scope and purpose of the Compulsory Acquisition Powers sought</p> <p>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 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</p>

ExQ1	Question to:	Question:
	<p>Response</p>	<p>particular regard to the provision of the Two Village Bypass (TVP) and the Sizewell Link Road (SLR)?</p> <p>Two Village Bypass</p> <p>With regards to bullet point 1 in paragraph 6.1.5 of the Statement of Reasons (SoR) [APP-062], there is a direct relationship between the two village bypass and the Sizewell C nuclear power station. The two village bypass would support the construction of Sizewell C by providing a suitable road to carry the traffic associated with the construction of Sizewell C to the main development site. This includes bypassing the Farnham bend, which is a tight bend in Farnham that is unsuitable for Heavy Goods Vehicles (HGVs) and abnormal indivisible loads (AILs). By not bypassing the bend, there would be a risk of delays in deliveries reaching the main development site, particularly if two HGVs should meet at the bend travelling in opposite directions, which could negatively impact on the construction programme.</p> <p>The two village bypass would support the operation of Sizewell C by continuing to allow HGVs and AILs to safely access the main development site when necessary, whilst providing a legacy benefit to the villages of Farnham and Stratford St Andrew.</p> <p>The two village bypass would help to address the impact of Sizewell C by avoiding the adverse effects that would otherwise be associated with the addition of the construction traffic to the existing volume of traffic that would travel through the close-knit villages of Farnham and Stratford St Andrew, and particularly the narrow Farnham bend which has been a historic problem for traffic flows and accidents on the route of the A12.</p> <p>With regards to bullet point 2, the two village bypass is not an aim in itself and it is subordinate to Sizewell C. SZC Co. would not have proposed the two village bypass had it not been necessary to mitigate the impacts of the Sizewell C Project.</p> <p>With regards to bullet point 4, the two village bypass is proportionate to the nature and scale of Sizewell C. A bypass is necessary for the reasons explained above and it goes no further than is needed to achieve that requirement. Section 6 of the Site Selection Report (Planning Statement Appendix 8.4A) [APP-591] explains its selection relative to other options which were either unsuitable or disproportionate. SZC Co. has also prepared a summary document which brings together a number of issues relating to the</p>

ExQ1	Question to:	Question:
		<p>history of and selection of the two village bypass in order to assist the ExA: Two Village Bypass Summary Paper (refer to Appendix 5C of Chapter 5 (Part 1) of this report).</p> <p>Sizewell link road</p> <p>With regards to bullet point 1 in paragraph 6.1.5 of the SoR [APP-062], there is a direct relationship between the Sizewell link road and the Sizewell C nuclear power station. The Sizewell link road would support the construction of Sizewell C by providing a suitable road to carry the traffic associated with the construction of Sizewell C to the main development site.</p> <p>The Sizewell link road also will be used during the operational phase. It will be particularly beneficial when statutory outages occur in the operational stage of the power plant. Statutory outages are explained in more detail in Volume 2, Chapter 4 of the ES [APP-187].</p> <p>The Sizewell link road would help to address impacts of Sizewell C. The Sizewell link road has been proposed in response to extensive stakeholder feedback 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.</p> <p>With regards to bullet point 2, the Sizewell link road is not an aim in itself and it is subordinate to Sizewell C. SZC Co. would not have proposed the Sizewell link road had it not been necessary to mitigate the impacts of the Sizewell C Project.</p> <p>With regards to bullet point 4, the Sizewell link road is proportionate to the nature and scale of Sizewell C and its likely impacts. The construction of Sizewell C would require significant freight deliveries and numbers of construction workers to travel from the A12 to the main development site. The provision of the Sizewell link road would provide a suitable access road to enable the freight deliveries and construction workers to get to the main development site and mitigate the adverse effects that would otherwise occur on the B1122 communities.</p> <p>In the absence of an alternative route, most Sizewell C construction traffic would need to travel along the A12, through Yoxford and would reach the main development site via the B1122, through Middleton Moor and Theberton (or they would cut across country on even less suitable roads). This would have adverse effects on the communities which live along the B1122. As such the provision of the Sizewell link road, which would take construction</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>traffic from the A12 to the main development site without it having to travel on the B1122, is proportionate to the nature and scale of Sizewell C and it goes no further than is needed to avoid the adverse effects that would otherwise occur. The Site Selection Report (Planning Statement Appendix 8.4A) [APP-591] explains at Section 7 how the route selected is the most direct of the potential alternatives.</p> <p>Further information regarding the principle of the Sizewell link road has been compiled to assist the Examination. This information is set out in the Sizewell Link Road: Principle and Route Selection Paper, which is at Appendix 5D of Chapter 5 (Part 1) of this report.</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> <ul style="list-style-type: none"> (i) The need to seek such a wide-ranging power and why all such rights and easements cannot be specifically identified; (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? (iii) The nature and extent of any delay to the project that might otherwise result? (iv) What alternatives to this approach have been explored?
	Response	<p>(i) The power to override easements and other rights referred to in paragraph 5.3.3 of the SoR [APP-062] is contained in Article 28 (statutory authority to override easements and other rights) of the draft DCO (Doc Ref. 3.1(C)). Article 28 authorises the carrying out or use of development authorised by the DCO for the purposes of section 158(2) of the PA 2008 notwithstanding that it involves an interference with an interest or right in land or a breach of a restrictive covenant.</p> <p>Section 158 confers statutory authority for the carrying out of development for which consent is granted by the DCO and for doing anything else authorised by the DCO for the purpose of providing a defence in civil or criminal proceedings for nuisance.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>Article 28 has the effect of providing the Undertaker with such a defence, and providing for the payment of compensation to those injuriously affected as a result (Article 28(2)). The purpose of the power is to prevent a situation arising in which a person entitled to the benefit of such a right, easement or covenant is able to bring an action for nuisance so as to prevent the carrying out or use of the authorised development, on the basis that doing so interferes with the right or easement, or breaches the restrictive covenant. If such a situation were to occur it would undermine the utility of the DCO and the ability to achieve the public interest benefits which justify the powers of compulsory acquisition it contains. The inclusion of a provision within the DCO to prevent that situation occurring is a necessary and standard accompaniment to the powers of compulsory acquisition to prevent them being frustrated.</p> <p>As the Explanatory Memorandum (Doc Ref. 3.2(B)) explains at paragraphs 7.10 to 7.11, the inclusion of a power framed in this way in the draft DCO (Doc Ref. 3.1(C)) is considered to be a more proportionate approach to tackling this issue than the alternative approach taken in a number of other DCOs, which is to include provision that automatically ‘cleanses’ the title to the land acquired of <i>all</i> third party rights.</p> <p>This more draconian approach can be seen in Article 23 (Private Rights) of the Silvertown Tunnel DCO¹⁴ and also Article 29 (Private Rights) of the Wylfa dDCO¹⁵ both of which apply to ‘<i>all private rights and restrictive covenants</i>’ and provide that they are ‘<i>extinguished or discharged</i>’ from the earlier of the date of acquisition or date of entry onto the land. A similar approach is reflected in Article 26(1) (Private Rights) of the Northampton Gateway DCO¹⁶, together with an additional provision in Article 26(2) extinguishing all private rights over land subject to the compulsory acquisition of rights ‘<i>insofar as their continuation would be inconsistent with the exercise of the right</i>’.</p> <p>By contrast, Article 28 does not remove or extinguish the relevant rights, easements or covenants, nor make them generally unenforceable, but instead simply means that they</p>

¹⁴ The Silvertown Tunnel Order 2018 (SI 2018 No. 574)

¹⁵ Examining Authority’s Report of Findings and Conclusions for the Wylfa Newydd Nuclear Power Station dated 23 July 2019. Available at: <https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010007/EN010007-003948-Recommendation%20Report%20-%20English.pdf>

¹⁶ The Northampton Gateway Rail Freight Interchange Order 2019 (SI 2019 No. 0000)

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>cannot be enforced against the Undertaker insofar as that might prevent the carrying out or use of the authorised development.</p> <p>It is important to understand that however diligently the land referencing exercise was carried out, the risk of other unknown rights, easements and restrictions emerging in due course would still make it necessary to include an equivalent catch-all provision to cater for that possibility.</p> <p>The effect of the provision on the beneficiary of the right, easement or restrictive covenant in question would necessarily be the same whether it was listed in the DCO or not – it would not be possible to enforce the right etc. against the Undertaker so as to prevent carrying out or use of the authorised development. Thus the additional exercise envisaged would make no difference to the scope and extent of the power or to the effects upon those whose rights etc. are affected.</p> <p>The power to extinguish rights of way upon the appropriation of land within the Order limits for the purposes of the DCO to which paragraph 5.3.3 of the SoR [APP-062] refers is contained in Article 31 (private rights of way).</p> <p>Article 31 distinguishes between land that is compulsorily acquired (Article 31(2)) and land that is subject to temporary possession (Article 31(3)). Whereas private rights of way are extinguished in the former case, they are only suspended and made temporarily unenforceable in the latter. Compensation is payable for loss suffered as a result (Article 31(4)). Provision is also made in Article 31(5) for agreement between the Undertaker and the person in whom the right of way is vested or belongs that paragraphs (1) to (3) shall not have effect.</p> <p>It is essential that the carrying out of the authorised development is not disrupted or prevented on the basis that it involves interference with private rights of way within the Order limits. Where land is to be acquired on a permanent basis for the purposes of the authorised development, it is also inherently inappropriate for third parties to be able to exercise private rights of way over that land without the Undertaker's express agreement. The distinction between extinguishing private rights of way, as opposed to merely giving power to over-ride other third party rights where they interfere with development, is reflected in primary legislation (see s236 and s237 Town and Country Planning Act 1990) as well as works Orders.</p> <p>As explained above, the approach adopted in the draft DCO (Doc Ref. 3.1(C)) in this respect involves significantly less interference with private rights than the approach taken</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>in some other DCOs, and in that respect reflects the more traditional approach taken in Orders made under the Transport and Works Act 1992 and Private Bills where only private rights of way are extinguished and the Undertaker relies on the ability to use statutory authority to override other rights where needed. Precedent for this approach can be found in the Hinkley Point C DCO Articles 26 and 28¹⁷ and the Thames Tideway Tunnel DCO Articles 32, 33 and 46¹⁸.</p> <p>However diligently the land referencing exercise was carried out, the risk of other unknown rights of way emerging in due course would be too great to provide the necessary level of certainty as to the ability to implement and use the authorised development. The approach adopted addresses that risk, but still enables agreement to be reached on a case by case with the person in whom the right of way is vested or belongs that this provision will not apply to specific rights of way.</p> <p>(ii) The draft DCO (Doc Ref. 3.1(C)) adopts a proportionate approach to the powers sought which interfere with existing interests and rights in land.</p> <p>Where land is required on a permanent basis for the authorised development the draft DCO (Doc Ref. 3.1(C)) seeks powers of compulsory acquisition. The effect of Articles 28 and 31 on any rights, easements and restrictive covenants affecting such land is described and justified above.</p> <p>Article 30 (compulsory acquisition of rights) provides the Undertaker with the ability to acquire compulsorily both existing rights (appurtenant to a freehold or leasehold title acquired in the normal way) and to create new rights as well as impose restrictive covenants over land. The land over which rights may be created is described in the Book of Reference (Doc Ref. 4.3(A)) and shown on the Land Plans [AS-108]. Where the Undertaker creates a right over land through compulsory purchase powers, it is not required to acquire a greater interest in the land. Where rights are created Articles 28 and 31 have the same effect as they do in relation to land subject to compulsory acquisition of existing freehold and leasehold interests, and for the same reasons. In this regard note that the definition of 'land' in Article 2 includes 'right in land' and Article 31 should be interpreted accordingly.</p>

¹⁷ Hinkley Point C (Nuclear Generating Station) Order (SI 2013 No. 648)

¹⁸ Thames Water Utilities Limited (Thames Tideway Tunnel) Order (SI 2014 No. 2384)

ExQ1	Question to:	Question:
		<p>The power to impose restrictive covenants over land means that the Undertaker can avoid having to acquire an interest in land where a restrictive covenant can provide the necessary level of protection (e.g. where flood mitigation works need to be retained). This allows for a more proportionate level of interference with existing property rights. The nature and scope of the power in Article 30 is explained further in the Explanatory Memorandum (Doc Ref. 3.2(B)) at paragraphs 7.17 to 7.23 and the SoR [APP-062] at paragraph 5.3.9. Where this power is used Article 28 would also apply for the same reasons, as would Article 31.</p> <p>Article 37 authorises the Undertaker to enter onto, and temporarily occupy, the land specified for the purposes of carrying out various temporary or permanent works on that land, without having to acquire a permanent interest in the land. There are also other powers in the draft DCO (Doc Ref. 3.1(C)) which enable the Undertaker to use and possess land temporarily, as explained in the SoR [APP-062] in section 5.4. As explained above, where temporary possession is taken Article 28 applies in the same way as it would if the land was taken permanently, but the effect of Article 31(3) is that private rights of way would only be suspended and made temporarily unenforceable.</p> <p>Whether the Undertaker is relying on the power of compulsory acquisition, the power to acquire a right or impose a restrictive covenant, or a power of temporary possession, it is necessary to prevent a situation arising in which a person entitled to the benefit of a right, easement or covenant affecting the relevant land is able to prevent the carrying out or use of the authorised development on the basis that doing so interferes with the right or easement, or breaches the restrictive covenant. Thus the need for the power in Article 28 arises in the same way in each case.</p> <p>(iii) The nature and extent of the delay that might otherwise result would necessarily vary depending on the precise circumstances of the case.</p> <p>It is likely, however, that the time needed to overcome such a legal obstacle to implementation of the authorised development would be substantial. In order to do so it may well be necessary, for example to prepare and submit an application for an amendment to the DCO pursuant to Schedule 6 to the Planning Act 2008.</p> <p>The time required to prepare, seek and obtain such an amendment (assuming it was granted) would depend on the nature of the amendment (e.g. whether it involved a change to the authorised development and/or a change in the powers of compulsory acquisition) and whether the amendment was material.</p>

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

ExQ1	Question to:	Question:
		<p>Even if the necessary amendment was non-material, experience shows that the resulting delay would be substantial and that the time between submission and determination of the application to the Secretary of State would be at least six months and may be considerably more. By way of example, there have been a number of non-material amendments made to the Hinkley Point C DCO¹⁹. The first of these was submitted in January 2015 and determined in September 2015, the second was submitted in January 2017 and determined in August 2017, and the third was submitted in October 2017 and determined in March 2018. That is consistent with experience of other DCOs. The undertaker for the Galloper Wind Farm²⁰ made an application for a non-material change in February 2015 which was determined in July 2015, and the undertaker for the East Anglia One Offshore Wind Farm DCO²¹ submitted such an application in May 2015 which was determined in March 2016.</p> <p>In addition to the period of time between submission and determination of an application for a non-material change, the preparation of such an application (including any pre-application consultation) would add months to the overall delay involved.</p> <p>If the change required to the DCO was material, the resulting delay would be substantially greater because the process involved in preparing, examining and determining such an application is similar to the process for the initial DCO application.</p> <p>The knock-on implications for the timing of the implementation of the Sizewell C Project overall would depend on the relationship between the change needed and the critical path, and cannot be predicted with any certainty in the abstract.</p> <p>(iv) For the reasons set out above, Articles 28 and 31 are essential to ensure that the authorised development can be carried out as planned, and that implementation is not frustrated by the existence of incompatible rights over the Order land.</p> <p>That is reflected in the fact that the same or similar provisions are to be found in other DCOs.</p> <p>The alternative to the combined effect of these two provisions – and one reflected in a number of other DCOs – is to adopt a more draconian blanket approach and simply</p>

¹⁹ Hinkley Point C (Nuclear Generating Station) Order (SI 2013 No. 648)

²⁰ The Galloper Wind Farm Order 2013 (SI 2013 No. 1203)

²¹ The East Anglia ONE Offshore Wind Farm Order 2014 (SI 2014 No. 1599)

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>extinguish all such rights. As the Explanatory Memorandum (Doc Ref. 3.2(B)) explains at paragraph 7.11, SZC Co. did consider this alternative but has concluded that the proposed approach offers sufficient protection and involves a lesser degree of interference with private rights.</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 restrictive covenants intended to be imposed;</p> <p>(ii) Should a requirement for consultation with relevant owners/occupiers as regards the drafting of any such restrictive covenants be imposed?</p>
	Response	<p>(i) The Book of Reference (Doc Ref. 4.3(A)) and Land Plans [AS-108] identify which land is to be subject to the power to impose restrictive covenants. The imposition of new restrictive covenants is one of a number of new rights referred to as Class 2 rights in the Book of Reference (Doc Ref. 4.3(A)). The land subject to Class 2 rights is shown shaded blue on the Land Plans [AS-108].</p> <p>At this relatively early stage of design development, the precise nature and extent of the restrictions that may need to be imposed has not been determined. That is entirely appropriate and unsurprising for a nationally significant infrastructure project of this type, because those restrictions will need to be drafted so as to reflect the detailed design of the relevant elements of the project, and that will only happen some time after the DCO has been granted.</p> <p>The SoR [APP-062] at paragraph 5.3.9 gives as an example of the sort of situation where the imposition of a restrictive covenant may be sufficient to achieve the public interest objective, namely the retention of flood mitigation works. In that example, it would be reasonable to expect the restrictive covenant imposed on the land to be drafted so as to prevent any interference with/removal of the flood mitigation works, and to prevent the</p>

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

ExQ1	Question to:	Question:
		<p>development and/or use of the land in a way that would adversely affect the effectiveness of those works.</p> <p>(ii) SZC Co. does not consider that there is any need to impose a requirement on the DCO that the relevant owners/occupiers of land be consulted as regards the drafting of any such covenants.</p> <p>So far as SZC Co. is aware, no such requirement has been imposed on other DCOs which contain similar provisions. See for example Article 25 of the Northampton Gateway DCO²², Article 26 of the Thames Tideway Tunnel DCO²³, Article 22 of the Silvertown Tunnel DCO²⁴, and Article 23 of the Southampton to London Pipeline DCO²⁵. Nor was any such provision included in the Wylfa dDCO²⁶ following amendment by the ExA (see Article 27).</p> <p>The requirement to pay compensation for loss suffered as a result of the imposition of a restrictive covenant (Article 30(4)) is sufficient to ensure that any such restriction is drafted so as not to limit the use of the burdened land to a greater extent than is necessary. As a consequence of that requirement, SZC Co. has a strong incentive to adopt a proportional approach when drafting restrictive covenants and to consult with the owners and occupiers of any land affected to avoid any constraint beyond that needed to ensure adequate protection and maintenance of the works.</p>
CA.1.3	The Applicant	<p>The scope and purpose of the Compulsory Acquisition Powers sought</p> <p>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</p>

²² The Northampton Gateway Rail Freight Interchange Order 2019 (SI 2019 No. 0000)

²³ Thames Water Utilities Limited (Thames Tideway Tunnel) Order (SI 2014 No. 2384)

²⁴ The Silvertown Tunnel Order 2018 (SI 2018 No. 574)

²⁵ Southampton to London Pipeline Development Consent Order (SI 2020 No. 1099)

²⁶ Examining Authority's Report of Findings and Conclusions for the Wylfa Newydd Nuclear Power Station dated 23 July 2019. Available at: <https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010007/EN010007-003948-Recommendation%20Report%20-%20English.pdf>

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

ExQ1	Question to:	Question:
	Response	<p>a 14 day notice period and consider whether this is unreasonably short and should be extended to 28 days?</p> <p>Article 25 authorises the Undertaker to enter onto any land within the Order limits or which may be affected by the authorised development to undertake various survey and investigative works. Except in cases of emergency, the Undertaker must give no less than 14 days' notice of its intention to exercise its powers under this article.</p> <p>The 14-day period is intended to strike an appropriate balance between giving the owner/occupier a reasonable degree of advance notice of entry on the one hand, and the need to ensure that necessary surveys and investigations are carried out as soon as reasonably practicable on the other. That latter consideration is not simply a matter of avoiding unnecessary delay to the works overall, importantly it also affects the speed with which steps are taken to address the impacts that arise from the authorised development, insofar as these are ascertained using the Article 25 powers. The avoidance of undue delay in both respects is a significant public interest consideration, helping to ensure prompt action is taken where possible to address adverse environmental effects as and when they occur.</p> <p>There is a parallel with the equivalent notice period under Article 24 (Protective works to buildings). Article 24(3) provides the Undertaker with a right to enter and survey a building for the purpose of determining how the functions under Article 24 are to be exercised. Before exercising that right, Article 24(5) requires the Undertaker to give not less than 14 days' notice (save in an emergency).</p> <p>The 14-day notice periods in each case are the same as those provided for in the Southampton to London Pipeline DCO²⁷ (Articles 19 and 20), the Riverside Energy Park DCO²⁸ (Articles 19 and 20), the Silvertown Tunnel DCO²⁹ (Articles 15 and 16), the Thames</p>

²⁷ Southampton to London Pipeline Development Consent Order (SI 2020 No. 1099)

²⁸ Riverside Energy Park Order (SI 2020 No. 419)

²⁹ The Silvertown Tunnel Order 2018 (SI 2018 No. 574)

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

ExQ1	Question to:	Question:
		Tideway Tunnel DCO ³⁰ and the Wylfa dDCO ³¹ as amended by the ExA (Articles 23 and 24). SZC Co. is not aware of any relevant circumstances that would justify a longer notice period in this case, or would mean that the notice period considered appropriate in those other cases ought to be regarded as unreasonably short here. Nor is SZC Co. aware of any particular circumstances in this case that would justify doubling the notice period to 28 days.
CA.1.4	The Applicant	<p>The scope and purpose of the Compulsory Acquisition Powers sought</p> <p>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:</p> <p>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.</p> <p>(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 providing dimensions where relevant;</p> <p>(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?</p>
	Response	<p>(i) Once approved, the DCO will control the development which can be built.</p> <p>The draft DCO (article 3) (Doc Ref. 3.1(C)) specifies that the development must be carried out within the Order Limits (i.e. the red line shown on the Work Plans).</p>

³⁰ Thames Water Utilities Limited (Thames Tideway Tunnel) Order (SI 2014 No. 2384)

³¹ Examining Authority's Report of Findings and Conclusions for the Wylfa Newydd Nuclear Power Station dated 23 July 2019. Available at: <https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010007/EN010007-003948-Recommendation%20Report%20-%20English.pdf>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>The draft DCO (Doc Ref. 3.1(C)) also specifies that the development must be carried out within limits of deviation. The lateral limits of deviation are as shown on the Work Plans and the vertical limits of deviation are specified in Article 4 of the draft DCO (Doc Ref. 3.1(C)) (which says that SZC Co. can deviate vertically from the levels shown or noted on the approved plans to a maximum of 1 metre upwards or 1 metre downwards (Part 2, Article 4, 1b)).</p> <p>The Land Plans (listed in Schedule 3 of the draft DCO) (Doc Ref. 3.1(C)) and Book of Reference (Doc Ref. 4.3(A)) show the land that SZC Co. can permanently and temporarily acquire if the DCO is granted.</p> <p>Requirement 22 of the draft DCO (Doc Ref. 3.1(C)) confirms that the highways works must be delivered in accordance with the approved plans (as listed in Schedule 7 of the draft DCO) and in general accordance with the Associated Development Design Principles (Doc Ref 8.3(A)), unless alternative plans or details are submitted to and approved by SCC.</p> <p>The extent of the flexibility described above is entirely appropriate and proportionate for a project of this type.</p> <p>Sizewell C itself is a complex development that must satisfy a wide range of operational and regulatory requirements. The design process is lengthy, subject to extensive consultation, and requires continuous refinement. This refinement process extends beyond the granting of the DCO.</p> <p>Experience at Hinkley Point C has been that even the most carefully prepared application can require revision when the process of contracting and detailed design for project implementation is engaged. The scale and intensity of the Sizewell C Project once construction has begun is such that unnecessary delays must be avoided if possible. That applies also to the Associated Development, whose timely delivery is important in mitigating the impacts of the construction of the new power station.</p> <p>The degree of flexibility that is incorporated into the proposals on the main development site is considered to make reasonable allowance for changes that may arise for example from complying with the Nuclear Site Licence or the design development process. Some elements of the Sizewell C Project require minimal flexibility (i.e. the location and dimensions of the nuclear reactors) owing to the advanced stage of design and the scope for flexibility to affect the outcome of the EIA. That is reflected in the parameters set for those elements. Other elements are less advanced in terms of their design, and/or</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>flexibility is less likely to alter the outcome of the EIA. There is inevitably a significant degree of expert judgment involved in determining the appropriate degree of flexibility in each case, albeit informed here by recent and ongoing experience at Hinkley Point C.</p> <p>The approach taken to flexibility for the Associated Development, and the degree of flexibility provided, varies depending on the type of development proposed. This is explained in section 4.7 of the Planning Statement, and in the response to Question DCO.1.21 in Chapter 14 (Part 4) of this report. The associated development sites have, however, been developed to the point that the parameters in the DCO Application are relatively tight, with parameters set out on the works plans [AS-286], parameter plans [AS-124, AS-125 and APP-053] and in the Associated Development Design Principles (Doc Ref 8.3(A)) for the park and rides and freight management facility, and the works plans [AS-286] and draft DCO (Doc Ref. 3.1(C)) for the road schemes, with only a narrow corridor for the roads and a +/-1m limit of deviation vertically. The level of design detail is such that the requirements in the draft DCO allow for the associated development sites to be built in accordance with the plans for approval. However, the level of flexibility allows for changes to the design of the associated development sites within the set parameters so that any deviation from the plans for approval wouldn't have an effect on the ES assessment. Such changes would be submitted to and approved by the local authorities in accordance with the relevant requirements. The level of flexibility provided for in the DCO is therefore considered to be reasonable and appropriate.</p> <p>An updated version of the Associated Development Design Principles (Doc Ref. 8.3(A)) has been submitted at Deadline 2, which includes the maximum dimensions for the proposed buildings at the park and rides and freight management facility.</p> <p>(ii) The SoR [APP-062] at paragraph 7.3.5 explains that, where practicable, SZC Co. will exercise the lesser powers of temporary possession to construct the proposed development and then once the development has been constructed, exercise the powers of compulsory acquisition to permanently acquire only the land on which the development has been sited. This is an inherently proportionate approach to the exercise of compulsory acquisition powers, because it ensures both sufficient flexibility to cater for the uncertainties that necessarily exist ahead of the detailed design stage of a nationally significant infrastructure project, and ensures that ultimately no more land is acquired than is needed as a result. It is an approach that has been adopted and accepted in a number of other DCOs.</p>

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

ExQ1	Question to:	Question:
		<p>Once the authorised development has been implemented and its final design and location are thus fixed, SZC Co. has no incentive to exercise powers of compulsory acquisition so as to take more land than is known to be required. Conversely, SZC Co. will be obliged to pay compensation in relation to all land that is acquired, and thus has a clear financial disincentive to exercising its powers in that way.</p> <p>Essentially the same explanation was provided by National Grid, the Applicant for the Hinkley Point C Connection DCO³² which adopted the same two stage approach to compulsory acquisition:</p> <p><i>“In response to ExA’s Q3.4, at 3.4.8, the Applicant confirms that its intention is to minimise land take and to return land that was temporarily occupied subject, in some cases, to the acquisition of permanent rights where required. At the CAH, the ExA raised questions about the LoD and how it could be sure that the Applicant would only use an area 60m wide rather than the full 80m width. The Applicant stated that this is a necessary and proportionate limit of deviation due to the unknown ground conditions in certain sections of the route but that the Applicant had no incentive to use more than is absolutely necessary. Using more than necessary would increase the amount of compensation that it would have to pay to landowners and occupiers and, therefore, it is not in its interest to do so”</i> (³³, paragraph 8.4.19).</p> <p>The ExA in that case recognised that the approach adopted was one of a number of steps taken by the Applicant to ensure the approach to compulsory acquisition and its exercise in respect of individual plots was proportionate and would not give rise to interference with private rights beyond what is absolutely necessary to deliver the proposed development (see ³⁴, paragraphs 8.5.28 and 8.5.31).</p>

³² National Grid (Hinkley Point C Connection Project) Order (SI 2016 No. 49)

³³ Examining Authority’s Report of Findings and Conclusions for the Hinkley Point C Connection Project dated 19 October 2015. Available at: https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN020001/EN020001-004121-151019_EN020001_HPCC_ExA_Report_to_SoS_Main_Report.pdf

³⁴ Examining Authority’s Report of Findings and Conclusions for the Hinkley Point C Connection Project dated 19 October 2015. Available at: https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN020001/EN020001-004121-151019_EN020001_HPCC_ExA_Report_to_SoS_Main_Report.pdf

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

ExQ1	Question to:	Question:
		Thus the combination of the absence of any practical or other incentive to take more land than is ultimately required on a permanent basis, and the existence of a clear financial disincentive to doing so, is sufficient to ensure that the powers sought would be exercised in a proportionate manner.
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	<p>Article 18 authorises the use of private roads within the Order limits for the purposes of, or in connection with, the construction of the authorised development – subject to the payment of compensation for any damage or loss caused as a result of that use.</p> <p>As the Explanatory Memorandum (Doc Ref. 3.2(B)) explains at paragraph 5.56, the power to use private roads in Article 18 is a less intrusive and thus more proportionate alternative to taking a permanent easement over land. It is also a more targeted and limited alternative to reliance on the power for temporary use of land within the Order limits for carrying out the authorised development (Article 37). Unlike that broader temporary power, the use of the Article 18 power does not involve taking exclusive possession of the road in question. It merely authorises what would otherwise constitute a trespass, whilst allowing the private use of the road to continue as normal.</p> <p>Article 37 authorises the Undertaker, in connection with the carrying out of the authorised development, to enter on and take temporary possession of the land specified in the second column of Schedule 17 (Land of which only temporary possession may be taken) for the specified purpose, and “<i>any land within the permanent limits in respect of which no notice of entry has been served under section 11 of the 1965 Act and no declaration has been made under section 4(a) of the 1981 Act</i>”. The “<i>permanent limits</i>” is defined as meaning the limits of land for the purpose of Article 26 (compulsory acquisition of land) as shown shaded pink, orange or blue on the Land Plans [AS-108]. Thus in the absence of Article 18 the Undertaker would be able to take temporary possession of any private road within the Order limits for the purpose of construction of the authorised development</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>(subject only to the caveat in Article 37(1)(a)(ii) about prior notice of entry or declaration).</p> <p>The benefit of Article 18 is that use of the broader and more intrusive Article 37 power would not be necessary in circumstances where exclusive possession is not required. Article 18 provides a less intrusive and more proportionate power to authorise the use of a private road in that situation, and it is appropriate to include it in the DCO to minimise the interference with private rights that is required to carry out the authorised development.</p> <p>An equivalent power (with identical drafting) appears in the Silvertown Tunnel DCO³⁵ (Article 13) and in the Wylfa dDCO³⁶ as amended by the EXA (Article 17). Indeed, this provision remained unchanged throughout the Wylfa examination (see Ref. 5, Volume 3:23 Table 1).</p> <p>Article 18 would apply to all private roads within the Order limits, whether or not specifically identified in this answer. Nevertheless, SZC Co. has identified what it understands to be the private roads which exist within the Order limits, and these are listed below:</p> <ul style="list-style-type: none"> • Sandy Lane, Leiston • Unnamed Road to Leiston Abbey, Leiston • Unnamed Road to Upper Abbey Farm, Leiston • Unnamed Road at Farnham Hall, Farnham • Unnamed track to Trust Farm, Middleton • Sewage Works access road, Yoxford
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</p>

³⁵ The Silvertown Tunnel Order 2018 (SI 2018 No. 574)

³⁶ Examining Authority's Report of Findings and Conclusions for the Wylfa Newydd Nuclear Power Station dated 23 July 2019. Available at: <https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010007/EN010007-003948-Recommendation%20Report%20-%20English.pdf>

ExQ1	Question to:	Question:
	<p>Response</p>	<p>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> <p>Article 38 provides for a time limit of five years within which the Undertaker is authorised to enter land pursuant to Article 37. Provided that entry is taken within that five-year period, Article 38 does not itself contain a time limit on how long the Undertaker may thereafter remain in temporary possession.</p> <p>Article 38 must, however, be read together with Article 37 to which it refers and relates in order to understand the constraints upon its use. In particular, Article 37(3) provides that:</p> <p><i>"The undertaker may not, without the agreement of the owners of the land, remain in possession under this article –</i></p> <p><i>(a) in the case of land specified in sub-paragraph (1)(a)(i) above [land specified in column (2) of Schedule 17 (Land of which only temporary possession may be taken) for the purpose specified in relation to that land in column (3) of that Schedule], after the end of the period of 1 year beginning with the date of completion of the part of the authorised development specified in relation to that land in column (2) of Schedule 17 unless and to the extent that it is authorised to do so by the acquisition of rights over land or the creation of new rights over land pursuant to article 30 (Compulsory acquisition of rights); or</i></p> <p><i>(b) in the case of land referred to in sub-paragraph (1)(a)(ii) [any land within the permanent limits in respect of which no notice of entry has been served and no declaration made], after the end of the period of 1 year beginning with the date of completion of the work for which temporary possession of the land was taken unless the undertaker has, by the end of that period, served a notice of entry under section 11 of the 1965 Act or made a declaration under section 4 of the 1981 Act in relation to that land."</i></p> <p>Hence the period of temporary possession from the date the power is exercised is not open-ended. There is already an express time-limit, but it is to be found in Article 37 itself rather than Article 38.</p> <p>The approach taken in the draft DCO (Doc Ref. 3.1(C)) of dealing with the time limit for entry separately from the time limit on remaining in possession is consistent with the</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:																																																								
		Hinkley Point C DCO ³⁷ (Articles 26(2) and (3) and Article 33(3)), the Hinkley Point C Connection DCO ³⁸ (Article 21(2) and Articles 29(3) and 30(3)), the Northampton Gateway DCO ³⁹ (Article 29(2) and Article 34(3)) and the Wylfa dDCO ⁴⁰ as amended by the EXA (Article 28(2) and Article 35(3)).																																																								
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	<table border="1"> <thead> <tr> <th>Scheme</th> <th>Class 1</th> <th>Class 2</th> <th>Class 3</th> <th>Class 4</th> <th>Class 5</th> <th>Class 6</th> </tr> </thead> <tbody> <tr> <td>Main Development Site</td> <td>88</td> <td>0</td> <td>20</td> <td>148</td> <td>25</td> <td>15</td> </tr> <tr> <td>Sports Facilities</td> <td>0</td> <td>0</td> <td>2</td> <td>2</td> <td>0</td> <td>0</td> </tr> <tr> <td>Fen Meadow (Halesworth)</td> <td>3</td> <td>0</td> <td>0</td> <td>4</td> <td>1</td> <td>0</td> </tr> <tr> <td>Fen Meadow (Benhall)</td> <td>3</td> <td>0</td> <td>0</td> <td>5</td> <td>2</td> <td>0</td> </tr> <tr> <td>Marsh Harrier</td> <td>2</td> <td>0</td> <td>0</td> <td>4</td> <td>2</td> <td>0</td> </tr> <tr> <td>NPR</td> <td>4</td> <td>0</td> <td>0</td> <td>14</td> <td>3</td> <td>7</td> </tr> <tr> <td>SPR</td> <td>5</td> <td>0</td> <td>0</td> <td>10</td> <td>5</td> <td>0</td> </tr> </tbody> </table>	Scheme	Class 1	Class 2	Class 3	Class 4	Class 5	Class 6	Main Development Site	88	0	20	148	25	15	Sports Facilities	0	0	2	2	0	0	Fen Meadow (Halesworth)	3	0	0	4	1	0	Fen Meadow (Benhall)	3	0	0	5	2	0	Marsh Harrier	2	0	0	4	2	0	NPR	4	0	0	14	3	7	SPR	5	0	0	10	5	0
Scheme	Class 1	Class 2	Class 3	Class 4	Class 5	Class 6																																																				
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³⁷ Hinkley Point C (Nuclear Generating Station) Order (SI 2013 No. 648)

³⁸ National Grid (Hinkley Point C Connection Project) Order (SI 2016 No. 49)

³⁹ The Northampton Gateway Rail Freight Interchange Order 2019 (SI 2019 No. 0000)

⁴⁰ Examining Authority's Report of Findings and Conclusions for the Wylfa Newydd Nuclear Power Station dated 23 July 2019. Available at: <https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010007/EN010007-003948-Recommendation%20Report%20-%20English.pdf>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:																																																															
		<table border="1"> <tr> <td data-bbox="786 248 1061 301">TVB</td> <td data-bbox="1061 248 1200 301">18</td> <td data-bbox="1200 248 1339 301">0</td> <td data-bbox="1339 248 1478 301">28</td> <td data-bbox="1478 248 1617 301">56</td> <td data-bbox="1617 248 1756 301">0</td> <td data-bbox="1756 248 1895 301">10</td> </tr> <tr> <td data-bbox="786 301 1061 354">SLR</td> <td data-bbox="1061 301 1200 354">94</td> <td data-bbox="1200 301 1339 354">2</td> <td data-bbox="1339 301 1478 354">65</td> <td data-bbox="1478 301 1617 354">195</td> <td data-bbox="1617 301 1756 354">0</td> <td data-bbox="1756 301 1895 354">34</td> </tr> <tr> <td data-bbox="786 354 1061 488">Freight management facility</td> <td data-bbox="1061 354 1200 488">1</td> <td data-bbox="1200 354 1339 488">0</td> <td data-bbox="1339 354 1478 488">0</td> <td data-bbox="1478 354 1617 488">8</td> <td data-bbox="1617 354 1756 488">7</td> <td data-bbox="1756 354 1895 488">0</td> </tr> <tr> <td data-bbox="786 488 1061 576">Yoxford Roundabout</td> <td data-bbox="1061 488 1200 576">1</td> <td data-bbox="1200 488 1339 576">0</td> <td data-bbox="1339 488 1478 576">3</td> <td data-bbox="1478 488 1617 576">10</td> <td data-bbox="1617 488 1756 576">6</td> <td data-bbox="1756 488 1895 576">0</td> </tr> <tr> <td data-bbox="786 576 1061 628">A12/B1119</td> <td data-bbox="1061 576 1200 628">0</td> <td data-bbox="1200 576 1339 628">0</td> <td data-bbox="1339 576 1478 628">0</td> <td data-bbox="1478 576 1617 628">2</td> <td data-bbox="1617 576 1756 628">2</td> <td data-bbox="1756 576 1895 628">0</td> </tr> <tr> <td data-bbox="786 628 1061 681">A1094/B1069</td> <td data-bbox="1061 628 1200 681">0</td> <td data-bbox="1200 628 1339 681">0</td> <td data-bbox="1339 628 1478 681">0</td> <td data-bbox="1478 628 1617 681">7</td> <td data-bbox="1617 628 1756 681">7</td> <td data-bbox="1756 628 1895 681">0</td> </tr> <tr> <td data-bbox="786 681 1061 734">A12/A144</td> <td data-bbox="1061 681 1200 734">3</td> <td data-bbox="1200 681 1339 734">0</td> <td data-bbox="1339 681 1478 734">1</td> <td data-bbox="1478 681 1617 734">11</td> <td data-bbox="1617 681 1756 734">7</td> <td data-bbox="1756 681 1895 734">0</td> </tr> <tr> <td data-bbox="786 734 1061 837">Fen Meadow (Pakenham)</td> <td data-bbox="1061 734 1200 837">9</td> <td data-bbox="1200 734 1339 837">0</td> <td data-bbox="1339 734 1478 837">0</td> <td data-bbox="1478 734 1617 837">12</td> <td data-bbox="1617 734 1756 837">3</td> <td data-bbox="1756 734 1895 837">0</td> </tr> <tr> <td data-bbox="786 837 1061 900">TOTAL</td> <td data-bbox="1061 837 1200 900">231</td> <td data-bbox="1200 837 1339 900">2</td> <td data-bbox="1339 837 1478 900">119</td> <td data-bbox="1478 837 1617 900">488</td> <td data-bbox="1617 837 1756 900">70</td> <td data-bbox="1756 837 1895 900">66</td> </tr> </table>	TVB	18	0	28	56	0	10	SLR	94	2	65	195	0	34	Freight management facility	1	0	0	8	7	0	Yoxford Roundabout	1	0	3	10	6	0	A12/B1119	0	0	0	2	2	0	A1094/B1069	0	0	0	7	7	0	A12/A144	3	0	1	11	7	0	Fen Meadow (Pakenham)	9	0	0	12	3	0	TOTAL	231	2	119	488	70	66
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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> <ul style="list-style-type: none"> (i) the extent of the new land to be included within the Order Limits in respect of which compulsory acquisition powers are sought; (ii) the total area of land over which compulsory acquisition powers are sought; (iii) the extent of the new land to be included within the Order Limits in respect of which temporary possession powers are sought; (iv) the total area of land over which temporary possession powers are sought; (v) the extent of the new land over which the compulsory acquisition of rights only are sought; (vi) the total area of land over which the compulsory acquisition of rights only are sought. 																																																															

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	<p>(i) The extent of the new land to be included within the Order limits in respect of which compulsory acquisition powers are sought is shown in the Land Changes Plans (Revision 1.0) [AS-152]. These plans show all the proposed changes to the Order limits as submitted in January 2021. The land over which compulsory acquisition powers are sought is shown shaded pink.</p> <p>The new land over which compulsory acquisition powers are sought is also listed in the SoR Addendum [AS-149], Table 2.1. Column 3 of this table identifies the land over which compulsory acquisition powers are sought with the 'Yes' entry.</p> <p>(ii) The total area of land within the Order limits over which compulsory acquisition powers are sought is 13,232,099.36 sqm. This includes both the original application land and the additional new land. For the avoidance of doubt, this land is shown shaded pink, blue and orange in the Land Plans (Revision 2.0) [AS-108] and the Land Plans showing Proposed Land Changes [AS-290].</p> <p>(iii) The extent of the new land included within the Order limits in respect of which temporary possession powers are sought is shown in the Land Changes Plans (Revision 1.0) [AS-152]. These plans show all the proposed changes to the Order limits as submitted in January 2021. The land over which temporary possession powers are sought is shown shaded yellow.</p> <p>The new land over which temporary possession powers are sought is also listed in the SoR Addendum [AS-149], Table 2.1. Column 3 of this table identifies the land over which temporary possession powers are sought with the 'no – temporary possession only' entry.</p> <p>(iv) The total area of land within the Order limits over which temporary possession powers are sought is 603,537.35 sqm. This includes both the original application land and the additional new land. For the avoidance of doubt, this land is shown shaded yellow and green in the Land Plans (Revision 2.0) [AS-108] and the Land Plans showing Proposed Land Changes [AS-290].</p> <p>(v) The extent of the new land to be included within the Order limits in respect of which compulsory acquisition of rights only are sought is shown in the Land Changes Plans (Revision 1.0) [AS-152] on sheet 19 of 28 and identified as plot number SLR/19/08a.</p> <p>The new land over which compulsory acquisition of rights only are sought is also listed in SoR Addendum [AS-149], Table 2.1. Column 3 of this table identifies the land over</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>which temporary possession powers are sought with the 'yes – acquisition of rights' entry and identified as plot number SLR/19/08a.</p> <p>(vi) The total area of land within the Order limits over which compulsory acquisition of rights only powers are sought is 5,580.79 sqm. This includes both the original application land and the additional new land. For the avoidance of doubt, this land is shown shaded blue in the Land Plans (Revision 2.0) [AS-108] and the Land Plans showing Proposed Land Changes [AS-290].</p>
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	<p>In relation to Table 2.1 the following change request numbers apply:</p> <ul style="list-style-type: none"> • Main Development Site – Change 13 • Fen Meadow (Halesworth) – Change 13 • Fen Meadow (Benhall) – Change 13 • Marsh Harrier habitat – Change 13 • Two Village Bypass – Change 12 • Sizewell Link Road – Change 12 • Fen Meadow Pakenham – Change 11 <p>In relation to Table 2.2 the following change request numbers apply:</p> <ul style="list-style-type: none"> • Main Development Site – Change 13 • Northern Park and ride - Change 14 • Southern Park and ride - Change 10 • Sizewell Link Road – Change 12 • Yoxford roundabout – Change 12 • A12/B119 Junction at Saxmundham – Change 14 • A1094/B1069 junction south of Knodishall – Change 14 <p>In relation to Table 2.3 the following change request numbers apply:</p> <ul style="list-style-type: none"> • Main Development Site – Change 13

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> • Two Village Bypass – Change 12 • Sizewell Link Road – Change 12 <p>In relation to Table 2.4 the following change request numbers apply:</p> <ul style="list-style-type: none"> • Two Village Bypass – Change 12 • Sizewell Link Road – Change 12 • Yoxford roundabout – Change 12
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	<p>The main development site additional land is needed to enable hedgerow retention whilst works are undertaken to provide footpath and cycleway diversion and to enable a right turn to be provided into the Recycling Centre in Lovers Lane as requested by SCC.</p> <p>Extension of the Order limits is also needed to facilitate site access of the proposed development at Halesworth and at Benhall.</p> <p>The additional land for the two village bypass was included to provide increased visibility at junctions proposed along the two village bypass for highway safety in accordance with the design speed of 60mph and to deliver public rights of way (PRoW) proposals.</p> <p>The additional land at the Sizewell link road was included to provide increased visibility at junctions proposed along the Sizewell link road for highway safety in accordance with the design speed of 60mph and to allow for additional and revised drainage features following the result of ground investigation obtained since submission of the Application.</p> <p>Extension of the Order limits is required to provide for fen meadow habitat at Pakenham as additional mitigation for fen meadow loss.</p> <p>As explained in the Second Notification of Proposed Project Changes (Doc Ref. 9.27), SZC Co. intends to consult on further proposed changes to the Application, including amendments to the main development site, two village bypass and Sizewell link road proposals.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
CA.1.11	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 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.</p> <p>(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;</p> <p>(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?</p>
	Response	Please see the response to Question CA.1.40 in this chapter.
CA.1.12	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 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?</p>
	Response	<p>The benefits summarised in the 5 bullet points listed in paragraph 7.4.3 of the SoR [APP-062] are not expressed to be exhaustive. The ExA and the Secretary of State should take account of all of the benefits of the Sizewell C Project, including those apparent in the mitigation proposals which have been developed in greater detail since the SoR was drafted and which are to be secured through the draft DCO (Doc Ref. 3.1(C)) and the Draft Deed of Obligation (Doc Ref. 8.17).</p> <p>The Planning Statement Update (Doc Ref. 8.4Ad) does, however, update the first bullet point in relation to the need for the project and the benefits that it would bring in contributing towards the achievement of government policy to decarbonise the economy. The update includes the express support for large scale new nuclear generation in the Energy White Paper and the unique ability of this application to meet that policy requirement.</p>

ExQ1	Question to:	Question:
CA.1.13	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 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:</p> <p>(i) How such engagement has helped to shape the proposals and enabled the Applicant to make changes to designs to minimise the private loss;</p> <p>(ii) How has the direct engagement with individual landowners given the Applicant a better understanding of the direct and indirect impacts on them;</p> <p>(iii) Please provide detail, where available, of the direct and indirect impacts thereby identified.</p>
	Response	<p>(i) Feedback received from landowners amongst other consultees in response to the four stages of statutory pre-application consultation is summarised in the Consultation Report Annexes A – H [APP-085 to APP-092], which set out the matters raised by the consultees, along with SZC Co.'s response and whether it resulted in a change to the project. The Site Selection Report [APP-591] sets out the changes that were made in response to the consultation feedback received. Details of how regard was had to the November to December 2020 consultation on the proposed changes are provided in the Consultation Report Addendum [AS-153].</p> <p>Where possible, changes have been made to mitigate impacts on landowners including a reduction in land take or rights in land and amendments to the proposed development works including access tracks, bridges, and underpasses. Where development works and design changes have not been able to mitigate the impacts, provision has been made for compensation in the negotiated terms and within the Property Cost Estimate where compensation will become due in line with the Compensation Code.</p> <p>(ii) To further understand and mitigate impacts, SZC Co. has engaged a specialist agricultural drainage expert to identify the impacts of the scheme on existing drainage and irrigation systems and ensure these impacts are reduced and compensated where</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>appropriate.</p> <p>Questionnaires and interviews have been used to inform the Soils and Agricultural Land Assessment [APP-171] to assess the impact on holdings and businesses and allow mitigation measures to be included within the proposals where appropriate. Where this was not possible, publicly available information was used to inform the assessment. Further, it has not just been the engagement with landowners, but also the input from their retained advisors and the NFU, which has assisted SZC Co. to interpret and understand the direct and indirect impacts on landholdings, providing the opportunity to address these concerns through the negotiations between the parties.</p> <p>(iii) The impacts identified through engagement with landowners and their advisors (and the NFU) include concerns over impacts on drainage and irrigation infrastructure, access to retained land, both during construction and during the operation of the project, reinstatement of land occupied temporarily, impacts on the operation of the land (including agricultural uses but also other commercial activities), and impacts on residential amenity. These impacts have been addressed, where possible, either through modifications or changes to the project proposals, or through assurances given through the negotiation of agreements with landowners, their advisors, and/or the NFU. Where concerns remain, negotiations will continue with the intention of mitigating direct and indirect impacts, wherever possible.</p>
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	<p>In all instances SZC Co. has made attempts to mitigate private loss by exploring alternatives to compulsory acquisition including alternative proposals which would reduce the rights in land required.</p> <p>Only once SZC Co. had explored the alternatives to compulsory acquisition was the compensation that would be available under the Compensation Code considered as mitigation for private loss.</p> <p>The payment of compensation under the Compensation Code reflects <i>'...the right [of the owner] to be put, so far as money can do it, in the same position as if his land had not</i></p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p><i>been taken from him. In other words, he gains a money payment not less than the loss imposed on him in the public interest, but on the other hand no greater'</i> (Scott LJ in <i>Horn v Sunderland Corp</i> [1941] 2 K.B. 26).</p> <p>The availability of financial compensation to ensure that those whose land is acquired are left no worse off in financial terms as a result of exercise of compulsory acquisition powers is necessarily an important element in assessing whether the proposed interference in private rights is proportionate and justified (see e.g. <i>R (Clays Lane Housing Co-operative Ltd.) v. Housing Corporation</i> [2004] H.L.R. 51, citing <i>Holy Monasteries v. Greece</i> (1994) 20 EHRR 1).</p> <p>Having regard to the way that the Compensation Code operates (as summarised above) in practical terms it means that in weighing the private loss associated with compulsory acquisition for the purposes of establishing whether a compelling case exists, the decision-maker can assume that any financial loss will be fairly and appropriately compensated by the application of the Compensation Code. As a result, it is appropriate that significant weight is attached to the availability of compensation when assessing the implications of any financial loss that would otherwise form part of the private loss associated with compulsory acquisition. Accordingly, SZC Co. has attached weight to the availability of compensation in its own assessment of the implications of the proposed compulsory acquisition. However, SZC Co. has recognised throughout its engagement with landowners that it is necessary to identify where the Compensation Code on its own may not adequately mitigate private loss, and has applied flexibility in its engagement with the objective of mitigating private loss that otherwise may not be adequately mitigated through the application of the Compensation Code.</p>
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>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	These matters are considered within the Statement of Common Ground (SoCG) between SZC Co. and the NFU (Doc Ref. 9.10.26).
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	<p>Drainage</p> <p>The drainage proposals for the Sizewell link road are submitted indicatively as part of the Application. Requirement 5 in the draft DCO (Doc Ref. 3.1(C)) requires SZC Co. to submit for approval by ESC details of the surface and foul water drainage system prior to commencement of the authorised development. The exact size and location of the drainage basins would therefore be determined during detailed design and approved through Requirement 5 following the grant of the DCO.</p> <p>The land that has been included within the Order limits is needed to ensure that an appropriate detailed drainage proposal can be implemented. No more land than necessary has been included.</p> <p>The proposals are based on SZC Co.'s current knowledge of what drainage infrastructure will be required and takes into consideration the space requirements for access and maintenance, in addition to the need to manage volumes of water generated under the design storm condition agreed with SCC. To date that has been informed by site surveys and the topography and ground conditions of the site. SZC Co. is committed to only acquiring the minimum amount of land whilst balancing the level of flexibility that is necessary at this stage of design. Through detailed design and detailed modelling the exact location and size of basins will be known. This will then enable the details to be submitted and approved through Requirement 5.</p> <p>The draft DCO (Doc Ref. 3.1(C)) includes powers of temporary acquisition for all of the Order land. Therefore, the draft DCO provides the Undertaker with the flexibility to</p>

ExQ1	Question to:	Question:
		<p>occupy land temporarily, and only acquire land that is subsequently confirmed as being required permanently. The SoR [APP-062], at paragraph 5.3.9, explains that Article 30 of the draft DCO would allow SZC Co. to compulsorily acquire rights over land as well as (or instead of) the land itself. This would allow SZC Co., if appropriate, to reduce the area of outright acquisition and rely on the creation and acquisition of new rights instead. The responses to Questions CA.1.1, 1.4 and 1.5 in this chapter provide further detail on the ways in which the draft DCO enables less draconian alternatives to permanent acquisition to be used where appropriate.</p> <p>SZC Co. has been undertaking negotiations to acquire land and rights by agreement. As evidenced by the updated Appendix B to the SoR (Doc Ref. 4.1B(B)), the majority of landowners affected by the Sizewell link road have signed Heads of Terms for a private treaty agreement. These Heads of Terms provide additional certainty in respect of the treatment of any surplus land.</p> <p>As explained in the Second Notification of Proposed Project Changes (Doc Ref. 9.27), SZC Co. intends to consult on further proposed changes to the Sizewell link road proposals to allow for a gravity drainage solution to be achieved to the west of the East Suffolk line.</p> <p>Public Rights of Way (PRoW)</p> <p>The proposed PRoW are required to be located where shown on the Access and Rights of Way Plans (Doc Ref. 2.4(C)) to mitigate the impacts of the proposed development. It is necessary for them to be located where shown to provide appropriate public access and make the proposals acceptable. The routes have been chosen to ensure pedestrian safety and to reduce the impacts upon the user as far as possible, including total diversion length. The diversion routes are presented within the Application and are within the Order limits and have been discussed with landowners as part of the on-going negotiations with landowners (and their agents). They have been designed to follow existing field boundaries where possible to limit the amount of land take necessary.</p> <p>As explained in the Second Notification of Proposed Project Changes (Doc Ref. 9.27), SZC Co. intends to consult on further proposed changes to the PRoW proposals, including amendments to the main development site, two village bypass and Sizewell link road proposals. This is to ensure that the PRoW proposals provide safe crossing points and reflect topography.</p>

ExQ1	Question to:	Question:
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	<p>In response to both parts (i) and (ii) of this question, the Panel can be assured that all reasonable alternatives to compulsory acquisition (including modifications to the project) have been considered. SZC Co. has been undertaking negotiations to acquire land and rights by agreement. An update to Appendix B to the SoR (Doc Ref. 4.1B(B)) '<i>Status of Negotiations with Owners of the Order Land</i>' is included with this submission and sets out the current status of discussions with owners of the Order land. The significant majority of land required for the project is either secured by private treaty agreement, or is subject to signed Heads of Terms for private treaty agreements. It is SZC Co.'s intention to secure all land and rights required for the project by private treaty agreement, wherever possible, with compulsory acquisition powers to be applied only as a last resort.</p> <p>In respect of alternatives, the geographical location of the new nuclear power station and type of reactor design have been determined through other processes, policy or legislation. Therefore, SZC Co. has not considered alternatives in this regard. Further details are set out in paragraphs 7.5.3 to 7.5.11 of the Statement of Reasons [APP-062]. However, for other aspects of the Sizewell C Project, SZC Co. adopted a two-stage approach to the consideration of alternatives and site selection.</p> <p>The first stage involved a strategic assessment in relation to the accommodation of the construction workforce, movement of people and movement of freight during construction – and the consequent need for associated development required for the construction and operation of the power station. Once the requirement for the associated development had been confirmed, the second stage considered site-specific alternatives. Further information on the project evolution and design alternatives can be found in Chapter 4 of Volume 1 Introduction to the ES [APP-175], Chapter 6 of Volume 2 [APP-190] of the ES,</p>

ExQ1	Question to:	Question:
		<p>Chapter 3 of Volumes 3 to 9 of the ES [APP-353, APP-383, APP-414, APP-450, APP-483, APP-514, APP-544] and the Site Selection Report [APP-591].</p> <p>The Sizewell C Project has evolved through consultations, negotiation and discussion with a range of interested parties and affected persons over a period of 13 years. The project includes modifications that arose from consultation feedback; for further detail, please refer to the responses to Questions CA.1.13 and CA.1.18 in this chapter.</p> <p>Background information on the principle and route selection of the Sizewell link road has been compiled to assist the examination. This information is set out in the Sizewell Link Road: Principle and Route Selection Paper, which is at Appendix 5D, provided in Chapter 5 (Part 1) of this report. SZC Co. has also prepared a summary document which brings together a number of issues relating to the history of and selection of the two village bypass in order to assist the ExA, the Two Village Bypass Summary Paper (refer to Appendix 5C, provided in Chapter 5 (Part 1) of this report).</p> <p>It should be noted that none of the alternatives or modifications considered would obviate the need for the compulsory acquisition and temporary possession of land.</p> <p>The draft DCO (Doc Ref. 3.1(C)) includes powers of temporary acquisition for all of the Order land. Therefore, the draft DCO provides the Undertaker with the flexibility to occupy land temporarily, and only acquire land that is subsequently confirmed as being required permanently. The SoR [APP-062], at paragraph 5.3.9, explains that Article 30 of the draft DCO would allow SZC Co. to compulsorily acquire rights over land as well as (or instead of) the land itself. This would allow SZC Co., if appropriate, to reduce the area of outright acquisition and rely on the creation and acquisition of new rights instead. The responses to Questions CA.1.1, 1.4 and 1.5 of this chapter provide further detail on the ways in which the draft DCO enables less draconian alternatives to permanent acquisition to be used where appropriate.</p>
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</p>

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

ExQ1	Question to:	Question:
	Response	<p>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 considering whether there are reasonable alternatives to Compulsory Acquisition;</p> <p>(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> <p>(i) For each stage of statutory and non-statutory consultation and engagement carried out by SZC Co. prior to submission of the Application, the Consultation Report [APP-068] explains what feedback was received, how SZC Co. had regard to the feedback and the changes that were made to the proposals in response to the feedback. Feedback received from landowners amongst other consultees in response to the statutory pre-application consultation is summarised in the Consultation Report Annexes A – H [APP-085 to APP-092], which set out the matters raised by the consultees, along with SZC Co.'s response and whether it resulted in a change to the project. None of the alternatives or modifications would obviate the need for the compulsory acquisition and temporary possession of land. Details of how regard was had to the November to December 2020 consultation on the proposed changes are provided in the Consultation Report Addendum [AS-153].</p> <p>(ii) The Consultation Report [APP-068], Consultation Report Addendum [AS-153] and Site Selection Report [APP-591] , and the alternatives and design evolution chapters of the ES (Volume 2, Chapter 6 of the ES [APP-190], Volumes 2 to 9, Chapter 3 of the ES [APP-353, APP-383, APP-414, APP-450, APP-483, APP-514 and APP-544], and Volume 1, Chapter 2 of the ES Addendum [AS-181] includes details on design changes following consultation. Changes made to the proposed development from the public consultation undertaken include amendments to access tracks, bridges, underpasses, drainage arrangements and watercourse crossings. A number of examples are set out below.</p> <p>Examples of these on the two village bypass are:</p> <ul style="list-style-type: none">• Between Stages 3 and 4 of consultation, SZC Co. proposed the inclusion of additional land to the north-west side of Friday Street Farm following consultation comments received at Stage 3. The extension of the site boundary into the field further east, would allow for further refinement of the drainage strategy within the site and would

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>allow for the movement of an infiltration basin to minimise impact on the landowner and their farming business at Friday Street Farm.</p> <ul style="list-style-type: none">• Refinement of the route of the proposed two village bypass occurred following consultation feedback received, primarily in proximity to Foxburrow Wood. This area of woodland was subsequently removed from the order limits.• Following initial feedback received from public consultation, and subsequent engagement with the landowner, a new accommodation track was included in the proposed design to provide an alternative route of access for the landowner where the current track will be cut off by the route of the new road. A livestock path was also included to the west of the proposed River Alde overbridge to allow cattle to move north and south of the route of the bypass. The bridge would maintain a headroom clearance of 6m from river bank level to the underside of the bridge, to allow its use by agricultural vehicles. <p>Examples of these on the Sizewell link road are:</p> <ul style="list-style-type: none">• Following feedback received during stage 3 formal consultation, proposals were updated, to provide a new junction from the proposed Sizewell link road onto Fordley Road, and remove the proposed junction from Littlemore Road to mitigate connectivity and access to the local area and Saxmundham from nearby communities.• Amendments to the design of the culverts where the proposed Sizewell link road crosses existing watercourses from ongoing consultation with the Environment Agency. Larger portal culverts were introduced into the design, which would minimise the impact on the watercourse banks and improving afflux in the event of a flood event. The larger culverts would also provide ecological connectivity beneath the route. In addition, to avoid the need to cross the watercourse at Fordley Road (the 'Middleton watercourse') twice and avoid the need for a long box culvert beneath the realigned Fordley Road, the watercourse would be diverted.• A new junction was included to the north east of the proposed Sizewell link road near Trust Farm to mitigate access to the local road network and nearby agricultural land.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> The location of proposed drainage basins have been relocated, where possible, to minimise the impact on any retained land, and use small areas of land which may not continue to be suitable for agricultural use. <p>An example of this on the northern park and ride is:</p> <ul style="list-style-type: none"> Following consultation feedback of concerns relating the future accessibility of HGV's to an existing farmyard and buildings, the design and alignment of the new access road and connection to existing public highway was reconsidered and amended to facilitate sufficient HGV access.
CA.1.19	The Applicant	<p>Whether all reasonable alternatives to Compulsory Acquisition been explored</p> <p>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.</p> <p>(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.</p> <p>(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	<p>The reasons for the powers sought and the need for the land and rights for the proposed project are set out in Section 7.3 of the SoR [APP-062] and the updated Appendix A of the SoR (Doc Ref. 4.1A(A)).</p> <p>SZC Co. has taken a proportionate approach to the acquisition of land and rights required for the construction and operation of the Sizewell link road, taking account of the stage of the development of design. As the design and construction sequencing develops, SZC Co. will be able to provide further detail on the exact use of land during construction. The draft DCO (Doc Ref. 3.1(C)) includes powers of temporary acquisition for all of the Order land. Therefore, the draft DCO provides the Undertaker with the flexibility to occupy land temporarily, and only acquire land that is subsequently confirmed as being required permanently. The SoR [APP-062], at paragraph 5.3.9, explains that Article 30 of the draft DCO would allow SZC Co. to compulsorily acquire rights over land as well as (or instead</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>of) the land itself. This would allow SZC Co., if appropriate, to reduce the area of outright acquisition and rely on the creation and acquisition of new rights instead. The responses to Questions CA.1.1, 1.4 and 1.5 in this chapter provide further detail on the ways in which the draft DCO enables less draconian alternatives to permanent acquisition to be used where appropriate.</p> <p>Through engagement with landowners, SZC Co. has understood the severance impacts and believes that suitable works have been included in the design for the road to ensure access continues to be available to fields either side of the road, and new junctions. These include new field accesses or points of access/egress to private land from public highway, new tracks or routes of access within public highway or private land to access retained land, and access through new drainage and other highway features to retained land. These will be reviewed throughout the detailed design to ensure they remain fit for purpose for agricultural or other necessary vehicles and mitigate impacts on farm holdings, with additional accommodation works included where necessary to further mitigate impact to landowners and occupiers. Newly created access points are shown on the Access and Rights of Way Plans (Doc Ref. 2.4(C)). Where modifications to design have not been able to mitigate the impacts, provision has been made for compensation in the negotiated terms and within the Property Cost Estimate where compensation will become due in line with the Compensation Code.</p> <p>As explained in the Second Notification of Proposed Project Changes (Doc Ref. 9.27), SZC Co. intends to consult on further proposed changes to the Application, including amendments to improve the PRow proposals and improve connectivity across the Sizewell link road. The Second Notification of Proposed Project Changes also includes PRow changes on the two village bypass, to provide a connection at the proposed Friday Street roundabout between the 'old' A12 and 'old' A1094, both of which are proposed to be permanently changed to non-motorised user routes in the DCO application, and changes to Bridleway 19 along Lovers Lane to make the alignment of the bridleway safer for equestrian users.</p>
CA.1.20	The Applicant	<p>Whether all reasonable alternatives to Compulsory Acquisition been explored</p> <p>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</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>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 alternatives to the extent of the land sought to be compulsorily acquired, and the nature of the powers sought for each plot.</p>
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. (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	<p>(i) An update to Appendix B to the SoR (Doc Ref. 4.1B(B)) included with this submission demonstrates the ongoing attempts by SZC Co. to acquire land by agreement.</p> <p>Paragraph 25 of the CA Guidance states: <i>"Where proposals would entail the compulsory acquisition of many separate plots of land...it may not always be practicable to acquire by agreement each plot of land. Where this is the case it is reasonable to include provision authorising compulsory acquisition covering all the land required at the outset".</i> Paragraph 26 goes on to state that <i>"Applicants should consider at what point the land they are seeking to acquire will be needed and, as a contingency measure, should plan for compulsory acquisition at the same time as conducting negotiations"</i>.</p> <p>SZC Co.'s land acquisition strategy is entirely consistent with the CA Guidance. Whilst SZC Co. continues to negotiate with landowners, and has made significant progress in securing</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>land by agreement, in accordance with the CA Guidance, SZC Co. is in parallel seeking to acquire compulsorily land that it considers necessary for the project. Negotiations with landowners will continue to be progressed through the detailed design stage.</p> <p>(ii) To date negotiations have not given rise to a requirement to offer alternative dispute resolution techniques but this will be considered further if appropriate for those with concerns about the compulsory acquisition of their land. The Heads of Terms being negotiated with landowners include provision for alternative dispute resolution and SZC Co. will offer the ability to use alternative dispute resolution for any disputes arising in due course in relation to compensation payable under the Compensation Code.</p>
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	<p>An update to Appendix B to the SoR (Doc Ref. 4.1B(B)) '<i>Status of Negotiations with Owners of the Order Land</i>' is included with this submission and sets out the status of discussions with owners of the Order land. This identifies separately those plots of land which relate to the CA Additional Land.</p>
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 compulsory acquisition (including modifications to the scheme) of these additional plots in accordance with paragraph 8 of the CA Guidance.</p>
	Response	<p>This response should be read in conjunction with the response to Question CA.1.17 in this chapter.</p> <p>The CA Additional Land associated with Changes 12 and 13 are minor changes required to ensure that the associated development included within the Application can be constructed and operated safely including drainage features, safety measures (visibility splays) and improvements to existing site accesses. As such the alternatives to these associated</p>

ExQ1	Question to:	Question:
		<p>developments were those considered in the site-specific alternatives set out in the response to Question CA.1.17 in this chapter.</p> <p>The CA Additional Land required for Change 11 comprises 32.78 ha of land for the establishment of an additional fen meadow habitat at Pakenham as mitigation for fen meadow loss. This site has been included in response to stakeholder feedback that the site is needed to mitigate the impacts. Alternative sites considered are set out in Volume 2 Main Development Site Chapter 14 Terrestrial Ecology and Ornithology Appendix 14C4 Fen Meadow Compensation Study [APP-258]. Alternatives to freehold acquisition as set out in the response to Question CA.1.17 in this chapter will be considered as appropriate.</p> <p>Voluntary agreements are being progressed as an alternative to compulsory acquisition. An update to Appendix B to the SoR (Doc Ref. 4.1B(B)) includes an update of the ongoing progress made by SZC Co. to acquire the CA Additional Land by agreement. However, as set out in the response to Question CA.1.21 in this chapter, compulsory acquisition powers are being sought in parallel.</p>
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	<p>In the context of the responses to Questions CA. 1.24 to CA.1.37 in this chapter, references to the 'funding model' (or 'Regulated Asset Base (RAB) funding model') are to the arrangement under which electricity customers will fund the project through its lifecycle. It is important to note that the concept of electricity customers funding the project is not unique to Sizewell C, all energy infrastructure is funded by electricity customers via their bills. Financing refers to how the upfront costs of the project will be met, i.e. how the capital will be raised to build Sizewell C. The current discussions with the Government are primarily focused on the development of the RAB funding model. In the financing process, the RAB model will enable Sizewell C to raise capital from equity and debt investors.</p> <p>Under the RAB model, Sizewell C would be set a designated level of revenue ('allowed revenue'). The majority of Sizewell C's revenue would be expected to be earned from</p>

ExQ1	Question to:	Question:
		<p>wholesale power sales, with adjustments for any difference between 'allowed revenue' and the wholesale market sales.</p> <p>The RAB model is a well-established and widely applied funding model for UK infrastructure. Sectors in the UK operating under a RAB model include energy and water networks, airports, telecoms and rail. The model has a number of characteristics which are attractive to both equity and debt investors and it has enabled large volumes of capital to be raised to invest in the sectors above (for example, the value of privately financed infrastructure operating under a RAB model today is approximately £180bn). This is discussed further in the response to Question CA. 1.32 in this chapter.</p> <p>To date, EDF Energy Holdings Limited and General Nuclear International Limited (the current owners of NNB Holding Company (SZC) Limited, which in turn owns SZC Co.) have made significant financial commitments to the Sizewell C Project for the pre-development phase (i.e. the period before financial close / final investment decision (FID)). Plate 2.1 in Volume 1, Chapter 2 of the ES [APP-173] gives an indication of when FID is expected to occur within the Sizewell C Project indicative phasing schedule.</p> <p>Further commitments to provide financial commitments from private sector third-parties are not expected to be confirmed until FID, which is by definition the point at which the commitments to finance the project are confirmed. Discussions with potential private sector financiers will be well progressed in the period leading up to FID.</p> <p>As described above, discussions are ongoing between SZC Co. and the Government regarding the design of a funding model (including a RAB model for new nuclear projects) which would enable SZC Co. to secure the financing that is required for the project. Details of the proposed funding model and financing arrangements for the project will become clearer and finalised in the period leading up to FID, which may include details on proposed public financial contributions (if relevant). Further details are provided in the Funding Statement [APP-066] and Funding Statement Addendum [AS-011].</p> <p>As explained in the Funding Statement Addendum, the fact that there is a strong and well recognised need for new nuclear in the UK and that Sizewell C is the furthest advanced new nuclear project at the present time (besides Hinkley Point C) provides SZC Co. with confidence that a funding model will be developed which enables the project to be realised. While details of the proposed funding model remain to be confirmed, good progress has been made. It is hoped that presentation and discussion of the proposed arrangement with third party potential financiers will begin in the coming months.</p>

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

ExQ1	Question to:	Question:
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	<p>As explained in further detail in the response to Question CA.1.26 below, sufficient information has been provided through the Funding Statement [APP-066], Funding Statement Addendum [AS-011], Second Funding Statement Addendum [AS-150] and the further information provided through these responses to the Examining Authority's questions to demonstrate that adequate funding is likely to be available within the statutory period following any DCO being made.</p> <p>For details of the evidence relied upon by SZC Co., please see the responses to Questions CA.1.24, CA.1.27 and CA.1.32 in this chapter in particular regarding:</p> <ul style="list-style-type: none">• The Government's confirmation of the importance of new nuclear plant for the UK's future energy strategy (for example in the Ten Point Plan and Energy White Paper)• The status of Sizewell C relative to potential alternative UK new nuclear projects: Sizewell C is further progressed than other 'large' new nuclear projects; benefits from being a follow on project (to Hinkley Point C); future new technologies (such as Small Modular Reactors and Advanced Modular Reactors) will not be ready to start construction until a number of years after Sizewell C has started construction. Sizewell C is therefore well placed to help meet the Government's objective to bring forward new nuclear projects• The good progress that has been made in the ongoing discussions with the Government on the development of a RAB funding model and the positive engagement that continues to be had with third party investors to secure the financing required for the project• The proven ability of RAB funding models to attract financing for large infrastructure projects in other sectors (energy networks, water networks, airports, telecoms etc – please see the response to CA. 1.37 for more details)

ExQ1	Question to:	Question:
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>
	Response	<p>(i) The Planning Statement [APP-590] addresses the Government’s planning policy as set out in the NPS on the extent to which the decision-maker needs to consider issues of financial viability in examining applications for energy NSIPs. Paragraph 4.1.9 of NPS EN-1 contains a very clear statement of the Government’s approach, which is that this is a matter for the individual applicant to judge within the market framework and taking account of Government interventions. The task of the decision-maker, therefore, is not to reach its own view on financial viability having regard to those factors, but rather to form a judgment, based on the information provided in the application, as to whether “<i>the financial viability and technical feasibility of the proposal has been properly assessed by the applicant</i>”. That is not the same – and is plainly not intended to be the same – as forming a judgment on whether the development is in fact financially viable. The Government has put in place processes and interventions which will ultimately determine the financial viability of individual energy NSIPs (of all types) and it is not the role of the examination process to seek to anticipate how those will operate in respect of each proposed development. Provided that the decision-maker is satisfied that financial viability has been properly assessed by the applicant “<i>it is unlikely to be of relevance to ... decision making</i>”.</p> <p>As the Planning Statement [APP-590] explains, SZC Co. has undertaken careful analysis to satisfy itself of the viability of the Sizewell C Project, and sufficient information has been provided through the Funding Statement [APP-066], Funding Statement Addendum [AS-011], Second Funding Statement Addendum [AS-150] and the</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>further information provided through these responses to the Examining Authority's questions to demonstrate that this issue has been properly assessed. In addition, these documents also demonstrate that adequate funding is likely to be available to enable the compulsory acquisition within the statutory period following the order being made, in accordance with paragraph 18 of the 'Planning Act 2008 Guidance related to procedures for the compulsory acquisition of land' dated September 2013. The information further demonstrates that if the Secretary of State were to grant the compulsory acquisition request, the Sizewell C Project is likely to be undertaken and not prevented due to difficulties in sourcing and securing the necessary funding, in accordance with paragraph 26 of the 'Planning Act 2008: Application form guidance' dated June 2013.</p> <p>Paragraph 7.3.10 of the Planning Statement [APP-590] concludes that the information provided means that the decision-maker can be satisfied in relation to the issue of viability. As that formulation acknowledges, it is of course ultimately for the decision-maker to reach a judgment as to whether they are satisfied that the financial viability of the proposal has been properly assessed by the applicant.</p> <p>(ii) The inability of an applicant to demonstrate that it has properly assessed the financial viability of a project would be a matter that was important and relevant to the Secretary of State's decision. However, as explained above, it is considered that SZC Co. has sufficiently demonstrated this.</p>
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	<p>Volume 1, Chapter 2 of the ES [APP-173] explains the likely timescales and phasing for the project and Plate 2.1 provides an indicative phasing schedule. The evidence relied upon by SZC Co. in reaching the conclusion that there is a reasonable prospect that the scheme, if granted consent, would actually be taken forward within the anticipated timescales is as follows:</p> <p>1) Investor engagement: As explained in the response to Question CA.1.32 in this chapter, there is a long list of investor contacts with whom there has been positive engagement and the majority of the investors spoken to have expressed an interest in the project; acknowledged the benefits of new nuclear for UK energy policy and other social</p>

ExQ1	Question to:	Question:
		<p>and environmental benefits; and indicated a willingness to engage in further and regular correspondence, with a view to potentially participating in the financing of the project. It is anticipated that once development of the funding model with the Government has further progressed, the level of engagement with investors, lenders, credit rating agencies and other financing institutions will increase.</p> <p>2) Progress on funding model: Discussions are ongoing between SZC Co. and the Government regarding the design of a funding model which would enable SZC Co. to secure the financing that is required for the project, including the use of the RAB funding model for new nuclear projects. Please see the response to Question CA.1.24 in this chapter with regard to the progress that has been made in these discussions.</p> <p>3) Urgent national need for new nuclear: The need to bring forward new nuclear projects in the UK has been emphasised in recent Government announcements in November and December 2020 (including the 'Ten Point Plan' and Energy White Paper). Sizewell C is the most advanced new nuclear project in the UK (aside from Hinkley Point C), and in the unique position of being a follow-on UK new nuclear project (providing construction cost efficiencies and risk reductions). It is well placed to help meet the Government's ambitions for new nuclear development in the UK. The clear importance of new nuclear to achieve the Government's energy and carbon targets, together with the stated Government aim in the Energy White Paper (at pages 16 and 48) to bring at least one large-scale nuclear project to the point of Final Investment Decision by the end of the Parliament, should generate significant confidence that an appropriate funding model can be agreed to secure the financing requirements that would enable Sizewell C to proceed.</p> <p>4) Hinkley Point C: EDF Energy has a proven track record in taking forward a similar project, the Hinkley Point C new nuclear power station which is under construction, once development consent and compulsory acquisition powers were granted. Although EDF Energy will become a minority shareholder in Sizewell C once construction starts, it will provide important support to Sizewell C through supply chain contracts; access to nuclear skills and expertise from EDF Energy; information and resource from Hinkley Point C.</p> <p>5) Existing substantial financial commitment: EDF Energy Holdings Limited and General Nuclear International Limited have made (and continue to make) a substantial financial commitment to develop the Sizewell C Project. They would not commit to an undertaking of this scale if they were not confident that the project would proceed if granted consent and if they were not committed to preparing the project to be able to secure finance and</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>enter construction in a timely manner. Reflecting these factors, EDF Energy Holdings Limited and General Nuclear International Limited are strongly incentivised and focused on ensuring that the project will proceed.</p>
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	<p>The response below has been separated into two sections. The first part is intended to provide an overarching description of the interaction between the estimate of the project's cost and the ability of the project to secure adequate funding and the second part provides a direct response to the question asked.</p> <p><i>Interaction of the cost estimate and the ability of the project to secure adequate funding</i></p> <p>For a number of reasons, the Sizewell C cost estimate will undergo a series of updates between now and FID. The factors giving rise to these changes could result in relatively limited increases or decreases to the cost estimate and include (but are not limited to): ongoing negotiations with the supply chain (including on pricing of contracts); development of engineering scope and site studies to provide a more detailed understanding of the work required at Sizewell C; and confirmation of schedule. These changes to the cost estimate will not have a substantial impact on the outturn cost of electricity produced by Sizewell C.</p> <p>The scope for such changes in the cost estimate is acknowledged, understood and inevitable for an infrastructure project at this stage in its lifecycle. In other words, some or all of the factors described above would be likely to apply to any infrastructure project with more than a year to the start of construction.</p> <p>In a number of respects, Sizewell C has important features which serve to provide a greater level of confidence in its costs today and at FID relative to other large infrastructure projects. These benefits are due to Sizewell C being a follow on project to Hinkley Point C and include:</p>

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> • Significant parts of the engineering design at Sizewell C will be replicated from Hinkley Point C providing a greater level of engineering detail/maturity than is typically possible at 'one-off' projects (projects that are not direct follow-ons to a preceding project); • Key parts of the supply chain will be re-used at Sizewell C providing greater visibility on costs (other infrastructure projects might have greater uncertainty on their supply chain providers at an equivalent stage); and • Costs and schedule estimates can be informed/checked with a direct comparison with Hinkley Point C (rather than relying on benchmarks of similar projects). <p>Those factors provide confidence that the changes that will be made as the detail of the Sizewell C cost estimate are finalised are likely to be relatively limited in the context of the project's overall cost estimate.</p> <p>Moreover, the remaining process for finalising the Sizewell C cost estimate is not determinative of the project's ability to secure adequate funding and financing. Under the RAB model, updates in the cost estimate will be reflected in the funding model arrangements. In simple terms, this means the project's anticipated revenue stream (the funding from consumers) will adjust to reflect changes in the cost estimate before FID. In turn, this adjustment to the funding stream means that changes to the cost estimate between now and FID would not be expected to impact the ability of the project to secure the financing that will be required to meet the updated cost estimate and enable the project to proceed.</p> <p>In summary:</p> <ul style="list-style-type: none"> • For a number of reasons, the Sizewell C cost estimate will change between now and FID • The process to finalise the detail of the Sizewell C cost estimate is acknowledged and inevitable for a large infrastructure project at this stage in its lifecycle • Under the funding and financing arrangements being developed for Sizewell C, future changes to the cost estimate are not expected to impair the ability of the project to 'secure adequate funding' <p><i>Direct response to Question CA. 1.28</i></p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>The statement from the Second Funding Statement Addendum [AS-150] (paragraph 3.3.6) was not intended to imply that the changes to the application had no impact on the anticipated cost of building the project.</p> <p>Rather the 'cost estimate' as referred to is the assessed cost of building the project at a point in time, based on a defined set of data. The cost estimate for the project is updated on a periodic basis through a formal process. In between updates to the cost estimate, all factors and changes which could impact the cost estimate are recorded and logged to be incorporated in the cost estimate during the update process, for example changes in scope, the ongoing negotiations with the supply chain and the progress in the definition of the project delivery model. This is considered the most efficient and effective way to manage the various data which underpins the cost estimate.</p> <p>Consistent with SZC Co.'s internal process described above, the cost estimate will be updated to incorporate the expected costs of the accepted changes to the Application, as well as all other factors and changes that may impact the cost estimate since the previous update was carried out. Expected costs associated with those changes to the Application which are of greatest significance in terms of cost have been quantified and total c£80m. Whilst the cost implications of the remaining changes are currently being assessed, these are expected to be relatively minor in the context of the project's overall cost.</p> <p>The process described above ensures that the cost estimate is as robust and comprehensive as possible at each stage. At the point of FID in particular, a robust and comprehensive cost estimate will be necessary in order to secure the financing from third parties that the project requires to proceed.</p>
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>

ExQ1	Question to:	Question:
	<p>Response</p>	<p>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.</p> <p>(i) In addition to learning and direct feedback from Hinkley Point C, the cost estimate for the Sizewell C Project, which will continue to develop in maturity progressively to FID, is informed by:</p> <ul style="list-style-type: none"> • engineering studies undertaken to confirm that the detailed design of Hinkley Point C can be replicated at Sizewell C, and the scope of work required to perform this replication; • feedback from the supply chain, which will be ongoing as the early contractor involvement and procurement process is progressed; and • studies of the site conditions to understand the specific requirements for the site enabling and earthworks. <p>As explained above in response to Question CA.1.28 in this chapter, it is expected that there will be changes to the cost estimate between now and FID. This reflects the nature of finalising the detail of the cost estimate which is acknowledged and inevitable for a large infrastructure project at this stage in its lifecycle. As also described above, the future changes to the cost estimate are not expected to impact the likelihood that the project secures adequate funding and financing, or the outturn cost of electricity produced by Sizewell C.</p> <p>In order to ensure the cost estimate accurately reflects the evidence that is available at each stage Sizewell C has a dedicated resource (Estimating Team) which co-ordinates the activity required to produce the cost estimate. The processes that the Estimating Team follow are rigorous and take into account learnings and best practices from other large infrastructure projects. The methodologies applied and final output are subject to internal senior level review and sign off. There will also be external review and audit of the cost estimate (for example by Government, credit rating agencies and equity investors) to assess its accuracy as part of the development of the funding model and the financing process before FID – all of whom will require the final cost estimate has a high level of accuracy.</p> <p>(ii) Under the replication strategy (described in paragraph 3.1.4 of the Funding Statement Addendum [AS-011]), the majority of the scope for Sizewell C is the same as that being delivered at Hinkley Point C. The replicated detailed design, which is adapted to</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>the UK regulatory context and from which the material quantities and equipment specifications are derived, will be ready for Sizewell C prior to FID. Furthermore, key supply chain providers at Hinkley Point C will deliver the same work at Sizewell C (supporting transfer of learning, experience and knowledge). Due to the replication strategy, the Hinkley Point C contracts, costs and delivery feedback represent a mature reference point for Sizewell C. The benefits of these factors for reducing both new nuclear construction costs and construction cost risk (i.e. the potential for costs to overrun once construction has started) have been considered in, for example, the Energy Technology Institutes' Nuclear Cost Drivers report published on 3 September 2020⁴¹.</p> <p>The site specific works at Sizewell C include the enabling works (including earthworks), marine works and the associated developments. The scope and design of these works is being developed for the Sizewell C Project and will not be replicated from Hinkley Point C. These Sizewell C specific designs are the basis of the associated part of the cost estimate. Whilst the overall scope of the Sizewell C Project is not therefore exactly the same as for Hinkley Point C, lessons learned from Hinkley Point C are still highly applicable, particularly in terms of risk mitigation and on-site delivery strategy.</p> <p>(iii) As explained in paragraph 3.2.1 of the Funding Statement [APP-066], the cost estimate for the Sizewell C Project takes into account expected contingencies. These contingencies are intended to provide allowances for factors that could result in project costs increasing including (for example) increases in project costs for activities taking longer than expected (labour hours) and confirmation of the quantities of equipment and materials required for the plant (as engineering work is completed).</p> <p>The contingency estimate within the cost estimate referred to in the Funding Statement was based on the contingency estimate in the Hinkley Point C construction cost at the time and reflects a large number of factors.</p> <p>As described below, the Sizewell C contingency estimate will be refined and confirmed over the coming months leading up to FID. The updated contingency estimate will reflect factors specific to Sizewell C. Factors which will inform the appropriate contingency level include those that influence the potential for variations in the outturn cost (for example</p>

⁴¹ The Energy Technology Institutes' Nuclear Cost Drivers report published on 3 September 2020. Available at: <https://www.eti.co.uk/library/the-eti-nuclear-cost-drivers-project-summary-report>

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

ExQ1	Question to:	Question:
		<p>the agreed supply chain arrangements and status of engineering work at the start of construction) and factors such as the nature of the financing arrangements and requirements of financiers (for example investors may require a certain level of contingency depending on their assessment of the construction cost and variability), and potential impacts of the development of the funding model with the Government and the allocation of risk between parties.</p> <p>In order for the project to be financeable, it will be necessary to have a level of contingency plus arrangements in place to secure funding for the project in the event that costs overrun above the contingency in order to provide a very high level of confidence that the construction costs can be fully financed. These arrangements will be confirmed through the development of the funding model with the Government and progression of the Sizewell C financing arrangements.</p> <p>(iv) Development consent for the Hinkley Point C project was granted in 2013. In 2013, at the time that the HPC Contract for Difference was agreed, it was estimated that the project would require a planned investment of approximately £16 billion. That estimate was regularly updated over the following nine years to take into account a large range of factors, including ground conditions at the site, increasing maturity of the project scope and engineering design, amendments to the supply chain and contractor requirements, as well as more recent delays due to the Covid-19 pandemic. The estimate continues to be updated as the project progresses through the construction phase. The latest cost estimate is a range of £22-£23 billion.</p> <p>By virtue of being a follow-on project to Hinkley Point C, the Sizewell C Project has a much higher degree of cost certainty than was the case for the Hinkley Point C project at an equivalent point in the project's development (this is described in the response to CA. 1.28). The reasons for this include (but are not limited to):</p> <ul style="list-style-type: none">• Sizewell C has the benefit of a much more mature engineering design than Hinkley Point C at an equivalent stage in its development;• Sizewell C will re-use key parts of the supply chain now being employed at Hinkley Point C providing insight into supplier costs at Sizewell C;• More generally, the Sizewell C supply chain contracts are currently much further progressed than Hinkley Point C supply chain contracts in 2013; and

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> • Sizewell C can incorporate the experience at Hinkley Point C to reflect outturn costs rather than relying purely on forecasts.
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	<p>The 30% nuclear new build cost reduction in the Energy White Paper is sourced from the Nuclear Sector Deal, which was published by the Government in June 2018⁴². This refers to the targeted reduction in the cost to consumers for nuclear power relative to the Hinkley Point C Strike Price of £92.50/MWh (£2012) (see page 3 of the Nuclear Sector Deal: Nuclear New Build Cost Reduction report published in September 2020⁴³). This would imply a price of electricity at Sizewell C of around £60/MWh.</p> <p>The cost of electricity produced by a nuclear plant comprises operating costs, construction costs and financing costs. As described in the Nuclear Sector Deal: Nuclear New Build Cost Reduction report (above), financing costs were around two-thirds of the Hinkley Point C Strike Price. Reducing financing costs therefore provides a significant opportunity to reduce the ultimate cost of nuclear to consumers from Sizewell C and achieve the 30% cost reduction target referred to.</p> <p>As described in the response to CA.1.24 above, discussions on the funding model with the Government are currently focused on agreeing a RAB model to finance Sizewell C. If a RAB model is applied, and the cost of financing for Sizewell C is in the range of other</p>

⁴² HM Government's Nuclear Sector Deal published in June 2018. Available at:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/720405/Final_Version_BEIS_Nuclear_SD.PDF

⁴³ Nuclear Sector Deal: Nuclear New Build Cost Reduction report published in September 2020. Available at: <https://www.niauk.org/wp-content/uploads/2020/09/New-Build-Cost-Reduction-Sector-Deal-Working-Group.pdf#:~:text=The%20Nuclear%20Sector%20Deal%2C%20published%20in%20June%202018%2C,Sector%20Deal%2C%20the%20New%20Build%20Cost%20Reduction%20Working>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>infrastructure assets financed under a RAB model, then the cost of financing will be substantially lower for Sizewell C than for Hinkley Point C.</p> <p>The combination of anticipated construction cost reductions and financing cost reductions are expected to result in Sizewell C meeting or exceeding the cost reduction target.</p>
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	<p>SZC Co's agents Dalcour Maclaren have been consulting and negotiating with land interests affected by the project since 2019. The Dalcour Maclaren team of suitably qualified Chartered Surveyors has an excellent working knowledge of the land rights required for the project to accurately interpret the compensation liability associated with the exercise of compulsory acquisition powers. The Property Cost Estimate (PCE) assesses the required funding associated with the acquisition of land and rights for the onshore element of the project using extensive experience of other similar projects.</p> <p>The PCE was most recently updated in February 2021 and will be updated on a regular basis. The total payment of compensation associated with the exercise of any compulsory acquisition powers granted is estimated to be approximately £42m including contingency. These costs are fully captured in SZC Co.'s ongoing cost estimation process (as described in the response to CA.1.28 above).</p> <p>These costs comprise a very small proportion of the total cost of the Sizewell C Project and will not affect the likelihood of SZC Co. securing sufficient financing needed to meet the capital costs of the project.</p>
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> <p>(i) Please explain further what is meant by 'positive engagement';</p>

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

ExQ1	Question to:	Question:
	Response	<p>(ii) whether any formal agreement or commitment to invest from third parties, subject to the necessary approvals being obtained, has been achieved;</p> <p>(iii) Why the development of the RAB funding model would be supportive of the project securing its financing requirements?</p> <p>(i) Engagement with potential investors has taken various forms and has been ongoing since 2018/19. The engagement has included meetings to introduce and discuss the project; meetings to discuss the environmental and social impacts of nuclear generically and Sizewell C specifically; site visits to Hinkley Point C and Sizewell B; appearing at investor conferences; and a number of events/talks organised by SZC Co. SZC Co. appointed a financial advisor (Rothschild and Co) in late 2019 and they have also been undertaking investor engagement on behalf of SZC Co. Through this engagement, SZC Co. has built up a long list of investor contacts who would like to be kept informed about progress of the project and the funding model discussions with the Government, with a view to potentially participating in the financing process when it begins. A number of additional potential investors have been identified and will be brought into the engagement. It is anticipated that once development of the funding model with the Government has further progressed, the level of engagement with investors, lenders, credit rating agencies and other financing institutions will increase. The engagement has been positive in the sense that the majority of the investors spoken to have expressed an interest in the project; acknowledged the benefits of new nuclear for UK energy policy and other social and environmental benefits; and indicated a willingness to engage in further and regular correspondence, with a view to potentially participating in the financing of the project.</p> <p>(ii) Formal agreement to invest would not be expected to occur until FID and has not yet been reached with any third parties.</p> <p>(iii) The RAB model has a proven track record for attracting infrastructure investors. In the UK electricity, gas, water, telecoms and airports are all to some extent funded under a RAB model (for example it can be shown that the value of assets funded under a RAB model in the UK today is around £180bn). Key features of the RAB model that attract investors are that it is a funding model that provides a predictable revenue stream with low volatility returns and that it is capable of</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>achieving a strong investment grade credit rating. The design of RAB funding models provides a number of features which give rise to this investment profile, including (but not limited to): risk protections for investors; revenue allowances specifically calculated to allow investors to recover appropriate costs; an allowed return on investment that is commensurate with the cost of finance facing the investors; and a general duty on the regulator to allow companies to finance their activities.</p> <p>There is also a track record for RAB models enabling the financing of greenfield construction projects. The most relevant comparator is the Thames Tideway Tunnel, which secured its financing requirement at a low cost of capital.</p> <p>In December 2020, the Government published its response to the comments it received in the 2019 public consultation on a RAB model for new nuclear. The Government stated that: <i>"Having assessed the consultation responses, including the broad agreement from industry and those members of the public who were not in-principle opposed to nuclear to our proposals, we believe that a RAB in line with the high-level design principles set out in the consultation remains a credible basis for financing large-scale nuclear projects."</i></p>
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	<p>The replication strategy enables cost reductions at Sizewell C in two key ways: First, it provides reductions in construction costs because certain activities undertaken at Hinkley Point C (including engineering work and certain supply chain activities) do not need to be repeated at Sizewell C. Second, the lower risk profile improves the value for money impacts of implementing a funding model (such as the RAB model) which shares risks between investors and consumers / taxpayers. As a result, SZC Co. considers it will be possible to design a funding model which attracts finance at a low cost of capital, while providing value for money for consumers and taxpayers.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>The cost of financing a nuclear project is a large proportion of the total cost to consumers. Therefore, reducing financing costs provides the opportunity to achieve substantial reductions in the cost of nuclear. Until the details of the funding model are confirmed and finance has been secured it will not be possible to provide a precise estimate of the power price at Sizewell C.</p> <p>(ii) As the funding model and financing structure of the project are not confirmed, the total cost of financing the project is not known. However, subject to the outturn cost of finance (among other factors including construction and operation costs), it is credible to expect the cost to consumers of Sizewell C could be close to the Nuclear Sector Deal's implied target cost of £60/MWh (which would be a reduction of c30% from the Hinkley Point C Strike Price of £92.50/MWh).</p>
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	<p>While the criteria of the Government's value for money assessments have not been publicly announced, SZC Co. is confident that there is a strong value for money case for the project.</p> <p>The value for money assessment is likely to be completed shortly before FID for Sizewell C, so that the assessment can reflect up to date information at the point the project is sanctioned by Government (including for example, the details of the funding model and the expected power price of SZC). As FID is not anticipated to occur until after the DCO grant, the value for money assessment is likely to conclude sometime after the end of the DCO examination. This reflects the fact that the judgment as to whether the project provides value for money is separate from the decision on whether the project is acceptable under the Planning Act 2008. It would therefore be both impractical and</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>inappropriate for the Secretary of State to seek to pre-judge that issue when determining the DCO application.</p> <p>The importance of new nuclear for the UK's energy future is clearly established in national policy, as explained in detail in the Planning Statement [APP-590]. It is also demonstrated by a number of evidence points, including:</p> <ul style="list-style-type: none">• Modelling analysis of the future energy system consistently shows the importance of 'firm' (non-weather dependent) forms of low carbon electricity. New nuclear is the most proven/established technology that provides firm low-carbon power.• Recent Government publications (discussed in the response to CA.1.27 above) and the accompanying Modelling 2050: Electricity Systems Analysis published in December 2020⁴⁴ have clearly demonstrated the Government's view that new nuclear is an important component of the UK's energy policy.• Sizewell C is the most advanced new nuclear project in the UK today (aside from Hinkley Point C) and the only new nuclear project which is a follow-on to a preceding UK project using the same technology (Hinkley Point C). <p>With the benefits of the replication of Hinkley Point C, Sizewell C will achieve substantial reductions in construction cost and risk, which in turn provides a number of value for money benefits:</p> <ul style="list-style-type: none">• First, there is a direct benefit of construction cost savings – which provides a reduction in costs to consumers.• Second, the lower risk profile improves the value for money impacts of implementing a funding model (such as the RAB model) which shares risks between investors and consumers / taxpayers. As a result, SZC Co. considers it will be possible to design a funding model which attracts finance at a low cost of capital, while providing value for money for consumers and taxpayers.• In combination, this is anticipated to allow Sizewell C to proceed at a cost which reduces electricity system costs (and therefore consumer bills).

⁴⁴ Department for Business, Energy & Industrial Strategy, Modelling 2050: Electricity System Analysis dated December 2020. Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/943714/Modelling-2050-Electricity-System-Analysis.pdf

ExQ1	Question to:	Question:
		<p>The project also offers a number of other important social and environmental benefits which enhance the value for money case. These include:</p> <ul style="list-style-type: none"> • high levels of economic activity across the UK; • valuable skills and training for the workforce including a large number of apprenticeships; • strategic value to the UK of an enhanced UK nuclear supply chain which will be of benefit to subsequent new nuclear projects (including new technologies); • the potential to use low-carbon heat from Sizewell C for applications including hydrogen production, capturing carbon emissions (direct air capture); • low land use relative to other low carbon technologies; and • creation of a positive environmental impact in the local area giving rise to an overall bio-diversity net gain. <p>The ability of Sizewell C to provide value for money will benefit from anticipated reductions in construction and financing costs which in turn are expected to enable Sizewell C to produce electricity at a price which reduces consumer bills. In addition, the important wider social and environmental benefits described above further enhance the proposition offered by Sizewell C.</p> <p>These strengths and the fact that Sizewell C is the most advanced new nuclear project in the UK (aside from Hinkley Point C) mean it is well placed to meet the Government's aim to bring forward one new large nuclear plant this parliament and help fulfil the UK's need for new nuclear more generally.</p> <p>In combination, the fundamental strengths of Sizewell C and the UK's need for new nuclear projects to come forward in the short to medium term provide confidence that the value for money test will be met and a funding model will be developed that enables Sizewell C to raise the finance it requires to proceed.</p>
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.</p>

ExQ1	Question to:	Question:
	<p>Response</p>	<p>Does that financial support for Small Modular Reactors indicate a limited window of opportunity for large scale nuclear projects that will be expected to pass the 'value for money' test?</p> <p>The need for large scale nuclear generating stations such as Sizewell C has been established in national policy, as explained in the Planning Statement [APP-590] and Planning Statement Update (Doc Ref. 8.4Ad).</p> <p>The prospective relative value for money merits of different technologies and the approach to assessing these are questions for the Government under a separate process (see the response to CA.1.34). These are not matters for individual promoters, examining authorities or Secretaries of State to seek to determine in response to individual development consent applications.</p> <p>With regard to the role of other technologies, NPS EN-1 states in particular:</p> <p>Paragraph 2.2.19: <i>"While the Government may choose to influence developers in one way or another to propose to build particular types of infrastructure, it remains a matter for the market to decide where and how to build, as market mechanisms will deliver the required infrastructure most efficiently"</i>.</p> <p>Paragraph 2.2.20: <i>"It is critical that the UK continues to have secure and reliable supplies of electricity as we make the transition to a low carbon economy. To manage the risks to achieving security of supply we need...a diverse mix of technologies and fuels, so that we do not rely on any one technology or fuel"</i>.</p> <p>Paragraph 3.1: <i>"The Government does not consider it appropriate for planning policy to set targets for or limits on different technologies. The [Secretary of State] should therefore assess all applications for development consent for the types of infrastructure covered by the energy NPSs on the basis that the Government has demonstrated that there is a need for those types of infrastructure and that the scale and urgency of that need is as described for each of them in this Part"</i>.</p>
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>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<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>
CA.1.37	The Applicant	<p>Response</p> <p>(i) Please see the response to Question CA.1.34 in this chapter.</p> <p>(ii) Discussions with the Government about the use of a RAB model or another deliverable funding model continue. The ongoing discussions with the Government are not intended directly to secure the capital required to finance the construction of the project. The objective of the discussions is to develop a funding model (under which consumers pay for the project through its lifecycle) which will form the basis for securing finance to pay for the project.</p> <p>The Government's value for money assessment will depend in part on the choice of funding model. If discussions with respect to the development of the RAB model were not successful, alternative funding models could be considered, for example the Contract for Difference (CfD) funding model (which has been used to bring forward Hinkley Point C and a number of offshore wind projects). The potential for alternative funding models to the RAB to be applied to Sizewell C was indicated in the Government's announcement it was entering negotiations with EDF in relation to Sizewell C: "The Government will continue to explore the viability of the RAB model for Sizewell C along with other models".</p> <p>For the reasons summarised in response to Question CA.1.34 in this chapter, and having regard to the fact that there is a strong and well recognised need for new nuclear in the UK and that Sizewell C is the furthest advanced new nuclear project at the present time (besides Hinkley Point C), SZC Co. is confident that a funding model will be developed which enables the project to be realised.</p> <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],</p>

ExQ1	Question to:	Question:
	<p>Response</p>	<p>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> <p>EDF Energy financial position</p> <p>The corporate structure of SZC Co. is explained in detail in the Funding Statement [APP-066]. EDF S.A. (the parent company of EDF Energy) has a comfortable investment grade credit (the rating is several grades inside the investment grade range) from all three major credit rating agencies. This indicates that EDF S.A. has a strong financial position. SZC Co., not EDF Energy, will be the developer and operator of Sizewell C. As explained in the Funding Statement, the funding of the SZC Co. is currently expected to comprise third party equity and debt.</p> <p>SZC Co. will have access to data and support from Hinkley Point C (under a commercial arrangement) and EDF companies will provide important support to SZC Co. throughout construction and operation through arms' length commercial contracts, providing SZC Co. with access to valuable nuclear skills and experience.</p> <p>From the point of financial close, EDF Energy is expected to be a minority owner of SZC Co. In order for SZC Co. to reach financial close it will be necessary to demonstrate that the project has a very high degree of confidence that its construction costs can be fully financed (including in the event costs overrun).</p> <p>SZC Co.'s ability to meet compulsory purchase payment amounts</p> <p>The future ability of SZC Co. to meet compulsory purchase amounts is explained in the Funding Statement [APP-066], Funding Statement Addendum [AS-011], Second Funding Statement Addendum [AS-150] and the further information provided through these responses to the Examining Authority's questions.</p> <p>Sizewell C impact on consumer bills</p> <p>The consumer value for money assessment of Sizewell C is a matter for the Government. SZC Co. is confident that the project can be delivered at a cost that will reduce the costs of the electricity system (thereby reducing consumer bills) while providing other important social and environmental benefits, which in aggregate provides the basis for a positive value for money case.</p> <p>Consumer and taxpayer risk exposure under a RAB model</p>

ExQ1	Question to:	Question:
		<p>The choice of funding model for the project and its value for money implications is a matter for the Government under a separate process.</p> <p>SZC Co. considers that the benefit of Sizewell C being a follow-on project to Hinkley Point C provides a substantial reduction in the intrinsic risk of the project, limiting the risk that consumers and taxpayers would be exposed to under a RAB model. A key benefit of the RAB model is reduced financing costs (providing a significantly lower cost of electricity) and increased private sector financing capacity. SZC Co. is confident that under a RAB model the benefits of a reduced cost of finance outweigh any limited increase in risk that consumers in taxpayers may be exposed to, but this a judgment for Government to make under a separate process.</p> <p>CGN role in Sizewell C</p> <p>General Nuclear International Limited is currently a 20% shareholder in SZC Co. However, the ownership of SZC Co. will change following financial close, and the financing of SZC Co. is currently expected to comprise third party equity and debt.</p> <p>Ability to meet decommissioning costs</p> <p>The costs of decommissioning, waste and spent fuel management (post End of Generation) and disposal of all higher activity waste will be funded through a Funded Decommissioning Programme (FDP), which must be approved by the Secretary of State (Department for Business, Energy and Industrial Strategy) before construction work on buildings with nuclear safety significance commences.</p> <p>Through the FDP, SZC Co. must demonstrate that it has a robust plan in place to decommission the station and manage any liabilities (including waste), a robust cost estimate to deliver the plan, and arrangements that ensure that SZC Co. sets aside funds over the operating life of the Sizewell C power station to cover these costs in full. The legal framework that implements these arrangements has been established through the Energy Act 2008 and the Nuclear Decommissioning and Waste Handling (Finance and Fees) Regulations 2013.</p>
CA.1.38	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>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?</p>

ExQ1	Question to:	Question:
	<p>Response</p>	<p>A detailed explanation is provided in the response to Question CA.1.40 in this chapter of how SZC Co. has undertaken an assessment of whether the interference with the human rights of those with an interest in land that SZC Co. proposes to acquire is justified. In carrying out that exercise, SZC Co. has considered the existing uses of the land to be compulsorily acquired (including the CA Additional Land) and the impacts on private interests of the acquisition of this land for the project. Significant weight has been attributed to these private losses, though SZC Co. has sought to reduce the effect on private property and to obtain all land and interests required privately where reasonably possible. Where compulsory acquisition powers are exercised, appropriate compensation for any financial loss would be available to those entitled to claim it under the Compensation Code. The value of the land will reflect (in part) its existing use, and that will in turn be reflected in the compensation to which the owner would be entitled. That is an important consideration when examining the human rights implications of the disruption to, or loss of, the existing use of the land to be acquired.</p> <p>SZC Co. has a clear understanding of how that land would be used as part of the project and details are provided in the updated SoR Appendix A (Doc Ref. 4.1(A)A). The substantial public benefits of the project can only be realised if the acquisition of the land required for the project (including the CA Additional Land) can be guaranteed in a timely manner, through the use of compulsory acquisition powers as required. Very significant weight is attributed to these public benefits.</p> <p>The response to Question CA.1.17 in this chapter explains the site selection process that has been undertaken. That response refers in particular to the Site Selection Report (Planning Statement Appendix 8.4A) [APP-591] which explains how land was selected and how other options were discounted as being either unsuitable or disproportionate. Whilst the location of the nuclear power station has been established in national policy, the site selection methodology for each of the required associated developments broadly followed a “two-filter” process. The first filter stage identified potential options or sites which met the key operational pre-requisites for that associated development. The second filter stage considered alternatives that would potentially achieve the objectives, against relevant environmental, planning, engineering and commercial criteria. This process took into account the existing use of the land and its importance as reflected in policy and guidance. For example, the assessment considered whether the option would require the demolition of residential properties or would negatively impact the viability of an affected</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>business. By seeking to avoid or minimise such impacts where possible, the importance of the existing uses was properly reflected in the assessment. Further detailed explanation of the process for each associated development is provided in the relevant chapter of the ES. SZC Co. has been mindful to protect residents' properties and ensure that direct impacts on businesses are minimised wherever possible. That reflects a recognition of the importance of those land uses and the property rights of those with interests in the relevant land. As a consequence of this approach, no residential dwellings are required to be demolished as part of the project and instead they will be protected in situ during construction. The residential properties that are to be acquired for the project, and the justification for any consequential interference with the residential use, are summarised in response to Question CA.1.45 in this chapter.</p> <p>Outside of the main development site for the new power station, the significant majority of land is required only on a temporary basis, consisting of land that is primarily agricultural land. SZC Co. recognises the importance of agricultural land, to the landowners being the basis of their livelihoods, and to the wider economy. During the optioneering stages of the project the proposals were considered in respect of the impact on businesses to ensure impacts could be mitigated, wherever possible, to avoid businesses being extinguished.</p> <p>During the temporary occupation of the land for the Sizewell C Project, the landowners will be entitled to claim compensation to ensure that no financial loss arises from the use of the land, and the reinstatement requirements provided for within the draft DCO (Doc Ref. 3.1(C)), and expanded upon through negotiations with landowners, their agents and the NFU, will ensure there is no permanent loss of agricultural land as a consequence of the temporary construction needs of the project.</p> <p>Where land is required permanently (outside of the main development site) it is intended there will be permanent public legacy benefits where possible. This will include the land required to accommodate the two village bypass and Sizewell link road, and the environmental mitigation land that will provide replacement fen meadow.</p> <p>Also included within the Order limits is highway land (for highway improvement works), land for facilitating rail improvement works, and operational land within the EDF Energy estate where there is not anticipated to be any interference with human rights.</p>

ExQ1	Question to:	Question:
CA.1.39	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 7.9.1, 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.</p> <p>(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?</p> <p>(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)?</p>
	Response	<p>No residential dwellings are required to be demolished as part of the project - they will be protected in situ during construction.</p> <p>(i) The dwellings in respect of which compulsory acquisition powers (in whole or in part) are sought are identified in the response to Question CA.1.45 in this chapter with details of progress of negotiations with owner/occupiers of the properties. In addition, compulsory powers are also being sought over the following property:</p> <ul style="list-style-type: none"> • 28 Stone Cottage, High Street, Thorington – There is no requirement for the dwellings to be vacated during construction. A small area of land is proposed to be acquired on temporary basis for works to facilitate ongoing access to the property relating to road improvements forming part of the A12/A144 other highway improvements scheme. There would not be any displacement of residents from the dwellings and SZC Co. is continuing efforts to engage with the owners with a view to securing the land required for the project by private agreement. Accordingly, the limited extent of temporary acquisition proposed is necessary, has been properly justified, and is entirely proportionate to the need it is intended to address. SZC Co. is also seeking to acquire the necessary land by agreement, so as to avoid the use of compulsory powers if reasonably possible. In those circumstances the limited interference with the owner’s Article 8 rights would be lawful, necessary in the interests of the economic well-being of the country, and proportionate. It would comply with Article 8(2).

ExQ1	Question to:	Question:
		<p>(ii) As explained above, no dwellings are required to be demolished for the project. The necessity and justification for the inclusion (in whole or in part) of a dwelling and compliance with Article 8(2) is summarised in response to Question CA.1.45 in this chapter. As set out in paragraphs 7.4.3 to 7.4.4 of the SoR [APP-062], the expected public benefits of the Sizewell C Project, which would be substantial, can only be realised if the acquisition of the land required for the Sizewell C Project can be guaranteed in a timely manner. The SoR [APP-062], paragraph 7.9.4, explains that the proposed interference with human rights would be in accordance with law, proportionate and justified in the public interest.</p>
CA.1.40	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 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?</p>
	Response	<p>SZC Co. has given due consideration to the anticipated private losses and whether the compulsory acquisition of the land and interests (including in respect of the CA Additional Land) would result in disproportionate private losses. These losses have been weighed against the substantial public benefits that the Sizewell C Project would bring and which could only be realised if compulsory acquisition powers are granted.</p> <p>The SoR [APP-062] provides formal documentation of how the balancing exercise between private losses and public benefits has been undertaken, which is a fair and accurate account and provides at least as much information on this process as other development consent applications in terms of how the balance was struck. The factors that were taken into account in this balancing exercise are as follows:</p> <p>Expected impacts</p> <p>All relevant environmental, social and economic benefits and adverse impacts of the project have been assessed and are reported on in the Application documents, in particular the ES [APP-159 to APP-582] and ES Addendum [AS-179 to AS-201]. Paragraphs 7.4.5 to 7.4.13 of the SoR [APP-062] identify that the impacts of the project include anticipated private loss by those persons whose land or interests in land will be</p>

ExQ1	Question to:	Question:
		<p>compulsorily acquired. The response to Question CA.1.38 in this chapter explains the degree of importance that has been attributed to the nature and uses of the land proposed to be acquired. Investigations have been undertaken by SZC Co. to engage with landowners to better understand these impacts. Details of the engagement undertaken with landowners, the feedback received and how SZC Co. had regard to that feedback in finalising the proposals is set out in the Consultation Report [APP-068] and Consultation Report Addendum [AS-153]. The updated SoR Appendix B (Doc Ref. 4.1B(B)) provides an update on the progress of discussions with landowners.</p> <p>Significant weight has been attributed to these private losses. However, the following two factors are relevant to the balancing exercise to be undertaken.</p> <p>First, SZC Co.'s approach to compulsory acquisition has been to reduce the effect on private property where possible. The draft DCO (Doc Ref. 3.1(C)) includes powers of temporary acquisition for all of the Order land. Therefore, the draft DCO provides the Undertaker with the flexibility to occupy land temporarily, and only acquire land that is subsequently confirmed as being required permanently. The SoR [APP-062], at paragraph 5.3.9, explains that Article 30 of the draft DCO would allow SZC Co. to compulsorily acquire rights over land as well as (or instead of) the land itself. This would allow SZC Co., if appropriate, to reduce the area of outright acquisition and rely on the creation and acquisition of new rights instead. The responses to Questions CA.1.1, 1.4 and 1.5 in this chapter provide further detail on the ways in which the draft DCO enables less draconian alternatives to permanent acquisition to be used where appropriate.</p> <p>Second, SZC Co. has sought to obtain all land and interests required privately where reasonably possible. However, where compulsory acquisition powers are exercised, appropriate compensation would be available to those entitled to claim it under the Compensation Code. The principle of compensation paid under the code is that a claimant should be in the same position as if their land had not been taken (so far as money can allow). As such, whether the landowner enters into a private treaty agreement or relies on the provisions of the Compensation Code, they will be in receipt of a financial payment not less than the loss imposed on them in the public interest.</p> <p>Expected benefits</p> <p>Paragraphs 7.4.3 to 7.4.4 of the SoR [APP-062] identify the expected public benefits of the Sizewell C Project, which would be substantial. The Planning Statement [APP-590] and Planning Statement Update (Doc Ref. 8.4Ad) provide further details.</p>

ExQ1	Question to:	Question:
		<p>Very significant weight has been attributed to these benefits. They can only be realised if the acquisition of the land required for the Sizewell C Project (including the CA Additional Land) can be guaranteed in a timely manner, through the use of compulsory acquisition powers as required.</p> <p>The balancing exercise</p> <p>Paragraphs 7.4.14 to 7.4.16 of the SoR [APP-062] explain how SZC Co. has undertaken an exercise to weigh the balance of the public benefit of the project against the private loss that would be suffered and identifies the factors that were taken into account. The conclusion of that exercise, as set out in Section 11 of the SoR [APP-062], is that the public benefits are overwhelmingly greater than the private loss that would be suffered by those whose land is to be acquired, and there is a compelling case in the public interest for the land to be acquired compulsorily.</p>
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	<p>(i) Paragraph 8 of the 'Planning Act 2008: Guidance related to procedures for the compulsory acquisition of land' dated September 2013 states that '<i>The applicant will also need to demonstrate that the proposed interference with the rights of those with an interest in the land is for a legitimate purpose, and that it is necessary and proportionate</i>'. The factors to be considered when establishing whether that can be demonstrated are the same as those which must be considered when demonstrating whether the public benefit outweighs private loss and thus whether there is a compelling case in the public interest. Paragraph 7.9.4 of the SoR [APP-062]) deals with whether the interference with human rights is justified, whilst the rest of Section 7 deals with whether there is a compelling case in the public interest. However, the points set out throughout Section 7 apply equally to paragraph 7.9.4.</p> <p>Paragraphs 7.6.5 to 7.6.6 of the SoR [APP-062] summarise how SZC Co.'s use of compulsory acquisition powers is intended to be proportionate, with cross-reference to sub-</p>

ExQ1	Question to:	Question:
		<p>section 7.3 which deals with the issues in more detail. The responses to CA.1.1, 1.2, 1.4 and 1.5 provide further detail on the ways in which SZC Co. has taken steps to ensure the powers in the DCO are proportionate.</p> <p>SZC Co. has included no more land within the Order Limits than is required for the Sizewell C Project and it is confident that the Sizewell C Project can be constructed, operated and maintained within the Order limits. Where practicable, SZC Co. will exercise the lesser powers of temporary possession to construct the proposed development and then, once the development has been constructed, exercise the powers of compulsory acquisition to permanently acquire only the land on which the development has been sited.</p> <p>(ii) The proportionate approach explained above has been applied to every plot. The updated Appendix A of the SoR (Doc Ref. 4.1A(A)) contains a table that identifies why each plot is required (including the CA Additional Land), what SZC Co. intends to use it for and the powers that SZC Co. is seeking over it. This demonstrates how the nature and extent of the private loss in each case is necessary, and no more than is necessary, to achieve the public interest benefits that have been identified.</p>
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	<p>(i) Paragraphs 1.2.1 to 1.2.4 of the Equality Statement [APP-158] explain the public sector equality duty that arises pursuant to section 149 of the Equality Act 2010. The Secretary of State must have regard to this duty when making the decision on whether or not to grant development consent for the Sizewell C Project. Although SZC Co. is not a public body listed in Schedule 19 of the Equality Act 2010, it has nevertheless had regard to, and complied in full with, the principles of the public sector equality duty when exercising its functions as a private organisation. Section 1.6 of the Equality Statement identifies the potential equality effects of the Sizewell C Project and Section 7 refers to the mitigation measures that have been proposed to minimise those impacts where possible. Table 1.1 in Section 1.8 provides a summary of this information and demonstrates how</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>SZC Co. has had due regard to the public sector equality duty. In particular, SZC Co. is aware of the need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under the Equality Act 2010; advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and foster good relations between persons who share a relevant protected characteristic and persons who do not share it. Regard has been had to this duty throughout all stages of the project.</p> <p>(ii) SZC Co. understands there to be Affected Persons who have protected characteristics and, as explained above, due regard has been given to the public sector equality duty and how it applies to such persons. SZC Co. believes that none of those Affected Persons have been disadvantaged in respect of engaging with SZC Co. or the examination process or in any way disproportionately affected by the Project. SZC Co. recognises and has complied with the requirements of the public sector equality duty to make reasonable adjustments to processes that would otherwise unfairly disadvantage those with protected characteristics, if such circumstances had the potential to arise.</p>
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	<p>The land is necessary for the project</p> <p>As explained in Section 7.3 and paragraphs 7.6.2 to 7.6.4 of the SoR [APP-062], the land over which SZC Co. is applying for compulsory acquisition powers is required for the development of Sizewell C or is required to facilitate or is incidental to it. The updated Appendix A of the SoR (Doc Ref. 4.1A(A)) identifies why each plot of CA Additional Land is required and demonstrates that SZC Co. has a clear idea of how it intends to use the land.</p> <p>SZC Co. has included no more land within the Order limits than is required for the project and the scope of the powers of compulsory acquisition proposed in respect of the land within the Order Limits goes no further than is needed.</p>

ExQ1	Question to:	Question:
		<p>In reaching this conclusion, a robust and comprehensive process has been undertaken for all of the land over which compulsory acquisition powers are sought, including over the CA Additional Land. This includes:</p> <ul style="list-style-type: none"> An assessment of alternatives and a site selection process: Section 7 of the SoR [APP-062] provides details of how this assessment was carried out. A full description of the alternatives considered is set out in the Planning Statement Appendix 8.4A Site Selection Report [APP-591], ES Volume 1, Chapter 4 Project Evolution and Alternatives [APP-175] and the Alternatives chapters of the ES, which are Chapter 6 of Volume 2 [APP-190] and Chapter 3 of Volumes 2 to 9 [APP-353, APP-383, APP-414, APP-450, APP-483, APP-514, APP-544], as amended by the Environmental Statement Addendum [AS-181]. With regard specifically to the CA Additional Land, SZC Co.'s design team sought to include with the Order limits the minimum amount of additional land required to deliver the necessary proposals. Design alternatives were considered to ensure that a solution which achieved lesser land take was not possible. For example, when considering amendments to the Order limits to accommodate the highway works, the design team considered whether they could instead make amendments to the road design within the limits of deviation or agree a departure from standard with SCC rather than increase the Order limits. Only where it was found that additional land was required to enable the construction, operation or maintenance of Sizewell C was it proposed. Please also see the response to Question CA.1.17 in this chapter with regard to the consideration of alternatives. Following this assessment process, SZC Co. is confident that all reasonable alternatives to compulsory acquisition (including modifications to the Sizewell C Project) have been explored. Consultation: In addition to the extensive pre-application consultation carried out as detailed in the Consultation Report [APP-068], consultation was also carried out on the proposed changes (including those changes necessitating the inclusion of CA Additional Land), as described in the Consultation Report Addendum [AS-153].

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>This consultation informed the design of the proposals and the site selection process. Sections 4 and 5 of the Consultation Report Addendum [AS-153] explain what feedback was received and how SZC Co. had regard to that feedback in finalising the change request.</p> <p>Without the grant of compulsory acquisition powers over this necessary land, the project could not go ahead.</p> <p>The interference with the human rights is legitimate</p> <p>Section 122(2) of the Planning Act 2008 provides that a DCO may include provisions authorising compulsory acquisition of land if the land is required for the development to which the DCO relates or is required to facilitate or is incidental to that development. As explained above, this condition has been satisfied. There is therefore statutory authority for the grant of the compulsory acquisition powers being sought (including those powers sought over the CA Additional Land) and thus a legitimate reason to interference with human rights.</p> <p>The use of compulsory acquisition powers would be proportionate</p> <p>The response to Question CA.1.41 of this chapter explains how the proportionality test been undertaken and why SZC Co. has reached the conclusion that the use of compulsory acquisition powers would be proportionate. These conclusions apply equally to the CA Additional Land.</p>
CA.1.44	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 3.7.2, 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.</p>
	Response	<p>The duties that apply to the protection of human rights as described in Section 7.9 of the SoR [APP-062] have also been carefully considered by SZC Co. with regard to the CA Additional Land.</p> <p>The Article 1 rights of those persons who have an interest in the CA Additional Land which is to be compulsorily acquired or temporarily possessed would be affected and their peaceful enjoyment of their property would be interfered with. However, this proposed</p>

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

ExQ1	Question to:	Question:
		<p>interference would be in the public interest and lawful; see the response to Question CA.1.40 in this chapter which applies equally to the CA Additional Land.</p> <p>All persons with an interest in the CA Additional Land would be entitled to a fair and public hearing of any objection they may have to the granting of the compulsory acquisition or temporary possession of the CA Additional Land in accordance with their Article 6 rights. This applies in particular through the relevant representation process taking place between 28 April and midday on 7 June 2021 under Regulation 7 of the Infrastructure Planning (Compulsory Acquisition) Regulations 2010, and the written and oral examination of the application under the Examination Procedure Rules 2010. Section 118 of the Planning Act 2008 creates a legal mechanism whereby the grant of a development consent order may be challenged through judicial review. Further, any claimants disputing compensation that may be payable (pursuant to a claim under the Compensation Code) can make a reference to the Upper Tribunal (Lands Chamber) for determination, providing the claimant with a fair trial in a timely manner.</p> <p>There are no homes to be acquired within the CA Additional Land and therefore Article 8 is not engaged.</p> <p>The response to Question CA.1.38 in this chapter explains the account taken by SZC Co. of the nature and use of the land (including the CA Additional Land) and the implications for the owner of taking it. The response to question CA.1.40 in this chapter explains the detailed balancing exercise that has been undertaken in weighing private losses against the public benefits of the project and identifies the factors that have been taken into account and the weight attributed to those factors. That response also identifies the discussions that were held with individual landowners and the account taken of responses to consultation. Further, it explains the efforts that have been made to limit the amount of additional land taken so as to reduce the impact on human right as much as possible.</p>
CA.1.45	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>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:</p> <p>(i) The Round House, Eastbridge Road, Leiston, (Plot Ref MMDS/01/05);</p> <p>(ii) 54 and 55 Stockhouse Cottages, Main Road, Benhall, Saxmundham, (Plot Ref: 2VB/18/02);</p>

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

ExQ1	Question to:	Question:
	Response	<p>(iii) Annison's Cottage, Annesons Corner, Middleton (Plot Ref SLR/21/16); (iv) Upper Abbey Cottage, (Plot Ref MDS/02/04).</p> <p>The need and justification for each of the residential gardens/properties are set out below.</p> <p>(i) The Round House – No works would take place to the property and it would be protected in-situ during the construction phase. However, SZC Co. recognises that the access and amenity of this property would be detrimentally affected during construction as the property would be surrounded by significant construction activities including stockpiles and borrow pits. For safety and security reasons the property would sit within the construction fence and access would be restricted during construction. There are advanced discussions between SZC Co. and the freeholder of this property in relation to acquisition of this property by agreement.</p> <p>(ii) 54 and 55 Stockhouse Cottages - There is no requirement for the dwellings to be vacated during construction. The proposed two village bypass joins into the existing A12 in this location with a small parcel of land (420.03 sqm) required for a visibility splay for the proposed altered junction. There would not be any displacement of residents from the dwellings and SZC Co. is continuing efforts to engage with the owners with a view to securing the land required for the project by private agreement.</p> <p>(iii) Annison's Cottage – There is no requirement for the dwelling to be vacated during construction. A small parcel of land (134.31sqm) is required for the construction of the Sizewell link road and would need to be retained for access to supporting infrastructure and to accommodate a realigned Public Right of Way. There would not be any displacement of residents from the dwelling, and SZC Co. is engaging with the owners of the property to secure the land required for the project by private agreement.</p> <p>(iv) Upper Abbey Cottage - No works would take place to the property and it would be protected in-situ during the construction phase. However, the existing access to this property would be interfered with during construction and the property would be surrounded by significant construction activities including an accommodation campus. For safety and security reasons the property would sit within the construction fence and access would be restricted during construction. There are advanced discussions between SZC Co. and the freeholder of this property (EDF Energy) in relation to acquisition by agreement.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>The expected public benefits of the Sizewell C Project, which would be substantial, can only be realised if the acquisition of the land required for the Sizewell C Project can be guaranteed in a timely manner and as such the compulsory acquisition powers are required and justified. The intention is to acquire land and rights by agreement, however compulsory acquisition powers are required to guarantee that these interests can be secured. An update to Appendix B to the SoR (Doc Ref. 4.1B(B)) sets out the status of discussions with owners of the Order land.</p> <p>For the reasons summarised above, the acquisition proposed in each case is necessary, has been properly justified, and is entirely proportionate to the need it is intended to address. SZC Co. is also seeking to acquire the necessary land by agreement, so as to avoid the use of compulsory powers if reasonably possible. In those circumstances the degree of interference with the owner’s Article 8 rights in each case would be lawful, necessary in the interests of the economic well-being of the country, and proportionate. It would therefore comply with Article 8(2).</p> <p>The response to Question CA.1.40 in this chapter describes the consideration given to individual rights and the wider public interest of the project. To minimise the interference with human rights, land take has been limited wherever possible.</p>
CA.1.46	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 Relevant Representation of Susanne Nujeerallee [RR-1194], states that: <i>“If Sizewell C goes ahead my family and I will be made homeless”</i>.</p> <p>(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;</p> <p>(ii) the consideration that has been given to the impact upon this family and the implications for the human rights of the individuals concerned.</p>
	Response	<p>(i) Although Upper Abbey Cottage would need to be vacated ahead of construction commencing, the property would be protected in-situ. However, the existing access to this property would be interfered with during construction and the property would be surrounded by significant construction activities including an accommodation campus. For safety and security reasons the property would sit within the construction fence and</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>access would be restricted during construction, and as such it is appropriate for SZC Co. to acquire this interest.</p> <p>(ii) An update to Appendix B to the SoR (Doc Ref. 4.1B(B)) sets out the status of discussions with owners of the Order land. Discussions are ongoing with the freeholder (EDF Energy Nuclear Generation Limited) of this property in relation to acquisition by agreement. The Interested Party is a tenant occupying under an Assured Shorthold Tenancy with the usual termination provisions. This property forms part of the EDF Energy Nuclear Generation Limited Estate, acquired (historically) to support operational needs and any future power station(s) developed at Sizewell. The response to Question CA.1.40 in this chapter describes the consideration given to individual rights and the wider public interest of the scheme. Consideration has been given to the impact on these occupiers and it has been concluded that, based on the reasons noted above, the interference with their human rights is legitimate, necessary and proportionate.</p>
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	<p>Gregory Jones QC's submission was made on behalf of his clients, Emma Louise Dowley & Laurence Justin Dowley (& the Cripps Trust Corporation Limited) of the Theberton House estate, Nathaniel John Bacon (and the Margaret Anne Bacon & James John Skellorn Trust) of Theberton Hall Farm, and David Peter Napier Grant of Fordley Hall.</p> <p>There have been extensive negotiations with Gregory Jones QC's clients over many years, with meetings held with the parties' respective agents, and the relevant professional experts as required. Heads of Terms were issued to the landowners in December 2019, and the landowners have been represented at Land Interest Group meetings by their agents to progress negotiations on the Heads of Terms for over a year. The Written</p>

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

ExQ1	Question to:	Question:
		<p>Submissions in Response to Oral Submissions made at Open Floor Hearings (Doc Ref. 9.26) submitted at Deadline 2 provides additional detail on landowner engagement to date.</p> <p>As detailed in the update to Appendix B to the SoR (Doc Ref. 4.1B(B)), as a consequence of these negotiations, Heads of Terms for a private treaty negotiation were signed on 30th April 2021 by Nathaniel Bacon, the Margaret Anne Bacon & James John Skellorn Trust, and David Grant. This progress clearly demonstrates SZC Co.'s efforts to negotiate to acquire land by agreement and that these efforts are consistent with Guidance. Signed Heads of Terms have subsequently been issued to the solicitors, to draft the contractual agreement for the land rights sought by the project.</p> <p>SZC Co. and Mr and Mrs Dowley (and the Cripps Trust Corporation Limited) have not yet agreed terms, SZC Co. will also continue to seek a private treaty agreement with the landowners.</p> <p>The response to Question CA.1.17 in this chapter sets out in detail the consideration given to alternative sites and refers to the relevant Application documents for further information.</p> <p>The draft DCO (Doc Ref. 3.1(C)) includes powers of temporary acquisition for all of the Order land. Therefore, the draft DCO provides the Undertaker with the flexibility to occupy land temporarily, and only acquire land that is subsequently confirmed as being required permanently. The SoR [APP-062], at paragraph 5.3.9, explains that Article 30 of the dDCO would allow SZC Co. to compulsorily acquire rights over land as well as (or instead of) the land itself. This would allow SZC Co., if appropriate, to reduce the area of outright acquisition and rely on the creation and acquisition of new rights instead. The responses to Questions CA.1.1, 1.4 and 1.5 in this chapter provide further detail on the ways in which the draft DCO enables less draconian alternatives to permanent acquisition to be used where appropriate.</p>
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>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	Since submission of the Book of Reference [APP-067] , a number of changes to ownership and addresses have taken place that SZC Co. is aware of. SZC Co. has submitted an updated version of the Book of Reference (Doc Ref. 4.3(A)) with this submission.
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> <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	<p>(i) SZC Co. is confident that a robust and diligent inquiry process has been undertaken to identify relevant persons with an interest in land. The land referencing methodology that has been implemented is explained in the Consultation Report [APP-068] at paragraph 2.4.18 and in the SoR [App- 062] at paragraph 9.1.2. There remain a small number of parcels where ownership remains unknown as documented in the updated Book of Reference (Doc Ref. 4.3(A)) - please refer to the response to Question CA.1.55.</p> <p>(ii) The approach to the identification of Category 3 persons is set out in the SoR [APP-062] at paragraph 9.1.3. SZC Co.'s land team reviewed the proposed works, along with the likely impacts of those works, and used professional judgement to identify those persons who might be able to make a '<i>relevant claim</i>' as defined in section 44 of the Planning Act 2008.</p> <p>(iii) A conservative approach was adopted to ensure that all parties who may potentially be entitled to make a relevant claim were included in the consultation process and ultimately listed in the updated Book of Reference (Doc Ref. 4.3(A)). Where there was any reasonable doubt in a party's potential entitlement to make a relevant claim, they were included. SZC Co. considers that a conservative approach is the most appropriate in order to ensure that all potentially impacted parties have been included in the process.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
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	<p>SZC Co. is continuing to engage with affected parties through its land agents in an attempt to acquire the required land and rights by private agreement. Any changes in ownership or occupancy that are identified will be passed through to the land referencing team to update the Book of Reference (Doc Ref. 4.3(A)) accordingly. A number of parties did not return completed Request For Information forms or refused to provide additional information. These extra parties may come to light in the future through on-going discussions and will be included in the Book of Reference at that time. SZC Co. will continue to review the Land Registry and changes to ownership/occupancy and update the Book of Reference as required/requested through the examination process through the provision of updated versions of the Book of Reference and Land Plans [AS-108].</p>
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	<p>The 'Planning Act 2008: Guidance related to procedures for the compulsory acquisition for land', Annex D, paragraph 10 states:</p> <p><i>"Where it is proposed to create and acquire new rights compulsorily they should be clearly identified. The book of reference should also cross-refer to the relevant articles contained in the development consent order."</i></p> <p>The proposed new rights have been identified and cross-referenced to the relevant articles in the draft DCO (Doc Ref. 3.1(C)) in column 2 of Part 1 of the updated Book of Reference (Doc Ref. 4.3(A)), which provides a class of right as described in Table 2.1 of the introduction.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
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>
	Response	See the response to Question CA.1.51 in this chapter.
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	<p>The 'Planning Act 2008: Guidance related to procedures for the compulsory acquisition for land', Annex D, paragraph 8 states:</p> <p><i>"Applicants will need to be aware that each part in the book of reference serves a different purpose and persons may need to be identified in one or more parts. For example, a person entitled to enjoy easements or other private rights over land which the applicant proposes to extinguish, suspend or interfere with identified in Part 3 should also be recorded in Part 1 as a person within categories 1 or 2 as set out in section 57 of the Planning Act. Part 4 should specify the owner of any Crown interest in land it is proposed to be used for the purposes of the development consent order. Some (although not necessarily all) of these Crown interests may also be identified in the descriptions of land contained in Part 1 which will be subject to powers of compulsory acquisition, rights to use land or rights to carry out protective works to buildings."</i></p> <p>As explained in paragraph 1.1.4 of the updated Book of Reference (Doc Ref. 4.3(A)), the document is split into the required five parts in accordance with Regulation 7(1) of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009. Persons are listed in each applicable part, with some persons listed in more than one part as required.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		All parties listed in Part 3 of the updated Book of Reference (Doc Ref. 4.3(A)) also appear in Category 2 (or Category 1 for other parcels where they have a required interest) in Part 1 of the updated Book of Reference . No additional parties are included in Part 3.
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	<p>Land initially identified as unregistered through searches of the Land Registry was periodically checked through the Land Registry to determine if a new title had been registered or if there was a title pending. Checks were undertaken through official searches of the index map (known as SIM searches) and by using the online map search facility.</p> <p>Where previously unregistered land became registered, the title documents were downloaded, reviewed, and Request For Information forms were issued to those parties now registered with an interest. The same land referencing approach was undertaken for these areas of land as described in the Consultation Report [APP-068] at paragraph 2.4.18 and parties were written to on numerous occasions, along with phone calls and emails to verify information and details of other parties with an interest in the land. This was a thorough and robust approach on which reliance can be placed.</p>
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	<p>The following is a definitive list of plots where ownership remains unknown and no information has been provided: MDS/01/04, MDS/02/17, MDS/04/08 and SPR/16/04. SZC Co. will continue to seek to identify outstanding details through continued inquiries and discussions with affected parties.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
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>
	Response	<p>All Request For Information forms were issued via post (an example is shown in Appendix G6 of the Consultation Report [APP-084]) and were accompanied by a covering letter (Appendix 11A - SZC RFI draft Cover Letter). This letter was updated throughout the process to reflect the varying stages that the forms were issued. However, all versions of the covering letter clearly set out details of:</p> <ul style="list-style-type: none"> • The project • The purpose of the referencing form • The importance of completing the form • Reference to the land in question through description, title number and the inclusion of a plan (title plan or draft land plan section, once these were available) • Details of SZC Co.'s land referencing providers who could be contacted to help with the completion of the form or any questions asked • Details of where further information on the project could be found and how SZC Co.'s land agents could be contacted <p>The following paragraph was included in the covering letter along with the information above:</p> <p><i>"We would therefore be grateful if you could please complete the enclosed request for information form with as much detail as possible and return to Ardent (along with any marked-up plans if helpful) using the pre-paid envelope provided within 14 days. If you require any assistance with completing the form, please do not hesitate to contact Ardent using the details provided below."</i></p> <p>Where forms were not returned, follow up letters were issued and these contained the following (or equivalent) text:</p> <p><i>"We recently sent a letter and an accompanying Request for Information (RFI) to you. Collecting this information is key to ensure those parties who hold an interest in and/or</i></p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p><i>rights over land and property, potentially affected by the project are consulted when EDF Energy launches Stage 3 Public Consultation on Sizewell C in January next year. Please complete the RFI form including as many details as possible as to the ownership and occupancy of your land, and return to Ardent. It is in your interest to ensure we hold the correct details for your property. If you have lost your form or require any assistance completing it, please do not hesitate to contact us on the details below. Alternatively you can confirm your details via email. If you have recently posted your RFI form then please ignore this letter."</i></p> <p>Where responses were still not received via post, site visits were conducted and the land referencing questionnaire (shown in Appendix G4 of the Consultation Report [APP-084]) was completed on site by the land referencing consultants. It contains the principal details that are required through the referencing process and is a condensed version of that shown in Appendix G6 to increase efficiency of completion on site. Where a party was not present at a visited property, a copy of the questionnaire was hand posted through the door, along with a pre-paid return envelope and short covering note to explain the purpose and importance of the process.</p>
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	<p>These matters are considered within the Statement of Common Ground between SZC Co. and the Nuclear Decommissioning Authority and Magnox Limited (Doc Ref. 9.10.19).</p>
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</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>inquiries that have been made and justification for the reliance placed upon the outcome of those inquiries.</p>
	<p>Response</p>	<p>Diligent inquiry was commenced in relation to the CA Additional Land in November 2020. Where the CA Additional Land formed part of the same title as land within the Order limits, the Land Registry was used to check if there had been any changes to the title. Request for Information forms (with covering letters) including plans showing the CA Additional Land were issued to all landowners, occupiers and those with other rights in the CA Additional Land. SZC Co. also included within these letters a list of all other affected persons (based on previous land referencing exercises) it believed held an interest in that CA Additional Land for the recipient to verify and confirm those details. Where possible, unreturned Requests For Information forms were followed up by phone or email. Where the CA Additional Land was unregistered, site notices were also erected on or in the vicinity of the CA Additional Land. This was a thorough and robust approach on which reliance can be placed.</p>
<p>CA.1.59</p>	<p>The Applicant</p>	<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 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.</p>
	<p>Response</p>	<p>(i) Section 138 of the Planning Act 2008 relates to orders granting development consent which authorise the acquisition of land falling into one or more of two categories. One</p>

ExQ1	Question to:	Question:																								
		<p>category is land on, under or over which a statutory undertaker has erected apparatus or where electronic communications apparatus is kept installed. The other category is land in respect of which a statutory undertaker or electronic communications code network operator has a specified right. Orders may include a provision requiring the removal of such apparatus or the extinguishment of such rights only if the Secretary of State is satisfied that it is necessary for carrying out the development. Section 138 is therefore engaged because there are a number of statutory undertakers' apparatus which may need to be removed (and relocated, replaced or diverted) in order to facilitate the delivery of the authorised development.</p> <p>i) The relevant statutory undertaker whose apparatus may need to be removed or rights extinguished in order to facilitate the delivery of the authorised development are as follows:</p> <table border="1" data-bbox="763 691 1966 1458"> <thead> <tr> <th data-bbox="763 691 1167 911">Project Area</th> <th data-bbox="1167 691 1565 911">Statutory Undertaker</th> <th data-bbox="1565 691 1966 911">Apparatus to be Diverted (subject to detailed design this apparatus may remain in situ and be protected)</th> </tr> </thead> <tbody> <tr> <td data-bbox="763 911 1167 991">Main Development Site</td> <td data-bbox="1167 911 1565 991">UK Power Networks</td> <td data-bbox="1565 911 1966 991">1 x overhead line and 3 x underground cable</td> </tr> <tr> <td data-bbox="763 991 1167 1038">Main Development Site</td> <td data-bbox="1167 991 1565 1038">BT Openreach</td> <td data-bbox="1565 991 1966 1038">1 x underground cable</td> </tr> <tr> <td data-bbox="763 1038 1167 1110">Main Development Site</td> <td data-bbox="1167 1038 1565 1110">Anglian Water</td> <td data-bbox="1565 1038 1966 1110">1 x water pipe (this pipe is abandoned)</td> </tr> <tr> <td data-bbox="763 1110 1167 1222">Main Development Site – branch line level crossing</td> <td data-bbox="1167 1110 1565 1222">Essex and Suffolk Water</td> <td data-bbox="1565 1110 1966 1222">1 x 8" water pipe</td> </tr> <tr> <td data-bbox="763 1222 1167 1302">Freight Management Facility</td> <td data-bbox="1167 1222 1565 1302">BT Openreach</td> <td data-bbox="1565 1222 1966 1302">1 x underground cables</td> </tr> <tr> <td data-bbox="763 1302 1167 1382">Freight Management Facility</td> <td data-bbox="1167 1302 1565 1382">Virgin Media</td> <td data-bbox="1565 1302 1966 1382">1 x underground cable</td> </tr> <tr> <td data-bbox="763 1382 1167 1458">Green Rail Route</td> <td data-bbox="1167 1382 1565 1458">Cadent Gas Ltd</td> <td data-bbox="1565 1382 1966 1458">1 x medium pressure gas pipe</td> </tr> </tbody> </table>	Project Area	Statutory Undertaker	Apparatus to be Diverted (subject to detailed design this apparatus may remain in situ and be protected)	Main Development Site	UK Power Networks	1 x overhead line and 3 x underground cable	Main Development Site	BT Openreach	1 x underground cable	Main Development Site	Anglian Water	1 x water pipe (this pipe is abandoned)	Main Development Site – branch line level crossing	Essex and Suffolk Water	1 x 8" water pipe	Freight Management Facility	BT Openreach	1 x underground cables	Freight Management Facility	Virgin Media	1 x underground cable	Green Rail Route	Cadent Gas Ltd	1 x medium pressure gas pipe
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ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:		
		Green Rail Route	UK Power Networks	1 x overhead line
		Green Rail Route	Virgin Media	1 x underground cable
		A1094/B1069 South of Knodishall	UK Power Networks	1 x overhead line
		A12/A144 Junction	BT Openreach	1 x overhead line
		A12/A144 Junction	UK Power Networks	1 x underground cable
		Northern Park and Ride	BT Openreach	1 x overhead line
		Northern Park and Ride	UK Power Networks	3 x overhead lines
		Southern Park and Ride	BT Openreach	1 x underground cable
		Southern Park and Ride	UK Power Networks	1 x overhead line
		Sizewell Link Road	Cadent Gas Ltd	1 x low pressure gas pipe
		Sizewell Link Road	Essex and Suffolk Water	1 x 3" water pipe 1 x 4" water pipe 1 x water main
		Sizewell Link Road	BT Openreach	5 x overhead line 2 x underground cable
		Sizewell Link Road	UK Power Networks	6 x overhead line 1 x underground cable
		Sizewell Link Road	Virgin Media	2 x underground cable
		Two Village Bypass	Essex and Suffolk Water	1 x 8" pipe
		Two Village Bypass	BT Openreach	3 x overhead line 3 underground cable
		Two Village Bypass	UK Power Networks	3 x overhead line
		Yoxford Roundabout	Essex and Suffolk Water	1 x 4" pipe
		Yoxford Roundabout	BT Openreach	1 x overhead line 1 x underground cable
<p>SZC Co. is continuing to progress the detailed design of relevant parts of the project that interface with apparatus in a manner that is agreeable with the relevant statutory undertaker. SZC Co. considers that good progress has been made to date. SZC Co. aims</p>				

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>to minimise the interactions and disturbance of apparatus during the construction works and operation of the authorised development so as to ensure that apparatus is only removed (and relocated, replaced or diverted) where necessary. Where possible, SZC Co. aims to protect apparatus in situ rather than to remove apparatus. Nonetheless, it may be necessary in certain circumstances, for example when carrying out works in the highway, to extinguish rights or remove apparatus of statutory undertakers (and relocate, replace or divert them elsewhere). The position with regard to the potential extinguishment of rights or removal of apparatus with all of the persons referred to above is to be regulated through appropriate protective provisions, which provide statutory protections to those persons so as to ensure matters are progressed in agreement and subject to appropriate independent arbitration where necessary, and that appropriate alternative apparatus is provided as agreed prior to any extinguishment or removal. The position with regard to protective provisions in relation to the persons listed above is provided in the responses to Questions CA.1.60-1.66 below.</p> <p>The Status of Negotiations with Statutory Undertakers Tables (Doc Ref 4.1C(A)) provides an overview of Statutory Undertakers affected and the plot numbers where the relevant apparatus is located.</p> <p>(iii) As detailed above, SZC Co. is working with statutory undertakers to finesse the detailed design where the authorised development interacts with statutory undertakers' apparatus or rights. As an overarching principle, the amount of land required for the project has been minimised as much as possible, and this is under regular review. SZC Co. has taken a proportionate approach to the acquisition of land and rights required for the construction and operation of the project, taking account of the stage of the development of design.</p>
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</p>

ExQ1	Question to:	Question:
		<p>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>
	<p>Response</p>	<p>(i) Standard protective provisions to cover all statutory undertakers were included in the original draft DCO [APP-059] submitted in May 2020 (Part 1 and 2 of Schedule 18). These standard protective provisions were issued to all statutory undertakers in November 2019. A number of statutory undertakers have engaged with SZC Co., requesting agreement on bespoke protective provisions. Bespoke protective provisions were included in the draft DCO in the January 2021 submission at the request of a number of statutory undertakers, including Network Rail, Anglian Water, National Grid Electricity Transmission and Cadent Gas Limited (Parts 3-6 of the DCO). Essex and Suffolk Water have since requested bespoke protective provisions are included in the DCO. SZC Co. is continuing to engage with each of the parties who have requested bespoke protective provisions with a view to agreeing appropriate provisions. Details of the status of negotiations on the protective provisions is included in the Statements of Common Ground with the respective parties.</p> <p>(ii) As stated above, all statutory undertakers which were identified to have apparatus within the Order limits were contacted and provided with the protective provisions included in the draft DCO in November 2019. A full list of these Statutory Undertakers can be found in the SoR 'Status of Negotiations with Statutory Undertakers' (Doc Ref 4.1C(A)), an updated version of which has been submitted at Deadline 2, which provides details of the Statutory Undertakers who have confirmed agreement of the draft DCO protective provisions. The Statutory Undertakers who have not confirmed agreement (as detailed in the Status of negotiations table) are set out below:</p> <p>CityFibre</p> <p>CityFibre have apparatus affected on the A12/B1122. Protective provisions for the protection of electronic communications networks are included at Part 2 of Schedule 18 of the draft DCO, which are in standard form across many made DCOs. Under these protective provisions, SZC Co.'s exercise of the powers in article 40 is subject to Part 10 of Schedule 3A of the Communications Act 2003 (undertaker's works affecting electronic communications apparatus). SZC Co.'s position is that appropriate protective provisions</p>

ExQ1	Question to:	Question:
		<p>are provided within the draft DCO for the protection of CityFibre's apparatus and that CityFibre will therefore not suffer any serious detriment to the carrying on of its operations.</p> <p>GTC Pipelines Limited</p> <p>GTC Pipelines Limited have gas assets located at the Southern Park and Ride which are intended to be protected in situ. Protective provisions for the protection of Electricity, Gas, Water and Sewerage Undertakers are included at Part 1 of Schedule 18 of the draft DCO, which are in standard form across many made DCOs. Under these protective provisions:</p> <ul style="list-style-type: none"> • In respect of the removal of apparatus, SZC Co. is required to ensure alternative apparatus has been constructed and is in operation to the reasonable satisfaction of the statutory undertaker, together with any necessary rights for maintenance of the apparatus, prior to exercising the powers conferred by the Order; and • In respect of retained apparatus, a plan, section and description of the works must be submitted to the statutory undertaker prior to commencing any works. The works must be executed in accordance with the submitted plan, section and description and any reasonable requirement of the statutory undertaker and under its watch and inspection if it should so choose. <p>SZC Co.'s position is that appropriate protective provisions are provided within the draft DCO for the protection of GTC Pipelines Limited 's apparatus and that GTC Pipelines Limited will therefore not suffer any serious detriment to the carrying on of its undertaking.</p> <p>GTT</p> <p>GTT have assets at the A1094/B1068 highway improvement works south of Knodishall will be intended to be protected in situ. Protective provisions for the protection of electronic communications networks are included at Part 2 of Schedule 18 of the draft DCO, which are in standard form across many made DCOs. Under these protective provisions, SZC Co.'s exercise of the powers in article 40 is subject to Part 10 of Schedule 3A of the Communications Act 2003 (undertaker's works affecting electronic communications apparatus). SZC Co.'s position is that appropriate protective provisions are provided within the draft DCO for the protection of GTT's apparatus and that GTT will therefore not suffer any serious detriment to the carrying on of its operations.</p>

ExQ1	Question to:	Question:
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	<p>In their relevant representation [RR-0006] Network Rail (NWR) identified that in order to be in a position to withdraw its objection NWR requires:</p> <p><i>"(a) further information from the Applicant about the Proposed Works and the Freight Use;</i> <i>(b) agreements with the Applicant regulating the manner in which rights over the Plots are acquired and the manner in which work impacting the Plots, and any other land owned by NWR, is carried out, including terms protecting NWR's statutory undertaking;</i> <i>(c) agreement that the Compulsory Powers will not be exercised; and</i> <i>(d) the inclusion of appropriate protective provisions in the Order for its benefit. Network Rail is concerned that no protective provisions for its benefit have been provided for in the Order but has received confirmation from the Applicant that it does intend to include protective provisions for Network Rail in the next draft of the Order."</i></p> <p>The current status of each of these matters is as follows:</p> <p>(a) NWR and SZC Co. have been engaging positively over several years to discuss the proposed delivery of materials to the development site by rail, and the extent of the works required to facilitate these deliveries. This engagement has continued since relevant representations were submitted and is described in the Statement of Common Ground, which is currently being finalised and summarised in SZC Co.'s response to Question TT.1.3 in Chapter 24 (Part 6) of this report. SZC Co has provided the information requested by NWR.</p> <p>This has involved assessing the capability of the existing railway infrastructure, to determine the extent of the physical works required to enable operation of the proposed SZC Co. freight services. NWR and SZC Co. have been working closely together to complete these assessments, in line with agreements in place between the parties.</p> <p>The scope of physical works required to the Saxmundham to Leiston (SIZ) branch line and its junction with the ESK line has been broadly agreed, with the design currently</p>

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

ExQ1	Question to:	Question:
		<p>approaching GRIP 3 status, as described in SZC Co.'s response to Question G1.51 in Chapter 2 (Part 1) of this report. Technical reviews of the SZC Co. proposals by the NWR engineering team have commenced, with NWR acceptance of the proposed solution anticipated in late summer 2021.</p> <p>(b) As part of the ongoing engagement in respect of the proposed works, NWR and SZC Co. are also currently negotiating or planning to negotiate several separate agreements, under which the parties will agree the terms of engagement in respect of the project. These include a Framework Agreement and a Statement of Common Ground, and several delivery agreements. The SZC Co. response to Question G1.51 in Chapter 2 (Part 1) of this report lists the agreements which are to be put in place between NWR and SZC Co. The purpose of the Framework Agreement is to regulate aspects of the relationship between NWR and SZC Co. to ensure that NWR's interests are properly protected in relation to the implementation of the Works, including temporary occupation by SZC Co. of NWR property, thus allowing NWR to withdraw its objection to the Order. Draft versions of the Agreement have been shared between the parties, and negotiation of the contents are ongoing, with a target for reaching agreement in summer 2021.</p> <p>SZC Co. is in the process of providing the information required by NWR to progress through their internal Land Clearance process, necessary to reserve each plot for use by SCZ Co. This includes information on rights required and the nature of the works to be undertaken across each of the plots in the Order limits.</p> <p>(c) SZC Co. considers that the land and rights can be acquired without serious detriment to the carrying on of NWR's undertaking and is continuing to engage with NWR in this regard and to secure the required land and rights through private agreements.</p> <p>(d) SZC Co. are in the process of agreeing Protective Provisions with NWR as part of the Framework Agreement. Bespoke Protective Provisions for NWR were included in the January 2021 submission of the draft DCO.</p>
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> <p>(i) Has the proposed amendment to Article 23 draft DCO been agreed? If not, why not?</p> <p>(ii) Have the specific protective provisions suggested by Anglian Water been agreed? If not, why not?</p> <p>(iii) Please indicate whether agreement has been reached in relation to temporary</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		possession of land in Anglian Water's ownership to provide access to a proposed construction compound for the proposed Yoxford Roundabout?
	Response	These matters are considered in the Statement of Common Ground between the Applicant and Anglian Water Services Ltd (Doc Ref 9.10.1).
CA.1.63	The Applicant	The acquisition of Statutory Undertakers' land – s127 PA2008 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?
	Response	These matters are considered in the Statement of Common Ground between SZC Co. and Cadent Gas Limited (Doc Ref. 9.10.9).
CA.1.64	The Applicant	The acquisition of Statutory Undertakers' land – s127 PA2008 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?
	Response	These matters are considered in the Statement of Common Ground between SZC Co. and National Grid Electricity Transmission Ltd (NGET) (Doc Ref. 9.10.8).
CA.1.65	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 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 an update on progress and indicate whether such protective provisions have been agreed. If not, please set out any areas of disagreement?

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	These matters are considered in the Statement of Common Ground between SZC Co. and East Suffolk Internal Drainage Board (Doc Ref. 9.10.3).
CA.1.66	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 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?</p>
	Response	These matters are considered further within the Statement of Common Ground between SZC Co. and the Nuclear Decommissioning Authority and Magnox Limited (Doc Ref. 9.10.19).
CA.1.67	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 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?</p>
	Response	SZC Co. considers that the Article 21 process provides sufficient protection to SCC in their role as Highway Authority. SZC Co. will continue to work with SCC to ensure they are comfortable. Please see the response to Question DCO.1.30 in Chapter 14 (Part 4) of this report which explains the Article 21 process.
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</p>

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

ExQ1	Question to:	Question:
		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.
	Response	Discussions with the Crown Estate began in 2012 and regular engagement has been ongoing. Due to some of the specific detail required for these agreements to be completed not being available, these agreements were not completed prior to the submission of the Application in May 2020. Following the submission of the change request application in January 2021 [AS-105], an additional agreement is also being sought with the Crown Estate for the additional offshore infrastructure. The Crown Estate and SZC Co. lawyers are engaged in order to complete these agreements, with key points already agreed. SZC Co. expects to complete these agreements before the end of examination.
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	With regards to the acquisition of the required offshore interests (plots MDS/06/01 and MDS/06/02), the Crown Estate and SZC Co. lawyers are engaged in order to complete the relevant agreements, with key points already agreed. SZC Co. expects to complete these agreements before the end of Examination. With regards to the consent required under section 135(2) of the Planning Act 2008 (consent to include in a DCO a provision applying in relation to Crown land, or rights benefiting the Crown), SZC Co. is engaged with the Crown Estate and relevant Crown Authorities and draft section 135 letters have been issued in respect of each of these interests in order for consent to be granted.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>In relation to consents or voluntary agreements with the Department for Transport (plot numbers OHI/24/02 and OHI/24/06), SZC Co. has received confirmation from the Department for Transport that these plots now vest in the Local Highway Authority (SCC) due to the road being de-trunked. As a result of this section 135 consent is no longer required for these plots. SZC Co. has updated the Book of Reference (Doc Ref. 4.3(A)) and Crown Land Plans (Doc Ref. 2.2(B)) accordingly.</p> <p>In relation to the Department for Education land (plot number SF/11/01), SZC Co. will provide a contribution to fund the construction of the Leiston sports facilities which will be managed by East Suffolk Council as detailed in the Draft Deed of Obligation (Doc Ref. 8.17). SZC Co. has engaged with the Department for Education in relation to this and the securing of consent under section 135 of the Planning Act 2008.</p>
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>
	Response	<p>A detailed analysis has been undertaken of all separate consents, licences and approvals that are required for the Sizewell C Project, and details are provided in the Schedule of Other Consents and Licences [APP-153]. It is not envisaged that there will be any impediment to the grant of any such consent, licence or approval and SZC Co. is not aware of any reason why they should not be forthcoming. This has been kept under review and an updated version of the Schedule of Other Consents and Licences will be provided at Deadline 3 . The analysis has been undertaken in consideration of the likely timescales and phasing of the Sizewell C Project as set out in the Implementation Plan (Doc Ref. 8.4I(A)).</p>
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</p>

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

ExQ1	Question to:	Question:
		<p>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	<p>The permanent nature of the Sizewell link road was consulted on as part of the Stage 4 pre-application consultation. The majority of the responses received opposed the removal of the Sizewell link road.</p> <p>It was considered by SZC Co. that it would be preferable to avoid further disruption to local residents and the environment by removing the road. Further, regular outages at Sizewell B and Sizewell C will generate significant amounts of traffic, the impacts of which will be alleviated by permanent retention of the Sizewell link road. In addition, permanent retention of the Sizewell link road will create significant positive legacy benefits in respect of the character of the B1122 and its attractiveness for cycling.</p> <p>For those reasons a decision was made to propose the Sizewell link road as a permanent facility, rather than temporary and to leave it as a lasting legacy of the Sizewell C Project. Further detail as to why the Sizewell link road should be retained for the operational phase, is set out at Sizewell Link Road: Principle and Route Selection Response Paper (Chapter 3, Section viii, paragraphs 3.1.131 to 3.1.134) at Appendix 5D of Chapter 5. As a result of the above the permanent acquisition of land for the Sizewell link road is justified.</p>
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	<p>The Schedule of Other Consents, Licences and Agreements [APP-153] contains a list of the other consents, licences and agreements that are required (in addition to the DCO) to allow the construction, operation and maintenance of the Sizewell C Project. The Schedule contains a separate section for each of the main project components and is based on an understanding of the location of, and the activities to be undertaken for, each component. The Schedule also specifies the relevant legislation, the relevant body, the anticipated submission dates/timescales and the status. An updated version of Schedule</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>of Other Consents, Licenses and Agreements will be provided at Deadline 3. SZC Co. is continuing to engage in discussions with the relevant bodies to further refine the list of consents, licences and agreements. This will be an ongoing process throughout the construction and commissioning phases of the project.</p>
CA.1.73	<p>The Applicant</p> <p>Response</p>	<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> <p>The implications of the policies now adopted in the Suffolk Coastal Local Plan 2020 are detailed in the relevant Planning Statements for the AD sites [APP-592 to APP-598]. Whilst these Planning Statements refer to the Local Plan as emerging, nothing has changed in the adopted plan that would alter the assessment of compliance with these policies. This is explained in Appendix B of the Planning Statement Update (Doc Ref. 8.4Ad).</p> <p>The Suffolk Coastal Local Plan 2020 states at paragraph 3.15 that the Council will take a positive approach to land allocations which are required to meet the demands of Sizewell Nuclear Power Station, and that are well related to the A12 and A14 corridors. Policy SCLP3.4 of the Suffolk Coastal Local Plan 2020 concerns proposals for major energy infrastructure projects. It states that such proposals will require that 'appropriate road and highway measures are introduced (including diversion routes) for construction, operational and commercial traffic to reduce the pressure on the local communities'.</p> <p>In terms of the area specific strategies in the Suffolk Coastal Local Plan 2020 for the villages listed in the SoR, the strategies set out a vision for these communities over the plan period, including plans for housing and growth. Whilst they are not overtly concerned with the development of Sizewell C, the strategy for Leiston acknowledges that major energy infrastructure proposals will have an influence that will need to be addressed in future revisions of the Local Plan and Neighbourhood Plans as appropriate.</p> <p>Para. 12.279 in the Strategy for Leiston mentions Sizewell C specifically, stating that the nationally significant decisions made in respect of Sizewell C or other major energy projects will have impacts locally which the Neighbourhood Plan (or Local Plan) will seek to</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>mitigate in future revisions. This may include planning policies in respect of local housing needs, the private rented sector and houses of multiple occupation (HMO).</p> <p>The Strategy for Saxmundham provides detail on the South Saxmundham Garden Neighbourhood, which was a consideration in the route selection of the Sizewell Link Road. For more detail on this please refer to Section 6, and paragraph 6.1.58, of the Sizewell Link Road: Principle and Route Selection Paper (Appendix 5D of Chapter 5).</p> <p>The Strategy for the Rural Areas, which includes Darsham, states in Policy SCLP12.34 that the strategy seeks to deliver 'opportunities for employment development alongside the protection of existing employment uses'. Whilst there is not a site specific policy relating to the northern park and ride site at Darsham, but para. 12.501 states:</p> <p><i>"Land to the north of the station, in between the railway line and the A12, is being promoted by EDF Energy as a possible site for a Park and Ride facility associated with the proposed Sizewell C nuclear power station. However this site is also considered a suitable location for employment development. Depending on future need to support the development of Sizewell C, development for employment uses will be supported."</i></p>
CA.1.74	The Applicant	<p>Other matters</p> <p>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.</p>
	Response	<p>An update to Appendix B of the SoR 'Status of Negotiations with Owners of the Order Land' (Doc Ref. 4.1B(B)) is included with this submission.</p>
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>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	<p>An update to Appendix B to the SoR (Doc Ref. 4.1(B)) included with this submission provides a summary of the status of negotiations with landowners. Agreement has been reached (subject to contract) to acquire the interests required by SZC Co. in relation to this land. The Heads of Terms for the private agreement to acquire this land provide detail as to how the land is proposed to be used and ensure that any use of the land is limited only to that which is absolutely required to deliver the project. The Heads of Terms also provide assurances as to the landowners' ongoing use of the land and enjoyment of the retained land.</p> <p>The response to Question CA.1.17 of this chapter explains the consideration that has been given to alternatives and refers to the relevant documents submitted with the Application which provide further information.</p> <p>The response to Question CA.1.40 of this chapter considers the approach taken regarding the potential interference with human rights.</p>
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	<p>An update to Appendix B to the SoR (Doc Ref. 4.1(B)) included with this submission provides a summary of the status of negotiations with landowners including LJ and EL Dowley Farming Partnership. The reasons for the powers sought and the need for the land and rights are set out in Section 7.3 of the SoR [APP-062] and the updated Appendix A of the SoR (Doc Ref. 4.1A(A)). However, for the avoidance of doubt this has been detailed below:</p> <ul style="list-style-type: none"> • MDS/01/09 and MDS/02/01 are required to facilitate the construction and use of the new site entrance roundabout and associated highway infrastructure • MDS/01/03 is required for a temporary construction area including a borrow pit

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<ul style="list-style-type: none">• SLR/22/21 and SLR/22/24 are required for highway verge tie in works for the Sizewell link road to the existing B1122 <p>The response to Question CA.1.17 of this chapter sets out in detail the consideration given to alternative sites and refers to the relevant documents submitted with the Application which provide further information.</p> <p>The draft DCO (Doc Ref. 3.1(C)) includes powers of temporary acquisition for all of the Order land. Therefore, the draft DCO provides the Undertaker with the flexibility to occupy land temporarily, and only acquire land that is subsequently confirmed as being required permanently. The SoR [APP-062], at paragraph 5.3.9, explains that Article 30 of the draft DCO would allow SZC Co. to compulsorily acquire rights over land as well as (or instead of) the land itself. This would allow SZC Co., if appropriate, to reduce the area of outright acquisition and rely on the creation and acquisition of new rights instead. The responses to questions CA.1.1, 1.4 and 1.5 of this chapter provide further detail on the ways in which the draft DCO enables less draconian alternatives to permanent acquisition to be used where appropriate.</p> <p>Questionnaires and interviews have been used to inform the Soils and Agricultural Land Assessment [APP-171] to assess the impact on holdings and businesses and allow mitigation measures to be included within the proposals where appropriate. Where this was not possible, publicly available information was used to inform the assessment. Since this assessment was undertaken, SZC Co. and its agents and advisors have continued to engage with LJ and EL Dowley Farming Partnership and their agents to consider further the impact of the proposal on the holding and farming business. Based on the information provided to date, SZC Co. believes that the minimal land required by the project (circa 6% of the holding) would not make the arable business unviable but it is working to further understand the concerns raised by the LJ and EL Dowley Farming Partnership.</p> <p>The response to Question CA.1.40 in this chapter considers the approach taken to the potential interference with human rights.</p>

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	<p>An update to Appendix B to the SoR (Doc Ref. 4.1B(B)) included with this submission provides a summary of the status of negotiations with landowners – agreement has been reached (subject to contract) to acquire the interests required by SZC Co. in relation to the interest held by N J Bacon Farms.</p> <ul style="list-style-type: none"> (i) The reasons for the powers sought and the need for the land and rights for the proposed project are set out in Section 7.3 of the SoR [APP-062] and the updated Appendix A of the SoR (Doc Ref. 4.1A(A)) – the land owned by NJ Bacon Farms is required for the construction of the Sizewell link road and associated infrastructure. (ii) The response to Question CA.1.17 in this chapter sets out in detail the consideration given to alternative sites and refers to documents submitted with the Application for further details. <p>The draft DCO (Doc Ref. 3.1(C)) includes powers for temporary and permanent acquisition for all the Order land. The SoR [APP-062], paragraph 5.3.9, explains that Article 30 of the draft DCO would allow SZC Co. to compulsorily acquire rights over land as well as (or instead of) the land itself. This would allow SZC Co., if appropriate, to</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>reduce the area of outright acquisition and rely on the creation and acquisition of new rights instead.</p> <p>(iii) The response to Question CA.1.40 in this chapter considers the approach taken to the potential interference with human rights. SZC Co.'s understanding of the impact on the business was initially based only on publicly available information. SZC Co.'s agent, Dalcour Maclaren, have more recently met with N J Bacon Farms a number of times and now have a greater understanding of the business. Access to any agricultural fields crossed by the alignment of the SLR has and will be accommodated in the scheme design to minimise the impact on the landowner's business. SZC Co. also continues to liaise with all affected landowners regarding details of their agricultural drainage and irrigation in order to ensure designs to accommodate any impact to these is again included in the scheme design.</p> <p>(iv) Suitable works have been included in the design for the road to ensure access continues to be available to fields either side of the road. These will be reviewed throughout the detailed design to ensure they remain fit for purpose and mitigate the impacts on farm holdings. Newly created access points are shown on the Access and Rights of Way Plans (Doc Ref. 2.4(C)).</p>
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> <p>(i) Please explain further the need for the powers sought in respect of this Objector's land;</p> <p>(ii) whether a lesser or alternative area of land would meet those needs;</p> <p>(iii) the consideration that has been given to the impact upon the business and the implications for the human rights of the individuals concerned.</p>
	Response	<p>(i) The reasons for the powers sought and the need for the land and rights for the proposed project are set out in Section 7.3 of the SoR [APP-062] and the updated Appendix A of the SoR (Doc Ref. 4.1A(A)).</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>Plot OHI/24/02 is part of the public highway. Hevingham Hall Estate (HHE) is listed as having an interest in the subsoil beneath the highway. The land is not proposed to be acquired by SZC Co., as the proposed works are limited to the highway.</p> <p>(ii) A lesser or alternative area would not be suitable in this instance although the response to question CA.1.17 sets out in detail the consideration given to alternative sites.</p> <p>(iii) HHE's interest is in the subsoil beneath the existing public highway upon which highway works are proposed. There will be no impact to the business or individuals concerned as a consequence of the exercise of compulsory acquisition powers. SZC Co. has written to the landowner of HHE setting out the approach for the rights being sought over this plot, clarifying that no acquisition of land or rights are being sought from the landowner.</p> <p>The response to Question CA.1.40 in this chapter considers the approach taken to the potential interference with human rights, though it is not considered that there would be any interference with the human rights of this landowner.</p>
CA.1.79	The Applicant	<p>Objections to the grant of powers of compulsory acquisition and temporary possession</p> <p>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:</p> <p>(i) Please respond to the concerns raised and explain further the need for the powers sought in respect of this Objector's land;</p> <p>(ii) whether a lesser or alternative area of land would meet those needs;</p> <p>(iii) the consideration that has been given to the impact upon the business and the implications for the human rights of the individuals concerned?</p>
	Response	<p>(i) The reasons for the powers sought and the need for the land and rights for the proposed project are set out in Section 7.3 of the SoR [APP-062] and the updated Appendix A of the SoR (Doc Ref. 4.1A(A)).</p> <p>(ii) The response to Question CA.1.17 in this chapter sets out in detail the consideration given to alternative sites and refers to the documents submitted with the Application for further information.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>The draft DCO (Doc Ref. 3.1(C)) includes powers of temporary acquisition for all of the Order land. Therefore, the draft DCO provides the Undertaker with the flexibility to occupy land temporarily, and only acquire land that is subsequently confirmed as being required permanently. The SoR [APP-062], at paragraph 5.3.9, explains that Article 30 of the draft DCO would allow SZC Co. to compulsorily acquire rights over land as well as (or instead of) the land itself. This would allow SZC Co., if appropriate, to reduce the area of outright acquisition and rely on the creation and acquisition of new rights instead. The responses to Questions CA.1.1, 1.4 and 1.5 in this chapter provide further detail on the ways in which the draft DCO enables less draconian alternatives to permanent acquisition to be used where appropriate.</p> <p>(iii) Questionnaires and interviews have been used to inform the Soils and Agricultural Land Assessment [APP-171] to assess the impact on holdings and businesses and allow mitigation measures to be included within the proposals where appropriate. Where this was not possible, publicly available information was used to inform the assessment. Since this assessment was undertaken, SZC Co. and its agents and advisors have continued to engage with Clarke and Simpson, and their clients who own land within a number of the associated developments, to consider further the impact of the proposals on the holdings and farming businesses.</p> <p>The response to Question CA.1.40 in this chapter considers the approach taken to the potential interference with human rights. Agreement has been reached (subject to contract) to acquire the interests required by SZC Co. in relation to the interest held by the majority of Clarke & Simpson’s clients.</p>
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</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>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	<p>These matters are considered within the Statement of Common Ground between SZC Co. and the Nuclear Decommissioning Authority and Magnox Limited (Doc Ref. 9.10.19).</p>
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>
	Response	<p>The route selection exercise for the Sizewell link road was closely informed by an understanding of environmental factors. Background information on the route selection has been compiled to assist the Examination. This information is set out at Chapter 4 of the Sizewell Link Road: Principle and Route Selection Paper, which is at Appendix 5D to Chapter 5 of this report.</p> <p>The reasoning for discounting the D2 Route is set out at paragraph 3.1.54, paragraphs 4.1.5 to 4.1.9, and paragraph 4.1.75 of the Sizewell Link Road: Principle and Route Selection Paper.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
CA.1.82	The Applicant	<p>Objections to the grant of powers of compulsory acquisition and temporary possession</p> <p>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:</p> <p>(i) The failure of the Applicant’s experts to meet as requested and to genuinely engage with them;</p> <p>(ii) the analysis, rigour and level of detail provided by the Aecom Report on the SLR route;</p> <p>(iii) the impact of the proposed reduction in land area.</p> <p>(iv) the provision of satisfactory means of access in the future; and (iv) the creation of new rights of way.</p>
	Response	<p>SZC Co. and its advisors has met with the landowners and their advisors agents to discuss the proposals and to share technical information to advance discussions. Where COVID-19 restrictions have applied, some of those meetings have had to be held remotely. An update to Appendix B to the SoR (Doc Ref. 4.1B(B)) included with this submission provides a summary of the status of negotiations with Ward Farming. The Written Submissions in Response to Oral Submissions made at Open Floor Hearings (Doc Ref. 9.26) submitted at Deadline 2 provides additional detail on landowner engagement to date.</p> <p>(i) Terms have been agreed (subject to contract) to acquire the interests required by SZC Co. Technical discussions and engagement with the relevant experts will continue in parallel throughout the detailed design stage.</p> <p>(ii) ‘The Aecom Report on the SLR route’ referred to by Ward Farming considered a number of alternatives to the Sizewell link road. Further information on the route selection has been compiled to assist the Examination. This information is set out at Chapter 4 of the Sizewell Link Road: Principle and Route Selection Paper, which is at Appendix 5D, of Chapter 5 of this report. The reasoning for discounting the D2 Route is set out at paragraph 3.1.54, paragraphs 4.1.5 to 4.1.9, and paragraph 4.1.75 of the Sizewell Link Road: Principle and Route Selection Paper.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>(iii) The implications of the road construction on farmable area has been discussed in detail with the landowner and terms have been agreed (subject to contract) to acquire the interests required by SZC Co.</p> <p>(iv) Suitable works have been included in the design for the road to ensure access continues to be available to fields either side of the road. These will be reviewed throughout the detailed design to ensure they remain fit for purpose and mitigate impacts on farm holdings. If, in the unlikely event the private treaty agreement were not to be concluded between the landowner and SZC Co., then the Compensation Code makes provision for the impacts of severance as a result of the exercise of compulsory acquisition powers.</p>
CA.1.83	The Applicant	<p>Objections to the grant of powers of compulsory acquisition and temporary possession</p> <p>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.</p>
	Response	<p>Questionnaires and interviews have been used to inform the Soils and Agricultural Land Assessment [APP-171] to assess the impact on holdings and businesses and allow mitigation measures to be included within the proposals where appropriate. Where this was not possible, publicly available information was used to inform the assessment. Since this assessment was undertaken, SZC Co. and its agents and advisors have continued to engage with businesses impacted by the proposals to consider further the impact of the proposals on the holdings and farming businesses.</p> <p>Through engagement with landowners, SZC Co. has understood the severance impacts and believes that suitable works have been included in the design to ensure access continues to be available to severed land parcels. These will be reviewed throughout the detailed design to ensure they remain fit for purpose and mitigate impacts on farm holdings. Newly created access points are shown on the Access and Rights of Way Plans (Doc Ref. 2.4(C)). Where modifications to design have not been able to mitigate the impacts, provision has been made for compensation in the negotiated terms and within</p>

ExQ1	Question to:	Question:
		<p>the Property Cost Estimate where compensation will become due in line with the Compensation Code.</p> <p>See the response to Question CA.1.17 in this chapter in relation to the approach to alternatives to compulsory acquisition.</p>
Chapter 12 - 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	<p><u>Response to (i)</u></p> <p>A copy of the LEEIE caravan park layout is provided in Figure 2.9 of the written responses.</p> <p>Each pitch will be provided with electricity and the site will provide separate toilet and shower facilities. Spacing of pitches and the ratio of toilets / showers required are in line with ESC advised standards. A foul treatment plant is proposed to address concerns about local capacity raised during consultation.</p> <p>The amenity building is expected to include laundry facilities and a vending machine for snacks. No bar or restaurant is proposed as lessons learnt from external caravan site owners at Hinkley Point C indicate that workers bringing caravans do not tend to use on-site bars and restaurants. In addition, the facilities of Leiston are close by and workers' use of these will deliver local economic benefits.</p> <p>The site will include 24/7 security and a vehicle inspection cabin would be provided to support this.</p> <p>(ii) In terms of securing mechanisms, for the LEEIE caravan park, Work No. 1A(ee) has been added to the latest draft Development Consent Order (DCO) (Doc Ref. 3.1(C)) which reads: '<i>serviced pitches for up to 400 caravans and 400 temporary car parking spaces</i>'.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>The delivery of the caravan park and timings are set out in the Draft Deed of Obligation (Doc Ref. 8.17(C)), with reference to the implementation plan. This reads: <i>'3.2.1 Unless otherwise agreed with the Accommodation Working Group, SZC Co shall use reasonable endeavours to deliver the LEEIE Caravan Park in accordance with the Implementation Plan'</i>.</p> <p>The Implementation Plan (Doc Ref. 8.4I(A)) indicates that the LEEIE caravan park is planned to open at the end of year 1 of construction.</p> <p>It is proposed that the caravan park be operated and managed by an experienced accommodation operator and since submission of the Application for development consent, SZC Co. has been meeting with a number of local site operators to gauge interest in this opportunity.</p> <p>In terms of operation, the LEEIE caravan park will be open to Sizewell C workers only with no families or pets (including dogs) permitted. A 24/7 security presence will be maintained to manage entry to the site, keep residents safe and ensure that high standards of worker behaviour are maintained, in line with the Worker Code of Conduct that all Sizewell C workers will be required to sign (see section 4.5 Part A and section 1.2 Part B Code of Construction Practice (Doc Ref. 8.11(B)) and appendix to the Community Safety Management Plan for HPC example [APP-636]). Workers will be able to access the site 24/7 to accommodate all shift patterns and direct bussing will be provided to the main development site from the park and ride site at LEEIE. This will be secured through the Construction Worker Travel Plan (Doc Ref. 8.8(A)) (see response to CI.1.1 below).</p>
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>Construction workers living at the caravan park at the LEEIE would be bussed between the LEEIE and the main development site by dedicated buses provided free of charge by SZC Co. This is secured via the Construction Worker Travel Plan (Doc Ref 8.8(A)). In addition, the workers would be able to walk/cycle between the LEEIE and the main development site via Bridleway 19, once the proposed works are complete.</p> <p>With regards to workers living at the caravan park and accessing Leiston town centre, the LEEIE caravan park layout provided in Figure 2.9 of the written responses shows the</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>location of a secure walking route that would be provided between the caravan pitches and Valley Road.</p> <p>SZC Co. is also aware of Leiston Town Council's aspiration to stop vehicular traffic along the east end of Valley Road, locally known as Kemps Hill. This would be to make the route safe and desirable for residents, cyclists and, workers staying at the caravan park to get to and from town. SZC Co. continues to liaise with Leiston Town Council to agree a package of transport mitigation measures for Leiston to be secured in the Draft Deed of Obligation (Doc Ref 8.17(C)).</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	<p><u>Response to (i)</u></p> <p>The amenity provision within the campus is not considered mitigation in and of itself, but forms part of the accommodation campus and is considered to be essential in providing the right environment to attract and retain workers, contributing to optimisation of its use.</p> <p>Notwithstanding this, Volume 2, Appendix 9E of the ES [APP-196] identifies the potential demand for formal sports facilities by the workforce, specifically accounting for its demographic where possible, identifying that on-site gym facilities would be well-used and attractive to workers. It is noted, however, that some workers will seek to use similar facilities in the community, but this is not anticipated to result in an adverse effect that would require mitigation.</p> <p>The Sizewell C Project considers that the campus will provide benefits to workers' physical and mental health by minimising travel time , access to comfortable rooms and a range of high quality food options, opportunities to mix in the evenings through the on-site bar</p>

ExQ1	Question to:	Question:
		<p>and a range of organised events such as quiz nights and access to the on-site gym and (by bus) the off-site sports pitches.</p> <p>The aim is to create a welcoming environment where workers can relax, with sufficient on-site entertainment to encourage them to stay on the campus for the majority of their leisure time during their working week (noting that many will return to their permanent homes to see family during rest periods).</p> <p>The scope and scale of the amenity facilities has been designed in close consultation with Hinkley Point C, where the Hinkley and Sedgemoor campuses have been operating since June and December 2018, respectively. This has informed the layout of the recreation block as a whole, the facilities included and the sizing. For example, SZC Co. considered the percentage of occupants who will want to use the gym and restaurant at one time and the need for two separate bar spaces to enable one to be used for louder activities such as screening of sports games or quizzes, and the other to be used as a quiet space. As important as the spaces themselves will be, selecting the right operator will also be a key focus in order to make the campus a welcoming space, provide a good quality and varied food offering and run a series of events to provide the workers with a range of leisure opportunities.</p> <p>The Sizewell C campus is planned to be of the same quality of the Hinkley Point C campuses so it may be helpful to refer to the Host website which has a number of images of the Hinkley and Sedgemoor campuses, as well as information such as menus and events (albeit that the latter are virtual currently due to the Covid pandemic): https://www.host-somerset.co.uk</p> <p>Appendix A of the Design and Access Statement [APP-587] sets out details of the accommodation campus, including the amenity facilities proposed. Paragraph A.25.1 [APP-587] describes that the campus is proposed to have a two storey recreation building, including a restaurant, kitchen, 2 bars, gym, multi-functional room, and a prayer / quiet room. Figure A.17 [APP-587] shows an illustrative layout (with scale) for the proposed accommodation campus.</p> <p>An illustrative layout of the proposed two storey recreation building is shown in Figures A.45 (ground floor layout) and A.46 (first floor layout) [APP-587] - this demonstrates how the key uses e.g. restaurant, bars, gym and multi-function room could be distributed to ensure that they benefit from the most positive aspects onto the open space, with the services and plant located to the rear of the building. Providing the restaurant on the</p>

ExQ1	Question to:	Question:
		<p>ground floor will allow this to spill out onto the open space during warmer months. Figure A.35 shows an Illustrative view of the main campus square, looking across the open space towards the recreation building.</p> <p>Figures A.47-A.49 [APP-587] show illustrative elevations and an illustrative perspective of the proposed recreation building. As with the accommodation blocks, modular construction will be considered for the recreation building and a simple, clean and contemporary architectural language is proposed. Materials to be considered for the recreation building include glass and metal cladding finished in two tones of grey. The intention is that the ground floor will feature a predominantly glazed frontage in order to establish a strong relationship between the building and the main open space, and create an open and light internal restaurant space.</p> <p>The facilities would be constructed as part of the overall campus construction and would be required to be ready at the same time as the first rooms are opened, so that residents are able to access food and recreation facilities as soon as they move in. Once open, timings for the restaurant, bars and gym will be set taking into account worker shift patterns (including the need to cater for the requirements of night shift workers).</p> <p><u>Response to ii)</u></p> <p>The delivery of the campus and timings are set out in the Draft Deed of Obligation (Doc Ref. 8.17(C)), with reference to the Implementation Plan (Doc Ref. 8.4I(A)). This reads: '<i>3.1.1 Unless otherwise agreed with the Accommodation Working Group, SZC Co shall use reasonable endeavours to deliver the Accommodation Campus in accordance with the Implementation Plan</i>'.</p> <p>The Implementation Plan (Doc Ref 8.4I(A)) indicates that the campus is planned to open early in year 3 of construction.</p> <p>The definition of 'Accommodation Campus' means Work No. 3 in Schedule 1 to the draft DCO (Doc Ref. 3.1(C)) - this defines the campus to include all the associated infrastructure including welfare and amenity buildings.</p> <p>The draft DCO (Doc Ref. 3.1(C)) requires the Accommodation Campus to be carried out in general accordance with the detailed design principles set out in Table A.1 of the Main Development Site Design and Access Statement [APP-587] which includes the following principle: '<i>Creation of a high quality environment in which workers can rest and socialise between shifts</i>'.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		Requirement 17 of the draft DCO (Doc Ref. 3.1(C)) then obliges a Statement of Compliance to be submitted and approved by ESC that demonstrates how the accommodation campus has incorporated the relevant Design Principles set out in the Design and Access Statement. This ensures that the Accommodation Campus will be delivered in a manner that is consistent with the assumptions set out in the ES.
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	<p><u>Response to (i)</u></p> <p>As set out in CI.1.2 above, it is intended that the supporting facilities for the accommodation campus are opened at the same time as the first campus bedrooms. The Implementation Plan (Doc Ref. 8.4I(A)) indicates that the campus is planned to open in year 3 of construction. The LEEIE Caravan Park would open earlier than this and the Implementation Plan has been updated to show that this is planned to open at the end of year one of construction. Figure 5.1 of the Accommodation Strategy [APP-614] shows the opening of the caravan park and accommodation campus against the non-home-based workforce. Please note that this shows the campus as fully open at the end of year 3 but the opening of individual accommodation blocks is likely to be phased from the start of year 3.</p> <p>ii) Please see responses to questions CI.1.0 regarding the delivery of the LEEIE caravan park and CI.1.2 regarding the delivery of the accommodation campus.</p>
CI.1.4	The Applicant	<p>Accommodation Campus</p> <p>Several RRs express concerns that the scale of the accommodation campus did not change when the staffing numbers increased during the consultation process.</p> <p>Please explain the rationale for the quantity of accommodation relative to the quantity of workforce anticipated to be on site throughout the construction period.</p>

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

ExQ1	Question to:	Question:
	Response	<p>SZC Co. aims to provide a balanced approach to managing workforce effects on accommodation, seeking to maximise the use of project accommodation where sustainable and efficient, being sensitive to local environmental amenity, and using local accommodation in a range of private sectors where possible without over-burdening the local accommodation market – particularly where there may be sensitivities in terms of private rented households at risk of housing need or homelessness, and the important tourist sector.</p> <p>Throughout public consultation, SZC Co. has sought to balance the use of accommodation in order to maximise project efficiency and reduce environmental, social and transport effects by maximising project accommodation close to the site, while not over-burdening local communities with environmental effects related to a large accommodation campus, and encouraging the sustainable integration of workers in the community, which has economic as well as social benefits.</p> <p>The rationale for Sizewell C's balanced approach is set out within the Accommodation Strategy [APP-613] and the evolution of the balance between project and private accommodation use as developed through consultation is summarised within Consultation Report, Appendix E.1 [APP-074] section 4.3, from paragraph 4.3.41, including Figure 4.4 (Stage 3 Pre-Application Consultation).</p> <p>When the decision was made to increase the estimated peak of the workforce profile from 5,600 to 7,900, in order to be conservative, the assessment case that was taken forward assumed that all of the additional workforce could be non-home based (NHB) – in reality Sizewell C will seek to maximise the level of home-based (HB) workforce, but considered that this assessment case approach was needed in order to test and develop a robust and conservative Housing Fund.</p> <p>Experience reported at Hinkley Point C⁴⁵ shows that the HB workforce has in fact exceeded the proportions estimated at Sizewell C (36% HB with a total workforce of 4,769 in the Winter 2020 workforce survey and the HB workforce has exceeded 50% for much of the construction phase to-date), and in addition, a similar Housing Fund to that proposed for Sizewell C has so far delivered far more bedspaces than anticipated (2,533). Sizewell C's</p>

⁴⁵ https://www.sedgemoor.gov.uk/media/9717/Winter-2020-Workforce-Survey-Results/pdf/Winter_2020_Workforce_Survey_Results.pdf?m=637511338072730000

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>balanced strategy is designed on the basis of c. 1,200 bedspaces being delivered to fully mitigate effects on the private rented sector. The learning from HPC created confidence that the campus did not need to be expanded.</p> <p>This allows the project to develop a conservative and deliverable level of additional mitigation through the Housing Fund, which draws on lessons learned from Hinkley Point C and close engagement with ESC's housing team to set out a strategy for long-term improvements to the quality and quantity of accommodation stock in the local area, combined with specific measures for service resilience and tourist sector accommodation, and complementary measures such as a Public Service Resilience Fund to support vulnerable households. The Housing Fund itself offers legacy benefits to the quality and quantity of local housing stock.</p> <p>The draft position, subject to finalisation, on these measures is set out within the Draft Deed of Obligation (Doc Ref. 8.17(C)).</p> <p>SZC Co. understands that ESC and SCC are in agreement that the principle, location and scale of project accommodation is appropriate to mitigate effects (subject to agreement on securing delivery), and that a Housing Fund is an appropriate means of mitigating any effects on the private accommodation sector (subject to the scale of the fund).</p> <p>Limiting the size of the campus means that it offers a practicable balance of being manageable and efficient, while reducing its scale within an appropriate plot of land to minimise visual amenity and design issues.</p> <p>Through the consultation process, SZC Co. added a caravan park at LEEIE, to be secured through the Implementation Plan (Doc Ref. 8.4I(A)) (see response to Cl.1.0), and managed and operated to ensure a safe and efficient resource for workers who – from experience of HPC and other major construction projects such as Heathrow T5 – will seek caravan accommodation of this type. This adds to the balanced approach – reducing pressure that otherwise may arise on existing tourist sites and the use of unlicensed sites that would require enforcement action.</p> <p>The use of local private accommodation is sustainable and essential – workers will be able to make their own decisions about where to live and how much to pay for different types of accommodation, and not all workers will want to stay in the accommodation campus or LEEIE caravan park (because of their contract length, family status, earnings, or personal preference for location/type of accommodation).</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
CI.1.5	The Applicant	<p>Accommodation Strategy</p> <p>In assessing the accommodation needs both during construction and subsequent operation:</p> <p>(i) Did the assessment include the additional 850 staff that may be on site at Sizewell B during planned outages?</p> <p>(ii) Please advise where this is set out within the ES.</p>
	Response	<p>The accommodation assessment considers the likely significant effects of the peak Sizewell C workforce. For the construction phase, it does not include Sizewell B outage staff as a cumulative assessment of the effects on accommodation of a Sizewell B outage and the NHB construction workforce peak. This would require definitive knowledge on when the planned outage would be relative to the peak workforce, which in turn is relative to the start of construction.</p> <p>As the Sizewell B outage is a known entity, it is considered an inherent part of the labour market and accommodation baseline rather than a cumulative effect. Any above-peak effects would theoretically only occur in a short period of time while the Sizewell C NHB construction workforce is above around 5,500 workers. At that point, given that the Draft Deed of Obligation (Schedule 3) (Doc Ref. 8.17(C)) requires reasonable endeavours for the Housing Fund to have provided c. 1,000 bedspaces in the first six years of construction (i.e. pre-peak), the impacts of the peak NHB workforce on accommodation would effectively be fully mitigated meaning that the net effect of a Sizewell B outage on accommodation would be no greater than today. Monitoring and other measures in the Sizewell C Accommodation Strategy will inevitably take account of indicators in the housing sector which will be affected by Sizewell B outages.</p> <p>SZC Co. notes the following mitigating circumstances of adverse effects:</p> <ul style="list-style-type: none"> As set out in the response to question SE.1.1 (in Part 6, Chapter 23), during the construction phase, some Sizewell C workers may move temporarily to Sizewell B during an outage, particularly those who have specialist skills. This could lead to a dip in accommodation demand from Sizewell C. Evidence suggests that based on HPC's response to Covid-19 in partly demobilising and re-organising its site-based workforce while still meeting critical project timescales that this can be achieved.

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> • Sizewell C would offer any spare campus or caravan site accommodation to Sizewell B outage workers (the latter will have a similar level of vetting to Sizewell C workers so there would be no security concerns in this respect). • Refuelling outages at Sizewell B are planned (where possible) to fall outside of the peak tourist season, resulting in workers largely seeking tourist sector accommodation (63% of 850 NHB workers sought tourist accommodation during the 2016 Sizewell B outage (see Volume 2, Chapter 9, paragraph 9.7.261 (Socio-economics) of the ES [APP-195])). During this time occupancy rates for tourist sector accommodation are below the peak, meaning substantially more local accommodation is available (see paragraph 9.5.52 [APP-195])). • It is likely that outage workers – given their relatively higher levels of skill and earnings – would seek accommodation that the assessment of supply has scoped out of being affordable to Sizewell C construction workers. • Some outage workers will use latent accommodation including spare rooms (Volume 2, Chapter 9, paragraph 9.5.17 (Socio-economics), of the ES [APP-195]) notes at paragraph 9.7.621 that 15% of NHB outage workers used spare rooms, leaving only 22% (or less than 200) seeking private rented accommodation. <p>In terms of the operational phase:</p> <ul style="list-style-type: none"> • Volume 2, Chapter 9, paragraph 9.5.17 (Socio-economics), of the ES [APP-195]) sets out that local housing market dynamism means the local area is able to cope with outages every 18 months or so at the existing Sizewell B station and that the same is anticipated for Sizewell C outage workers. • The response to question SE.1.1 (in Part 6, Chapter 23) explains how Sizewell C will endeavour to avoid concurrent outages with Sizewell B for the period when both stations are operational and that a higher proportion of home-based workers may lead to a reduction in demand for local accommodation. <p>Should outages overlap, outage workers will have access to a broader range of accommodation than Sizewell C construction workers as they will not be constrained by the Construction Industry Joint Council Working Rule Agreement accommodation allowance which means that, for example, 85% of serviced accommodation is not affordable for construction workers (see Volume 2, Appendix 9D, paragraph 1.2.27 (Accommodation Datasets and Assumptions) of the ES [APP-196])).</p>

ExQ1	Question to:	Question:
CI.1.6	The Applicant	<p>Accommodation Strategy</p> <p>(i) What confidence can the ExA have that the accommodation campus and proposed caravan site would be optimally occupied during construction?</p> <p>(ii) How would this be achieved?</p>
	Response	<p><u>Response to (i)</u></p> <p>Evidence from Sizewell B and Hinkley Point C provides confidence that the project accommodation will be well occupied:</p> <ul style="list-style-type: none"> • As set out in Volume 2, Chapter 9, paragraph 9.7.117 (Socio-economics), of the ES [APP-195], Sizewell B provided a successful 900-room on-site campus during construction and was regularly at capacity with an average waiting list of over 100 workers. • Paragraph 9.7.118 [APP-195] notes that at Hinkley Point, the on-site campus is particularly sought after by contractors and that caravan accommodation is popular with the civils workers who have formed the majority of the workforce to date. HPC campus occupancy data from January to April 2021 demonstrates that on the busiest days of the week, the Hinkley Point Campus is very close to full capacity (94% average on Mondays, 99% average on Tuesdays, 98% average on Wednesdays, 89% average on Thursdays). Appendix 12A of this Chapter shows a letter in support of the Hinkley campuses from Bylor, the Tier 1 main civils work contractor. • The most recent workforce survey for Hinkley Point C⁴⁶ indicated that 11% of the NHB workforce were staying in caravan accommodation, while 29% were staying on one of the campuses. <p><u>Response to (ii)</u></p> <p>SZC Co. will not be able to mandate where workers live. However, it will encourage workers to choose the campus and LEEIE caravan park by providing facilities that workers will want to use, in an optimal location and at a price they are willing to pay.</p> <p>The response to question CI.1.2 sets out ways in which SZC Co. will endeavour to make the campus an attractive and welcoming accommodation choice to workers, with additional detail in Appendix A of the Design and Access Statement [APP-587]. The</p>

⁴⁶ Socio-Economic Advisory Group (sedgemoor.gov.uk)

ExQ1	Question to:	Question:
		<p>response to question Cl.1.0 provides details of LEEIE caravan park and notes that this will provide fewer on-site facilities, building on lessons learned from external caravan site owners at Hinkley Point C that workers bringing caravans do not tend to use on-site bars and restaurants, and that low pricing is key.</p> <p>Lessons have also been learnt from Hinkley Point C and have been/will be applied to Sizewell C to encourage optimal occupancy. Sections 5.1 and 5.2 of the Accommodation Strategy [APP-613] set out some of these. In addition, since the DCO submission, discussions have taken place with HPC Tier 1 contractors to understand further lessons learnt. These include:</p> <ul style="list-style-type: none"> • Location of accommodation campus and LEEIE caravan park – the reduction in travel time through using these on-site facilities should be seen as a key benefit and make them attractive for workers to use. • Less flexible bus services – at Sizewell C, buses will not collect from as many offsite locations as they did at Hinkley Point C. This should encourage workers to utilise the well-connected facilities of the campus and caravan park (which will have bus services straight to working areas on site). • Early delivery of project accommodation – SZC Co. is proposing to have the LEEIE caravan park site ready within 12 months of construction commencing and will open the campus in a phased manner to make rooms available earlier than would be the case if it was built through to completion prior to first occupation (see the Draft Deed of Obligation (Doc Ref. 8.17(C))). • Promotion of the caravan park and campus through contractors prior to induction and through the use of the Accommodation Management System which is secured through the Draft Deed of Obligation (Doc Ref. 8.17(C)). • Providing more flexible booking options, such as: allowing block-bookings, long-term bookings, and flexibility of weekend use (leaving belongings when returning home). • Provision of laundry facilities and areas where workers can prepare their own snacks e.g. with microwaves and toasters. • Pricing - the terms of the contract [to be entered into] with the operators of the campus and caravan park will not preclude the Sizewell C Project from being able to change pricing/terms to drive occupancy up should this be needed.

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

ExQ1	Question to:	Question:
		Ongoing monitoring by the Sizewell C site operations team to ensure uptake and demand for both campus and caravan park is visible so that actions may be taken to drive greater utilisation should this be necessary. The Draft Deed of Obligation (Doc Ref. 8.17(C)) provides that the Accommodation Coordinator appointed by SZC Co. throughout construction shall be responsible for monitoring the utilisation of the campus and caravan park.
CI.1.7	The Applicant	<p>Accommodation Strategy</p> <p>(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?</p> <p>(ii) Explain how have the figures been differentiated between private rented and holiday cottages/flats?</p> <p>(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?</p>
	Response	<p>The definition of the Private Rented Sector (PRS) is taken from the Census and does not include self-catering (or any other) holiday accommodation or second homes (unless the second home is rented for 3+ months). Data on tourist accommodation was obtained separately from Visit East Anglia's NVG database and Visit Britain.</p> <p>The Accommodation Strategy [APP-613] sets out an estimate for the number of bedspaces within different types of accommodation that may be available to workers. When referring to the Private Rented Sector (PRS), the baseline draws on 2011 Census data, supplemented by the English Housing Survey⁴⁷ and the Ipswich Housing Market Area Strategic Housing Market Assessment (SHMA) Volume 2⁴⁸.</p>

⁴⁷ Ministry of Housing, Communities and Local Government. English Housing Survey (datasets from 2008 to 2018). (Online). Available from: <https://www.gov.uk/government/collections/english-housing-survey> (Accessed 19 July 2019)

⁴⁸ HDH Planning and Development Ltd. Ipswich and Waveney Housing Market Areas Strategic Housing Market Assessment Volume 2 (May 2017). (Online). Available from: <https://www.eastsuffolk.gov.uk/assets/Planning/Waveney-Local-Plan/FirstDraft-Local-Plan/Strategic-Housing-Market-Assessment-Part-2.pdf> (Accessed 13 June 2019)

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>For the Census, the Office for National Statistics (ONS) defines PRS accommodation as accommodation that is the permanent residence of a household, rented from a landlord or private letting agency (or living rent free) for three months or more. As such, it is unlikely to include tourist-sector accommodation (holiday self-catering accommodation).</p> <p>Second homes that are not registered as tourist accommodation are not included within the baseline for the PRS, unless they fall within the definition of PRS accommodation above (i.e. if the owner of the second home rents the property on a permanent basis). Second homes that are let as self-catering/holiday accommodation would be captured within the definition of tourist sector accommodation set out within the Accommodation Strategy [APP-613].</p> <p>If a second home is only used by the household that owns it, it is included in neither the PRS or tourist sector definition for the purposes of the assessment, and so is not considered available for workers seeking those types of accommodation. In the same way as empty homes, this means that the assessment is conservative as this accommodation could be considered 'latent' and may be available to workers should the owners seek to rent or let it.</p> <p>Further information on how second homes are registered by the Census is available here: https://census.gov.uk/help/types-of-household-or-accommodation/second-homes-holiday-lets-and-empty-properties/i-have-a-second-property.</p>
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	No response from SZC Co. is required.
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>

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

ExQ1	Question to:	Question:
	Response	<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> <p>(i) SZC Co. is not aware of any planning restrictions on the year-round use of holiday cottages (and ESC has not raised the issue).</p> <p>(ii) If these restrictions existed, their impact would depend on what they controlled. The controls on camping and caravan sites typically restrict winter use when spare capacity is highest, so would have least effect on the assessment (which is based on summer peak availability).</p> <p>As set out at paragraph 4.2.11 of the Accommodation Strategy [APP-613], assumptions have been made on the availability and affordability of tourist sector accommodation, based primarily on affordability (using observed per-night rates and accommodation allowance available to non-home-based (NHB) workers under the Construction Industry Joint Council Working Rule Agreement).</p> <p>Additional discounts have been applied where:</p> <ul style="list-style-type: none">• There are occupancy restrictions - for example some caravan sites are only licenced to operate for 10 months of the year; and• Engagement with stakeholders has suggested that some types of accommodation are inappropriate - such as holiday parks. <p>To SZC Co.'s knowledge, there are no restrictions on year-round occupancy of other types of tourist accommodation, though like caravan accommodation, there are some limitations on continuous occupancy of self-catering and other tourist sector accommodation (in some cases this is determined by the East Suffolk Local Plan⁴⁹ (e.g. Policy SCLP6.6, SCLP6.5, and in others would be related to determination of tax benefits by HMRC⁵⁰).</p>

⁴⁹ <https://www.eastsuffolk.gov.uk/assets/Planning/Planning-Policy-and-Local-Plans/Suffolk-Coastal-Local-Plan/Adopted-Suffolk-Coastal-Local-Plan/East-Suffolk-Council-Suffolk-Coastal-Local-Plan.pdf>

⁵⁰ <https://www.gov.uk/government/publications/furnished-holiday-lettings-hs253-self-assessment-helpsheet/hs253-furnished-holiday-lettings-2020>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>The assessment takes a conservative approach to discounting for year-round occupancy for caravan sites, reducing assumed availability by 50%, though it is likely that in most cases occupancy is allowed for most of the year. Those workers using tourist sector accommodation are least likely to stay for longer periods than the limited continuous occupancy advised by the East Suffolk Local Plan or HMRC – if staying longer, the price of tourist accommodation would be far more expensive than a tenancy in the private rented sector.</p> <p>As such, SZC Co. is confident that the assumptions on affordability and availability used within the assessment of demand for accommodation are sound and in fact conservative</p> <p>(iii) SZC Co. has worked with ESC (as detailed in the Accommodation Strategy [APP-613]) to understand limitations and opportunities, and the potential for review of licence restrictions and support for expansion, re-configuration or improvement of tourist sector accommodation sites through an element of the Housing Fund, as described within the Draft Deed of Obligation, Schedule 3 (Doc Ref. 8.17(C)). This includes resourcing for East Suffolk Council to support any additional planning or licencing advice and support that providers require in order to increase supply of tourist sector accommodation, subject to such increases being sustainable, in-line with local policy, and temporary (where appropriate). The use of such resourcing would be guided by a Tourism Accommodation Plan to be produced by ESC. At Hinkley Point C, Sedgemoor District Council produced a management plan to this effect, which could be referenced as good practice here to support ESC.</p>
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>
	Response	Please refer to the response to CI.1.5.
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>

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

ExQ1	Question to:	Question:
	Response	<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> <p>Leiston-cum-Sizewell Town Council's representation [RR-0679] states:</p> <p><i>"Personnel movement into and out of the town to access services, leisure and businesses will put a lot of pressure on the amenity of local residents – particularly with housing, access to footpaths and social cohesion - it will also make huge changes to the current socio-economic activity. The effect on residents needs to be acknowledged and mitigated for", and</i></p> <p><i>"The provision of sports facilities is welcome. Sport is not the only cultural or recreational activity in the town however and further mitigation in this area is requested. Especially as, during construction, the provided sports facilities, which are there for SZC workforce, would not be as readily accessible as maybe wished by residents. LTC has a positive and wide ranging mitigation proposal to offset this for both residents and workers families which would need SZC Co. support. It will be important to ensure robust community cohesion during the inevitable upheaval this project brings and it is intended to provide an oasis for families where this can be achieved at the Waterloo Centre".</i></p> <p>SZC Co. recognises Leiston will experience temporary and permanent change as a result of the Sizewell C Project and has designed a package of mitigation measures which will proportionately focus on Leiston's residents, workers and businesses, including generating a range of legacy benefits for Leiston's future advantage.</p> <p>Volume 2, Chapter 9 (Socio-Economics) of the ES [APP-195] provides an assessment of the likely significant effects on public services and community facilities (paragraphs 9.7.159 to 9.7.210); crime, anti-social behaviour and policing (paragraphs 9.7.211 to 9.7.230); and community cohesion and integration (paragraphs 9.7.241 to 9.7.246) during the construction of the Sizewell C Project.</p> <p>Volume 2, Chapter 9 (Socio-Economics) of the ES [APP-195] provides an assessment of the likely significant effects on public services (paragraphs 9.7.280 to 9.7.281); and community cohesion and integration (paragraphs 9.7.282 to 9.7.284) during the operation of the Sizewell C Project.</p>

ExQ1	Question to:	Question:
		<p>Volume 2, Chapter 9 (Socio-Economics) of the ES [APP-195] provides the mitigation proposed for the significant impacts of the Sizewell C Project. A wide range of embedded and additional mitigation is proposed to support the community during the construction and operation of the Sizewell C Project, including in relation to an increase in non-home based workers. The programme of mitigation includes:</p> <ul style="list-style-type: none"> • A temporary accommodation campus for construction workers, including facilities such as a gym, restaurant, bar and informal recreation activities, and welfare, contributing to reducing potential effects on public safety and emergency services (paragraphs 9.6.6 to 9.6.7); • A temporary caravan park for construction workers, designed to contribute to reducing potential effects on public safety and emergency services (paragraphs 9.6.8 and 9.6.9); • Permanent off-site sports facilities, in the form of a 3G pitch and two multi-use games areas at Alde Valley School in Leiston, providing facilities to respond to the likely rise in demand from the workforce as well as investment in facilities to make a positive contribution to integration and the experience of the workforce and local community. Measures would be built into the design to reduce safeguarding risks, such as physical and temporal segregation of use by workers and the community, and the school (paragraphs 9.6.12 to 9.6.15); • The Code of Construction Practice (CoCP) (Doc Ref 8.11(B)) will include a strategy for communication, community and stakeholder engagement, and community liaison activities, to address issues relating to community cohesion and integration that may arise from members of the public (paragraph 9.6.36); • A Worker Code of Conduct, Appendix 1.A.1 of the Community Safety Management Plan [APP-636], will be put in place to set required standards on behaviour both on and off-site, and includes the use of security vetting for potential workers (paragraphs 9.6.37 to 9.6.40); • Transport measures related to road safety include a Traffic Incident Management Plan (Doc Ref. 8.6(A)), Construction Traffic Management Plan (Doc Ref. 8.7(A)), and the Construction Worker Travel Plan (Doc Ref. 8.8(A)). These will be secured through an obligation in the Deed of Obligation (Doc Ref. 8.17(C)). These implementation strategies would contribute to a reduction in significance of potential

ExQ1	Question to:	Question:
		<p>effects on emergency services, which rely on local roads to respond to incidents (paragraphs 9.6.41 to 9.6.42);</p> <ul style="list-style-type: none"> • Localised effects on the accommodation market, as a result of the influx of non-home based workers, will be managed by the Accommodation Strategy [APP-613] which contains measures to specifically target hard to reach and vulnerable groups that may experience difficulties accessing or retaining housing as a result of the Sizewell C Project's effects on the lower end of the private rented sector. The Housing Fund, secured through the Draft Deed of Obligation (Doc Ref. 8.17(C)), would be capable of delivering additional capacity and providing resilience in the build up to peak demand and during the peak, and may have the potential to leave a lasting legacy in terms of improvements to the existing housing stock (paragraphs 9.8.15 to 9.8.22); • To help manage the distribution of workers and avoid or reduce potential adverse effects on accommodation capacity in local areas in a responsive way, SZC Co. would work with partners to deliver and implement an Accommodation Management System, secured through the Deed of Obligation (Doc Ref. 8.17(C)) (paragraph 9.8.23 to 9.8.24); • An information management and database/portal would hold and manage information about the local accommodation market which can be used to provide contractors and workers with a means of finding the most suitable accommodation and location. • In addition, information would be provided to prospective or existing landlords that could help ensure they are providing accommodation that meets safety and quality standards. This would help to avoid the risk of landlords being unaware of rules and regulations that apply to letting property, or new providers entering the market with accommodation of an unacceptably low standard (paragraphs 9.8.25 to 9.8.31); • The Public Services Resilience Fund will be drawn on to expand education provision in locations with limited capacity where the net additional effect of the workforce exceeds education capacity. The Fund would be secured through Deed of Obligation (Doc Ref. 8.17(C)) (paragraphs 9.8.32 to 9.8.36); • The Public Services Resilience Fund would additionally be made available to respond to any residual effects of the Sizewell C Project on the provision of social services, alongside measures set out in the Accommodation Strategy (including the Housing

ExQ1	Question to:	Question:
		<p>Fund), the Community Safety Management Plan, and the Accommodation Management System (paragraphs 9.8.37 to 9.8.41);</p> <ul style="list-style-type: none"> • The Community Safety Management Plan [APP-635] has been developed in collaboration with the Councils, emergency services and health stakeholders and includes appropriate means of monitoring and mitigating potential impacts relating to community safety, community cohesion, and the provision of policing, fire and rescue services (paragraphs 9.8.46 to 9.8.57); and • The Sizewell C Community Fund will be made available to fund schemes, measures and projects to help mitigate intangible, residual in-combination effects on local communities as a result of combined environmental effects, both perceived and real. The Community Fund will be secured through the Deed of Obligation (Doc Ref. 8.17(C)) (paragraphs 9.8.65 to 9.8.69). <p>The Deed of Obligation (Doc Ref. 8.17(C)) will secure a number of these mitigation measures. Many of the measures, including the Public Services Contingency Fund and Housing Fund will be managed by a combination of East Suffolk Council, Suffolk County Council and/or other public service providers who will retain the statutory powers to direct resources in the most appropriate way.</p> <p>SZC Co. has undertaken extensive engagement with stakeholders across a wide range of issues and matters. The Draft Deed of Obligation (Doc Ref. 8.17(C)) provides the latest position generated through joint working, notably for reference:</p> <ul style="list-style-type: none"> • Schedule 14 (paragraph 2.5) states that a ringfenced sum from the Sizewell C Community Fund will be applied solely for projects within the ward of Leiston, and “<i>in particular Leiston-cum-Sizewell</i>”. The Sizewell C Community Fund will be used to mitigate intangible and residual impacts of the Sizewell C Project on communities via grants for schemes, measures and projects which promote economic, social and environmental well-being and improvements to quality of life. This may include cultural or recreational activities tied to these principles. • Schedule 7 sets out the employment, skills, education and supply chain measures that will be delivered, including the Sizewell C Employment Outreach Initiatives which will focus on hard-to-reach groups and communities within Suffolk experiencing relative deprivation, and the Sizewell C Bursary Scheme which is aimed at supporting the removal of barriers to employment for local people, particularly in areas of relative deprivation. Together these mitigation measures aim to address

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>social mobility in areas immediately close to the Sizewell C Project, notably in Leiston.</p> <ul style="list-style-type: none"> • Schedule 8 sets out the localised heritage interventions that include payments towards the enhancement of heritage sites at Leiston Abbey. • Schedule 16 explains the Leiston Improvement Scheme for transport improvements which include walking, cycling and public realm interventions to enhance the built environment and sustainable accessibility in the area, including along Main Street, High Street, Cross Street, Sizewell Road, Valley Road, and near Leiston Library. The Leiston Transport Contribution will help pay for this work and the Leiston Working Group will oversee the Scheme. • Schedule 15 sets out details of the Tourism Fund, which is intended to mitigate potential impacts on tourism from the Sizewell C Project, and will be implemented to support areas where the benefits will be most greatly felt.
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> <p>(i) Whether the increased workforce could be supported by existing GPs</p> <p>(ii) Whether the effect on housing availability has been underestimated;</p> <p>(iii) The potential for adverse effects on health workers capacity to do their work due to impacts on journey times;</p> <p>(iv) Whether the equalities assessment adequately assesses effects on vulnerable groups;</p> <p>(v) Whether the mitigation for noise, dust, and impact on travel times has fully addressed health impacts; and</p> <p>(vi) Whether there has been a full assessment of the impacts on care homes and their residents.</p>
	Response	<p><u>Response to (i)</u></p> <p>The health needs of the NHB workforce have been internalised through occupational health care provision and therefore the increased workforce will not need to be supported by existing GPs. The scope of the occupational health provision is set out in Volume 2,</p>

ExQ1	Question to:	Question:
		<p>Appendix 28A of the ES [APP-347] - this will replicate the provision that has proven so effective at Hinkley Point C, with minimal impact to local capacity due to the availability of GP, nursing and pharmacy services onsite. This provision is open to the entire workforce, thereby also offering health screening and care to HB staff, constituting complementary local health care.</p> <p>In addition, a residual referral rate has been assessed for the non-home-based workforce, and a residual healthcare contribution is proposed. This will include an amount for NHB workers' families. This is a conservative approach as those workers bringing families are likely to move into housing which other families vacate (i.e. offsetting existing residents and presenting little net health care demand or cost). Both the occupational health service (Sizewell Health) and the residual healthcare contribution will be secured in the Deed of Obligation, Schedule 6 (latest draft Doc Ref. 8.17(C)). On the above basis, the potential impact upon local health care capacity has been addressed.</p> <p><u>Response to (ii)</u></p> <p>(ii) The Relevant Representations referenced here raise the following concerns in terms of the effect related to housing:</p> <ul style="list-style-type: none"> • Concerns related to increased local housing turnover and the potential impact that this has on healthcare provision (i.e. unstable population creating GP registrations, but also healthcare infrastructure demands beyond this). • Concerns about the net additionality of NHB worker households and the effect of that assumption in determining healthcare requirements. <p>The assessment of effects on housing availability has not been underestimated. The assessment has four main components each with conservatism built in in order to assess likely significant effects and plan for mitigation that would be comprehensive and robust:</p> <ul style="list-style-type: none"> • Project assumptions about the scale, distribution and accommodation sectors used by the NHB workforce as described in appendices to Volume 2, Chapter 9 (Socio-economics) of the ES [APP-196] reflect an assessment case workforce that is weighted towards NHB workers. Volume 2, Chapter 9 (Socio-economics) of the ES [APP-195] uses a conservative assessment case for assumptions about HB and NHB workers - this is to ensure mitigation for the NHB component is sufficiently robust. Some of the additional workforce (resulting from changing assumptions about the scale of workforce required as presented through Stage 2 and Stage 3 consultation)

ExQ1	Question to:	Question:
		<p>may be HB but the ES [APP-195] has taken a 'worst case' position with regards to knock-on effects on socio-economic factors.</p> <ul style="list-style-type: none"> • The baseline set out within Volume 2, Chapter 9 (Socio-economics) of the ES [APP-195] sets out a conservative assumption about the overall quantum of stock in the PRS and the tourist accommodation sectors – using data that most likely has since been updated to show an increase the supply of accommodation. • The assessment of effects set out within Volume 2, Chapter 9 (Socio-economics) of the ES [APP-195] includes a number of conservative assumptions, including a focus on effects in the lower 30th percentiles of the PRS, and assumptions that discount availability and affordability of some tourist accommodation. It also assumes 100% additionality for the PRS – when in fact some homes would be already occupied by existing households. • The approach to mitigation – set out within Volume 2, Chapter 9 (Socio-economics) of the ES [APP-195] and the Accommodation Strategy [APP-613] includes planning for uncertainty, flexible and responsive governance, and a Housing Fund that is able to fully mitigate the anticipated additional demand for PRS accommodation. <p><u>Response to (iii)</u></p> <p>Potential changes in transport nature, flow and journey time, and the impacts these may have on local communities have been a key consideration in the design of the Sizewell C Project and associated development. The core assessment is contained within Volume 2, Chapter 10 (Transport) of the ES [APP-198] which addresses potential community severance, access and accessibility (including driver delay), and pedestrian fear and intimidation. Risk of accident and injury is set out within Volume 2, Chapter 28 (Health and Wellbeing) of the ES [APP-346].</p> <p>In relation to the potential delay to community health workers traveling to and attending patients at home, the potential delay during construction is minimal, measured in seconds per trip, and would not impact upon capacity, resourcing or programming of community care.</p> <p>Once operational, the new and enhanced transport infrastructure will remain, affording longstanding benefits to community care delivery, including improved road safety.</p> <p><u>Response to (iv)</u></p>

ExQ1	Question to:	Question:
		<p>The Equality Statement [APP-158] is not formally the assessment of equality effects required under Section 149 of the Equality Act 2010, as the Public Sector Equality Duty cannot be delegated to the Applicant. Therefore, it provides information to assist the Examining Authority in carrying out their duty. The full range of potential equality effects relating to protected characteristics, including vulnerable groups, is properly identified in the statement, and summarised in Table 1.1 [APP-158].</p> <p><u>Response to (v)</u></p> <p>SZC Co. considers that the mitigation for noise, dust, and impact on travel times has fully addressed health impacts.</p> <p>Air quality has been assessed in terms of compliance with threshold objectives protective of health within the air quality assessment, and further investigated within Volume 2, Chapter 28 (Health and Wellbeing) of the ES [APP-346]. Emission concentration and exposure remain orders of magnitude lower than is required to quantify any measurable adverse community health outcome. On this basis, further health mitigation is not required, and monitoring remains focussed on environmental precursors to health outcome (facilitating intervention).</p> <p>The same is the case with noise, where the primary focus of the assessment was to minimise the magnitude and exposure to noise at a level that would again preclude any manifest health outcome. Mitigation follows the same premise, the Noise Mitigation Scheme (Doc Ref. 6.3 11H(A)), is geared to prevent any material risk to public health.</p> <p>No further mitigation is proposed for travel times, where the residual impact is measured in seconds and will not constitute a material impact on community care capacity, resources or programming.</p> <p><u>Response to (vi)</u></p> <p>The assessment of care homes and their residents is integrated into the relevant ES topic areas, including transport, noise and health and wellbeing, with signposting provided in the Equality Statement [APP-158], as part of the consideration of age as a protected characteristic (see Table A1.7 for a list of care homes).</p> <p>Care homes are treated as receptors of greatest sensitivity to traffic flow in the transport assessment, along with schools, colleges, playgrounds, accident clusters, urban/residential roads without footways that are used by pedestrians, and so - where applicable - will have</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>been taken into account in the proposed approach to mitigation e.g. proposed highway improvements.</p> <p>The noise assessment identifies residual significant effects during the construction phase on Leiston Old Abbey Residential Home which is located close to the main development site. This is receptor 15 in Volume 2, Chapter 11 (Noise and Vibration) of the ES [APP-202]. This is likely to be addressed through an acoustic barrier around its northern boundary.</p> <p>Norwood House is assessed as receptor 4 for the Sizewell link road - see Volume 6, Chapter 4 (Noise and Vibration) of the ES [APP-451]. No significant adverse noise effects are predicted, although there will be a significant increase in traffic noise on the B1122 close to property in the early years before the construction of the Sizewell link road.</p> <p>Volume 2, Chapter 28 (Health and Wellbeing) of the ES [APP-346] has applied a consistently precautionary approach where every resident is considered highly sensitive to every health pathway. In this context, the assessment is working on the basis that every resident is sensitive to changes in noise, and means any impact other than minor would be considered significant. This thereby addresses the relative sensitivity to noise for a wide age demographic (children in schools through to senior residents at home and in care homes).</p>
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	Please see response to question CI.1.12 (iii) .
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>

ExQ1	Question to:	Question:
	Response	<p>SZC Co. has worked with Suffolk Constabulary during the pre-application phase, and since submission of the DCO to fully assess the likely significant effects of the Sizewell C Project based on information available.</p> <p>A key concern of Suffolk Constabulary was the potential for non-crime incidents (as well as recorded crime) to result in additional demand for police resourcing. At paragraph 9.7.229 of Volume 2, Chapter 9 (Socio-Economics) of the ES [APP-195] it is noted that <i>'SZC Co. recognises through engagement with Suffolk Constabulary, that recorded crimes (the metric used in this assessment) are only one contributor towards police resourcing, and that information on response to non-reported incidents and dealing with crimes not categorised by the Home Office definitions can lead to greater demand for police resourcing'</i>.</p> <p>Following submission of the DCO, Suffolk Constabulary provided SZC Co. with information not previously in the public domain relating to non-crime incidents, and SZC Co. sourced non-crime (and reported crime) rates from HPC – this information was submitted in Volume 1, Chapter 2, section 2.4 of the ES Addendum [AS-181].</p> <p>SZC Co. has provided funding to Suffolk Constabulary to model potential crime and non-crime impacts in order to agree mitigation to be secured through the Deed of Obligation (latest draft Doc Ref. 8.17(C)). There are currently significant differences between SZC Co. and Suffolk Constabulary in the interpretation of the model, including the use of selected demographic characteristics, their weight and the evidential basis of additional demand as a result, especially when evidence from actual recorded crimes and incidents from Hinkley Point C is considered, but work is ongoing to address them.</p>
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>
	Response	<p>Please see response to question CI.1.14.</p> <p>Community safety mitigation measures are set out in the Community Safety Management [APP-635].</p>

ExQ1	Question to:	Question:
		<p>Table 5.1 [APP-635] sets out project mitigation measures contributing to community safety. These will be secured through a combination of measures as follows:</p> <ul style="list-style-type: none"> • Security - Nuclear Site Licence and CoCP (Doc Ref 8.11(B)) (in turn secured by requirement (Project Wide 2: Code of Construction Practice). • On site fire and rescue capability - CoCP. • Emergency co-ordinator - CoCP. • Occupational Health Service – Deed of Obligation (Schedule 6) (Doc Ref. 8.17(C)). • Security vetting - Nuclear Site Licence. • Drug and alcohol testing - Nuclear Site Licence and through Occupational Health Service. • Provision of accommodation campus and caravan site - Implementation Plan (Doc Ref. 8.4I(A)), secured through the Deed of Obligation. • Sports and recreation facilities - on-site will be as for campus, off-site Deed of Obligation, Schedule 10. • Accommodation Strategy – Deed of Obligation, Schedule 3. • Transport mitigation measures - Implementation Plan and Deed of Obligation, Schedule 16. • Employment, Skills and Training Strategy – Deed of Obligation, Schedule 7. <p>Financial contributions to support community stakeholders will be secured in the Deed of Obligation (Doc Ref. 8.17(C)). This includes contributions to the emergency services (Schedule 4) and the Councils under the Public Services Resilience Fund (Schedule 5), which also provides for multi-agency use to allow cross working with health stakeholders and the emergency services. The Deed of Obligation also establishes the Community Safety Working Group which will work together over the construction phase of the project (Schedule 4).</p>
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>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	<p>Response</p>	<p>(iii) Is this assessment now agreed?</p> <p>(i) The additional data has not changed SZC Co.'s assessment of likely community safety impacts. As set out in response to question CI.1.14, data from Hinkley Point C on non-crime incidents has informed this position.</p> <p>Also as set out in response to question CI.1.14, Sizewell C has funded Suffolk Constabulary to model potential crime and non-crime incidents relating to Sizewell C that would require mitigation. Suffolk Constabulary has shared the results with Sizewell C and SZC Co. is working to reach agreement on the interpretation of the results and the resultant resources that Suffolk Constabulary would require. At present SZC Co. believes the model is substantially over-estimating potential impacts when compared to observed impacts at Hinkley Point C.</p> <p>(ii) Volume 1, Chapter 2, section 2.4 of the ES Addendum [AS-181] provided an updated assessment by SZC Co.</p> <p>It is not currently proposed to provide a copy of the Suffolk Constabulary assessment into the examination as this is a collaborative process which has involved a number of exchanges of written information and discussions, rather than one single document. However, the outcome of this will be detailed in the Deed of Obligation (Doc Ref. 8.17(C)).</p> <p>(iii) The assessment is not yet agreed for the reasons set out in question CI.1.4 and (i) above. Discussions are ongoing.</p>
<p>Chapter 13 - Cu.1 Cumulative impact</p>		
<p>Cu.1.0</p>	<p>The Applicant</p>	<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</p>

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

ExQ1	Question to:	Question:
		<p>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	<p>(i) SZC Co. disagrees with Natural England's position. In relation to the combined impacts from different aspects of the project, to supplement the assessment reported in the Shadow HRA Report [APP-145 to APP-149], further assessment of potential effects from the Sizewell C Project was reported in Appendix 1A to the Shadow HRA Report Addendum [AS-174]. That assessment provides supplementary analysis of the effects on qualifying features of each European site that could arise due to interaction between the various effect pathways (screening categories) listed in Table 5.1 of the Shadow HRA Report [APP-145]. These effects are referred to as '<i>inter-pathway effects</i>' in Appendix 1A to the Shadow HRA Report Addendum [AS-174]. A draft version of this supplementary assessment was shared with Natural England (and East Suffolk Council, the Royal Society for the Protection of Birds, Marine Management Organisation, the Environment Agency, Suffolk Wildlife Trust and Suffolk County Council) in advance of a meeting held on 24 November 2020.</p> <p>With respect to in-combination effects with other plans and projects, Appendix C to the Shadow HRA Report [APP-145 to APP-149] lists those plans and projects considered in the Shadow HRA process, which includes the East Anglia ONE North (EA1N) and East Anglia TWO (EA2) projects. In addition to the above matter, with regard to in-combination effects with other plans and projects, Natural England [RR-0878] specifically advised the preparation of a Site Integrity Plan (SIP) for the Southern North Sea Special Area of Conservation (SAC). A SIP was provided as Appendix 9A to the Shadow HRA Report Addendum [AS-178]. Since the Shadow HRA Report [APP-145 to APP-149] was prepared, East Anglia ONE North, East Anglia TWO and East Anglia THREE have been combined to form the East Anglia HUB. The SIP (Appendix 9A to the Shadow HRA Report Addendum [AS-178]) includes assessment of in-combination effects with the East Anglia HUB, reflecting the new construction programmes (see below).</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>(ii) As set out within Appendix 13A of this chapter, the new construction programmes, as detailed on the new 'East Anglia Hub'⁵¹ website⁵², state that offshore construction of all three schemes will commence in 2023, on shore works will commence in 2024 and all three schemes will be operational by 2026. Information provided by Scottish Power Renewables states that construction is likely to be sequential, with parallel construction being the worst-case scenario.</p> <p>An updated construction programme for the Sizewell C Project is provided within the Implementation Plan (Doc Ref. 8.4I(A)) submitted at Deadline 2. The anticipated peak early year of construction remains 2023 and peak year of construction at the main development site is in 2028, with Sizewell C due to become fully operational by 2034, as set out in the ES.</p>
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 discussions with NE on this topic and indicate any outstanding points of disagreement on this aspect of the SSSI impact assessment process.</p>
	Response	<p>The project-wide effects assessment was included in the ES at Volume 10, Chapter 3 [APP-577] and was updated by Volume 1, Chapter 10 of the ES Addendum [AS-189].</p> <p>Table 3.4 of Volume 10, Chapter 3 of the ES [APP-577] provides a summary of potential terrestrial ecology project-wide cumulative effects. This table identified that there is potential for the following components of the Sizewell C project to impact upon the same nationally designated site, Minsmere to Walberswick Heaths and Marshes SPA, SAC, Ramsar Site, and SSSI, through the potential to alter local hydrology and hydrogeology in the Minsmere River catchment:</p> <ul style="list-style-type: none"> • main development site; • Yoxford roundabout;

⁵¹ East Anglia Hub is the name for the collective East Anglia THREE, East Anglia TWO and East Anglia ONE North offshore windfarm schemes.

⁵² The Energy Technology Institutes' Nuclear Cost Drivers report published on 3 September 2020. Available at: <https://www.eti.co.uk/library/the-eti-nuclear-cost-drivers-project-summary-report>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> • Sizewell link road; and • green rail route. <p>The assessment identified that following the implementation of the mitigation (including consideration of primary measures), there would be no potential for the impacts of the individual sites to combine into an increased project-wide effect (refer to paragraphs 3.5.4 and 3.5.15).</p> <p>No other nationally designated sites were identified to have the potential for project-wide effects, as the different components of the Sizewell C Project are all located at a distance from the nationally designated sites impacted by another component of the project. For example, the Sizewell Marshes SSSI is only located within the Zone of Influence of the main development site and would not be impacted by associated developments. Therefore, there are no additional project-wide effects to those already described within the site-specific ES volumes.</p> <p>SZC Co.'s and Natural England latest positions are recorded in the Statement of Common Ground submitted at Deadline 2 (Doc Ref. 9.10.7).</p>
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>
	Response	<p>SZC Co. acknowledges that the present context of Sizewell B will alter with the proposed development and as a result will be viewed in a different context, especially from the north. While Sizewell B's appearance in views along the coast will alter, it will remain visible, sitting in a sequence of three periods of nuclear power generation. The design principles described in the Design and Access Statement (APP-585 to APP-587, Doc Ref. 8.1Ad2 (A)) identify the importance of securing the alignment of each power station's major structures on a common axis to allow each to be read as separate objects without</p>

ExQ1	Question to:	Question:
		<p>distorting their legibility through changes in orientation. This design discipline will be apparent in views along the coast from the north.</p> <p>Sizewell A and Sizewell B power stations plus the Galloper and Greater Gabbard substations and high voltage transmission lines, as well as existing offshore wind development, are all considered as part of the existing baseline environment within Volume 2, Chapter 13 of the ES [APP-216]. The residual landscape and visual effects, as well as effects on the natural beauty indicators and special qualities of the Suffolk Coast and Heaths AONB, as a result of the proximity of these existing developments to the main development site are noted, where relevant.</p> <p>SZC Co. has set out an ambitious vision for the future of the EDF Energy Estate and acknowledges the important role of the estate-wide illustrative landscape masterplan and oLEMP [REP1-010], and future iterations of these, in mitigating the effects of Sizewell C and also in enhancing the local landscape in regard to its character, ecology and amenity.</p> <p>The Draft Deed of Obligation (formally Section 106 Agreement) (Doc Ref. 8.17(C)) includes a 'Natural Environment Improvement Fund' which would fund measures to mitigate the residual landscape and visual effects of the Project by employing projects to deliver sustainable long-term management and maintenance of woodlands, hedges and other established vegetation that contribute to the conservation and enhancement of landscape character and that provide or enhance the size, quality and connectivity of locally characteristic habitats to improve the resilience of wildlife to a changing climate and other pressures such as habitat fragmentation.</p> <p>The application of the fund, for example through the implementation and management of enhanced or new planting such as hedgerows, trees and woodlands, could reasonably be expected to mitigate the in-combination effects of the Sizewell C Project with other existing energy infrastructure within the Natural Environment Improvement Area.</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</p>

ExQ1	Question to:	Question:
		<p>indicate whether there are any other steps which could be taken in mitigation of this adverse effect?</p>
	Response	<p>(i) The Draft Deed of Obligation (Doc Ref. 8.17(C)) identifies that SZC Co. will provide a Marlesford and Little Glemham Improvement Contribution to be used by Suffolk County Council for the design and implementation of local improvements to mitigate Sizewell C impacts. Potential improvements in Marlesford and Little Glemham have been discussed with Suffolk County Council and the Parish Council. They include measures to reduce vehicle speeds (e.g. a new 30mph speed limit through Marlesford and extension of the existing 40mph speed limit, traffic calming, gateway features, new and wider footways and pedestrian crossings). Combined these measures would mitigate the forecast environmental impacts.</p> <p>(ii) See response to question TT.1.22 within Part 6 for description of further monitoring and control measures, and a separate contingency fund, proposed to mitigate potential impacts on the A12.</p>
Cu.1.4	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, 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.</p> <p>(i) Please explain further why there are considered to be no more practicable and proportionate mitigation steps available?</p> <p>(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	<p>(i) Paragraphs 4.7.10 to 4.7.11 and 4.9.9 of Volume 10, Chapter 4 of the ES [APP-578] provide explanation of the increase in cumulative effects for Receptor Groups 18, 19 and 20 during the construction period in relation to landscape and visual impact, and amenity and recreation respectively. In all cases, the increase in effects comes as a result of the closer proximity of the construction effects of the East Anglia ONE North and East Anglia TWO cable route and substations. The Environmental Statements for the East Anglia ONE North and East Anglia TWO schemes indicate that mitigation has been embedded into the</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>two schemes to reduce landscape and visual effects, but significant effects are anticipated during the relatively short-term construction period. It is not proportionate for SZC Co. to provide off-site mitigation for effects that may be caused by the East Anglia ONE North and East Anglia TWO cable route and substations.</p> <p>The construction effects of the Sizewell C Project would not be significant for Visual Receptor Groups 18, 19 and 20, or for amenity and recreation Receptor Groups 18 and 20. The construction effects of the Sizewell C Project would be significant for Recreation Receptor Group 19 (Table 15.11 of Volume 2, Chapter 15 (Amenity and Recreation) of the ES [APP-267]). SZC Co. is in discussion with Suffolk County Council and East Suffolk Council regarding additional mitigation for recreational receptors within Receptor Group 19, through measures such as PRow improvements and signage. These will be progressed through Section 106 discussions.</p> <p>(ii) As set out within Table 2.1 of Volume 10, Chapter 2 of the ES [APP-575], the Applicant considers that the amenity and recreation assessment inherently consider changes in views, noise, lighting, air quality, traffic and socio-economic factors associated with construction and operation. In addition, Table 2.1 also identified that potential effects on health and wellbeing from transport, noise and vibration, air quality, which constitute environmental determinants are inherently considered within the health and wellbeing assessment. On this basis, the effects identified for Receptor Groups 18, 19 and 20 within Volume 10, Chapter 4 of the ES [APP-578] within paragraph 4.9.9 represent the combined effects. The overall cumulative and combined effects on health and wellbeing are considered within Volume 10, Chapter 4, Section 4.21 of the ES [APP-578].</p>
Cu.1.5	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, 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	With reference to Volume 10, Chapter 4 of the ES [APP-578], Table 4.16 presents the cumulative effects summary for each of the technical disciplines. The pertinent Health and

ExQ1	Question to:	Question:
		<p>Wellbeing entries indicate a moderate adverse noise effect from rail proposals; and a moderate beneficial or adverse noise effect from the two village bypass, depending on the receptor location.</p> <p>With regard to the effects from rail proposals, as detailed in paragraphs 28.6.59 – 28.6.66 of Volume 2, Chapter 28 of the ES [APP-346], prior to mitigation, significant noise effects are identified at a number of receptor group locations during the night-time period along the Saxmundham to Leiston branch line (Kelsale Covert, Westhouse Crossing Cottage, and Crossing East), as well as at approximately 105 to 120 properties along the East Suffolk line.</p> <p>On the basis that the receptor groups currently identified to experience significant adverse noise effects and exceedances in specified noise criteria will fall under the provisions of the Noise Mitigation Scheme (the original version of which was contained in Volume 2, Appendix 11H of the ES [APP-210] with a revised version included within Doc Ref. 6.3 11H(A)) and further assessments would be undertaken to identify where additional mitigation is required to avoid and manage any receptor group exposure to noise exceeding the SOAEL, the magnitude of impact on health and wellbeing would be medium. However, in the context of the precautionary approach where a uniformly high sensitivity receptor has been applied as a constant, the resultant effect is considered moderate adverse, which is significant.</p> <p>The revised version of the Noise Mitigation Scheme will provide improvements in noise insulation at lower maximum noise levels than was the case when the scheme was submitted in May 2020. These improvements in noise insulation are now available for all properties subject to a free-field maximum railway noise level of 70dB or more, which is the level at which a significant adverse effect is expected to occur, within the EIA context, and is below the SOAEL.</p> <p>With regard to the effects of two village bypass, as detailed in Volume 2, Chapter 28 of the ES [APP-346], paragraph 28.6.71, the two village bypass would be operational during construction of the main development site and afford significant beneficial effects at the majority of receptors along the A12 where it passes through the villages of Stratford St Andrew and Farnham. This is due to the reduction of traffic travelling through the villages along the existing section of the A12, with the majority of vehicles using the new bypass instead.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>However, some residual impact is anticipated, and further assessments would be undertaken under the Noise Mitigation Scheme (the original version of which was contained in Volume 2, Appendix 11H of the ES [APP-210] with a revised version included within Doc Ref. 6.3 11H(A)) and where receptors are confirmed to be exposed to noise exceeding the SOAEL, the provisions of that scheme will apply. Overall, the adverse and beneficial magnitude of impact on health and wellbeing would be medium. In the context of a uniformly high sensitivity receptor, the resultant effect is considered moderate adverse or beneficial, depending on the location of the receptor, which is considered significant in EIA terms.</p> <p>Please note that a net effect was not reported, as it would mask the geographic distribution and significance of effect upon different receptors.</p> <p>With regard to why there are considered to be no more practicable and proportionate mitigation steps available, the Noise Mitigation Scheme is already in place, and would constitute further assessment and bespoke mitigation at the individual receptor, where appropriate to avoid exceeding SOAEL.</p> <p>On the above basis, the significant cumulative health effect from changes in noise are a factor of the consistently precautionary approach taken on receptor sensitivity, and how the Noise Mitigation Scheme will provide bespoke mitigation but cannot be reported as mitigated as yet.</p>
Cu.1.6	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, 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 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>

ExQ1	Question to:	Question:
	<p>Response</p>	<p>(i) Potential community stress and anxiety is a feature of both tangible changes in environmental, social and economic circumstance; and perceived risk.</p> <p>The planning process is inherently designed to protect the environment and health, and as such explores, addresses and assesses all credible activities with the potential to impact upon such, including the underlying features for general stress and anxiety. Measures proposed by SZC Co. to mitigate impacts on health and wellbeing, including stress and anxiety, are summarised within Volume 2, Chapter 28 of the ES, Section 28.5 [APP-346].</p> <p>Furthermore, the engagement process is geared towards exploring community priorities, needs and concerns, and forms the basis to tailoring and refining an application to local circumstance, but is also the process to respond to unfounded concerns that may lead to undue stress and anxiety. SZC Co. will maintain a robust system for communication and community engagement throughout the construction period as set out within the Code of Construction Practice (Doc Ref. 8.11(B)).</p> <p>As explained in paragraph 4.21.37 of Volume 10, Chapter 4 of the ES [APP-578], the planning process is therefore inherently geared to investigate, assess and address both tangible and perceived hazards with the potential to result in community stress and anxiety.</p> <p>The regulatory planning process also means that each of the cumulative projects listed in Volume 10, Chapter 4 of the ES [APP-578] will undertake the same process and will investigate, assess and address all tangible environmental, social and economic parameters, and also include its own cumulative assessment, considering any overlapping risk.</p> <p>On this basis, the regulatory planning process does not seek to exacerbate stress and anxiety, quite the contrary. Providing instead a regimented and comprehensive approach that ensures all projects consider and address all environmental, social and economic changes that underlie general community stress and anxiety.</p> <p>(ii) Paragraphs 4.21.35 to 4.21.38 in Volume 10, Chapter 4 of the ES [APP-578] are in reference to general stress and anxiety from the planning process, and conclude no significant cumulative environmental, social or economic impact with regards to stress and anxiety. The reasoning for this is further explained under response for (i) above. In the absence of any significant cumulative impact, only risk perception and general disruption</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>remain, which can only be addressed through ongoing meaningful engagement, which is the case for Sizewell C, and all the major infrastructure projects considered within the cumulative impact assessment.</p> <p>On this basis, each of the projects identified within the cumulative impact assessment will follow the regulatory planning process, will investigate, assess and address all tangible environmental, social and economic parameters, will include engagement, and subject to consent, will have appropriate monitoring and ongoing engagement to manage residual community concerns and risk perceptions that underlie stress and anxiety.</p>
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	<p>SZC Co. continue to engage with Scottish Power Renewables (SPR) to ensure coordination between East Anglia One North (EA1N) and East Anglia Two (EA2) and Sizewell C Project. See response to TT.1.62 within Part 6 which describes recent discussions between SZC Co. and SPR in relation to consistency between traffic models. A technical note (refer to Appendix 24B) has been produced summarising the differences in the SPR Preliminary Environmental Information Report (PEIR) and ES traffic inputs.</p> <p>A Statement of Common Ground (SoCG) has also been developed between SZC Co. and SPR (Doc Ref. 9.10.28), setting out a commitment to engage in relation to coordination of highway mitigation proposals and programmes (see response to TT.1.63 in Part 6 for further information).</p>
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>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<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> <p>(iv) Explain how it is proposed that the necessary access for the EA1 North and EA TWO Projects would be maintained?</p>
	Response	<p>i, ii, iii) See response to TT.1.63 in Part 6 which discusses the coordination of highway mitigation proposed by SZC Co. and SPR for EA1N and EA2. A commitment to regular engagement during design and construction phases is set out in the SoCG between SZC Co. and SPR (Doc Ref. 9.10.28). SZC Co. propose to establish clear communications protocols between all three parties, which will be defined in the terms of reference of the Transport Review Group (TRG).</p> <p>iv) The SPR EA1N and EA2 Works interact with Sizewell Gap at Work Nos. 10, 11 and 15. The EA1N and EA2 draft DCO (Schedule 9) sets out the purpose for which temporary possession may be taken at these Works (e.g. construction and carrying out of authorised project, vegetation clearance, access for carrying out the project). The SoCG between SZC Co. and SPR (Doc Ref. 9.10.28) notes that these works do not materially conflict with the construction of the Sizewell C Project. The draft DCO (Doc Ref. 3.1(C)) includes protective provisions which adequately protect SZC Co.'s interests with regard to interactions on Sizewell Gap.</p>
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.</p> <p>(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>

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

ExQ1	Question to:	Question:
	Response	<p>(i) As set out within Appendix 13A of this chapter, the new construction programmes for EA1N, EA2 and EA3, as detailed on the new 'East Anglia Hub'⁵³ website⁵⁴, state that offshore construction of all three schemes will commence in 2023, on shore works will commence in 2024 and all three schemes will be operational by 2026. Information provided by SPR states that construction is likely to be sequential, with parallel construction being the worst-case scenario.</p> <p>An updated construction programme for the Sizewell C Project is provided within the Implementation Plan (Doc Ref. 8.4I(A)) submitted at Deadline 2. The anticipated peak early year of construction remains 2023 and peak year of construction at the main development site is in 2028, with Sizewell C due to become fully operational by 2034, as set out in the ES.</p> <p>As explained within Volume 10, Chapter 4 of the ES [APP-578], the peak SPR construction traffic flows were considered as part of the peak early year (2023) assessment of Sizewell C construction within the ES. Furthermore, although the proposed timeline for concurrent construction shows the SPR schemes to be completed before the Sizewell C peak construction phase, if the construction programme were to be delayed the concurrent build could still be underway by Sizewell C peak construction phase, therefore the SPR 'concurrent build' traffic flows were also assessed in the Sizewell C 2028 peak construction 'cumulative' scenario. The SPR schemes would be completed by the Sizewell C operational stage. This remains robust and valid.</p> <p>(ii) See response to question TT.1.62 within Part 6 which describes recent engagement between SZC Co. and SPR to check on the validity of the SZC Co. assessment using the latest traffic flows from the EA1N and EA2 Environmental Statements. A note has been produced to summarise the differences in the SPR PEIR and ES traffic inputs (refer to Appendix 24B). The flow differences are small. The conclusion of that review is that there would be no material impact on the SZC Co. environmental assessment, if the updated SPR flows were used. It is also noted that due to the proposed timings and location of the onshore elements of EA3, it is not considered that this would have cumulative transport</p>

⁵³ East Anglia Hub is the name for the collective East Anglia THREE, East Anglia TWO and East Anglia ONE North offshore windfarm schemes.

⁵⁴ Scottish Power Renewables. The East Anglia Hub. [Online] Available from: https://www.scottishpowerrenewables.com/pages/east_anglia_hub.aspx

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		impacts in combination with the Sizewell C Project and, therefore, the assessment presented within the ES remains robust and valid.
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.</p> <p>(i) Please explain how that would be secured and enforced through the draft DCO or other means?;</p> <p>(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	<p>(i) The delivery of highway improvement schemes prior to the peak construction of the main development site is secured through Schedule 9 of the Draft Deed of Obligation (Doc Ref. 8.17(C)), which requires SZC Co. to use reasonable endeavours to deliver the mitigation identified (referred to as "Key Environmental Mitigation") in accordance with the Implementation Plan, and imposes further obligations on SZC Co. in respect of reporting performance to the Councils and addressing any timetabling issues which arise (see Draft Deed of Obligation (Doc Ref. 8.17(C))).</p> <p>(ii) The Construction Traffic Management Plan (CTMP) (Doc Ref. 8.7(A)) places controls on the number of HGV movements, and details of monitoring and reporting to the Transport Review Group (TRG). Those controls are linked to the delivery of transport infrastructure such that the early years HGV limits cannot be exceeded until the Sizewell link road and two village bypass are both operational. Thereafter, for the remainder of the peak construction, the peak construction HGV limits will apply. The CTMP is secured through the Draft Deed of Obligation (Doc Ref. 8.17(C)). See response to question TT.1.22 within Part 6 for further details.</p>
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</p>

ExQ1	Question to:	Question:
		<p>agreed between all parties and that they comprise a complete list of potential 'worst case' factors?</p>
Cu.1.12	<p>The Applicant, ESC, SCC</p>	<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> <p>(iii) Please outline the additional mitigation measures anticipated and explain how this would achieve the desired objective?</p>
	<p>Response</p>	<p>(i) The position with regards to mitigation of cumulative effects in Little Glemham and Marlesford has changed since the DCO submission. Since the submission of the</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>Application, SZC Co. has had ongoing discussions with SCC, ESC and local parish councils with regards to transport mitigation. Based on these discussions, SZC Co. is to fund a highway improvement scheme in Little Glemham and Marlesford, which would be implemented by SCC and secured via an obligation in the Deed of Obligation (Doc Ref 8.17(C)).</p> <p>(ii) Refer to (i) for the updated position with regards to mitigation at Little Glemham and Marlesford. Notwithstanding this, in answer to (ii), an updated Mitigation Route Map (Doc Ref. 8.12(B)) has been submitted at Deadline 2, which includes the transport contingency fund in the main mitigation route map tables, to be secured via the Draft Deed of Obligation (Doc Ref. 8.17(C)).</p> <p>(iii) See response to question TT.1.99 within Part 6 for description of the Marlesford and Little Glemham Improvement Contribution. SZC Co. will continue to liaise with Suffolk County Council, East Suffolk Council and the parish councils to agree an appropriate improvement scheme.</p>
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	<p>The EA2/EA1N Order limits are located 152m from Work No. 2F and an indicative 500m working width area is required between the EA2/EA1N Projects Order limits and the location of offshore export cables. There is a minimum indicative separation distance of 652m between the Sizewell C cooling water intakes at Work Nos.2B, 2D and 2F. and the nearest potential location of the EA2/EA1N offshore export cables. The construction, operation and decommissioning of the EA2/EA1N projects and the Sizewell C project can be undertaken without unreasonable hinderance. EA2, EA1N and SZC Co. will keep each other informed as to the precise siting of their respective infrastructure during detailed design and will work to ensure that the EA2 and EA1N and the Sizewell C infrastructure can be constructed, operated and decommissioned without unreasonable hinderance.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		A Statement of Common Ground (SoCG) for the EA2/EA1N Projects (Doc Ref. 9.10.28) has been developed on that basis.
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	<p>The cumulative assessment of GHG emissions was scoped out within paragraph 6.21.95 of the EIA Scoping Report [APP-168]. This is because all GHG emissions across the world have the potential to have a cumulative impact on the global climate. For the purposes of the EIA assessment, the UK carbon budgets are used as a proxy to represent the climate. The carbon budgets are developed by the UK Committee on Climate Change and include foresight into planned future policies and strategies, of which the Sizewell C Project is part of. The carbon budgets do not only account for new projects and sources of GHG emissions coming on line but also existing sources of emissions which will operate into the future. Therefore, the carbon budgets inherently account for the forecast cumulative GHG emissions across the industry. In effect, a reduction in the carbon budgets for electricity generation is partly achieved through the assumption that new nuclear power generation (such as Sizewell C) will come online.</p>
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	<p>Volume 10, Chapter 4 of the ES [APP-578] considers the cumulative effects of the Sizewell C Project with East Anglia One North and East Anglia Two off shore wind farms,</p>

ExQ1	Question to:	Question:
		<p>Nautilus Interconnector and Eurolink Interconnector (amongst other projects) on the Suffolk Coast and Heaths AONB (amongst other receptors). Both Nautilus Interconnector and Eurolink Interconnector are at an early stage and limited information is available on these developments and how they may affect the area around Sizewell C and the AONB. The SCD1 and SCD2 Interconnectors are at an even earlier stage with very little information available in relation to the proposals (no public consultation or EIA Scoping reports have been completed to date). Therefore, due to lack of information, it has not been possible to provide a cumulative assessment with SCD1 and SCD2. It should be noted that these projects would be required to complete their own cumulative assessments with other infrastructure projects as part of the planning process.</p> <p>The landscape and visual assessment for the main development site at Volume 2, Chapter 13 of the ES [APP-216] identifies localised significant effects on some of the natural beauty and special qualities indicators of the AONB as a result of the construction of the main development site. Volume 10, Chapter 4 of the ES [APP-578] goes on to acknowledge that other cumulative projects could affect the same area of the AONB, and that effects on some of the natural beauty and special qualities indicators of the AONB would remain significant.</p> <p>Volume 10, Chapter 4 of the ES [APP-578] assesses the cumulative effects of those projects where there is sufficient information available to make informed judgements on the likely impacts of the proposals. Any additional 'cumulative impact study' would similarly only be able to assess the impacts of projects based on information currently available. This would be the case whether the assessment was undertaken by the consultant team that prepared the ES for the Sizewell C Project or by an independent body.</p> <p>SZC Co. also notes that the cumulative effects assessment is being subject to a rigorous review and examination by technical stakeholders and the Examining Authority through the DCO process for the Sizewell C Project. Therefore, any comments on the assessment can be explored through this process.</p>
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 Scottish Power 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</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		mitigation package. Please respond to this specific point and explain further the consideration of this factor and any mitigation proposed.
	Response	Please refer to the response to SE.1.39 within Chapter 23. Appendix 23B (Response Paper – Cumulative Effects (Skills and Labour Market)) appended to Chapter 23 has been provided which concludes that the proposed scope of the original assessment is appropriate, and that the update provided within Appendix 23B results in no change in significance compared to the original assessment. Appendix 23B also sets out how mitigation has been developed (and is secured within the Draft Deed of Obligation (Doc Ref. 8.17(C)) to contribute towards the wider effects of labour/skills demand on the regional workforce from other infrastructure construction projects, acknowledging that other NSIPs also have their own mitigation packages for employment, skills and education.
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	Please refer to the response to question SE.1.39. Appendix 23B (Response Paper – Cumulative Effects (Skills and Labour Market)) sets out how mitigation has been developed (and is secured within the Draft Deed of Obligation (Doc Ref. 8.17(C)) to contribute towards the wider effects of labour/skills demand on the regional workforce from other infrastructure construction projects, acknowledging that other NSIPs also have their own mitigation packages for employment, skills and education.
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</p>

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

ExQ1	Question to:	Question:
		<p>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	<p>i) No response from SZC Co. required.</p> <p>ii) There has been further work on the anticipated construction sequence for the two village bypass, which has been validated against the indicative Implementation Plan (Doc Ref. 8.4I(A)). The two village bypass will be delivered in the early years of the Sizewell C Project, with the delivery of the A12/A1094 (Friday Street) roundabout prioritised, as shown on the Implementation Plan (Doc Ref. 8.4I(A)). The delivery of the Sizewell C Project in line with the Implementation Plan is secured through Schedule 9 of the Draft Deed of Obligation (Doc Ref. 8.17(C)).</p> <p>The anticipated construction sequence would include:</p> <p>1) Preparatory Works</p> <p>Preparatory works include the provision of mitigation measures for the following items:</p> <ul style="list-style-type: none"> • archaeology; • ecology; • environment; • utility investigation. <p>All preparatory works will be undertaken in compliance with the required permits and consents. Once completed, the preparatory works will facilitate the commencement of construction of the two village bypass.</p> <p>2) Construction works</p> <p>2.1) Friday Street Roundabout</p> <p>Construction of the Friday Street roundabout will be prioritised early in the construction of the two village bypass. The construction of the Friday Street roundabout will involve substantial works off-line with no disruption to the existing A12 and A1094 road networks. This work will then be followed by a Phased Traffic Management Plan to facilitate the connection of the proposed two village bypass with the existing A12 and</p>

ExQ1	Question to:	Question:
		<p>A1094. The Friday Street roundabout will be completed and operational early in the construction phase.</p> <p>2.2) Two Village Bypass</p> <p>Construction on the remaining areas of the two village bypass will involve the following activities:</p> <ul style="list-style-type: none"> • temporary contractor compounds; • utility diversions/protections; • earthworks; • drainage; • fencing & safety barriers; • road construction & surfacing; • River Alde overbridge; • Foxburrow non-motorised users overbridge; • pavements, kerbs & footways; • road lighting; • connections to existing road networks; • landscaping. <p>The construction of the two village bypass will be in accordance with the indicative Implementation Plan (Doc Ref. 8.4I(A)).</p>
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>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	<p>The additional cumulative effects on Receptor Group 19: Aldringham Common and The Walks would occur mainly due to construction of the landfall and cable route elements of East Anglia ONE North, East Anglia TWO, Nautilus Interconnector, Eurolink Interconnector, Greater Gabbard extension and Galloper Extension Offshore Wind Farm which are likely to take place within this receptor group. Mitigation should be provided by those projects for adverse impacts they generate.</p> <p>Having said this, SZC Co. is in discussion with Suffolk County Council and East Suffolk Council regarding additional mitigation required for recreational receptors within Receptor Group 19 for the Sizewell C Project, through measures such as PRow improvements and signage. These will be progressed through Deed of Obligation.</p>
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	<p>(i) A summary of the work required to connect Sizewell C to the National Electricity Transmission System is provided in the Grid Connection Statement [APP-583]. Paragraph 1.3.13 of that document clarifies the specific works for which SZC Co. is seeking development consent in relation to the grid connection.</p> <p>In response to the specific clarification questions posed:</p> <p>(a) The Grid Connection Statement [APP-583] confirms at paragraph 1.3.14 that reinforcement works to the surrounding National Electricity Transmission System would be carried out by National Grid, as appropriate.</p> <p>(b) Any requirement for new overhead lines would be determined by National Grid and would form part of the reinforcement works referred to above. SZC Co. is not aware</p>

ExQ1	Question to:	Question:												
		<p>of a requirement for new overhead lines arising directly as a result of the proposed development. SZC Co. is continuing engagement with National Grid to inform the need for any works required to the transmission network.</p> <p>(ii) The ES does not consider the cumulative impact on the 400 kV transmission network in the wider strategic area as an individual receptor as it is not identified as an environmental resource or a receptor that is likely to experience an environmental effect as a result of the proposed development. The table below summarises how the ES has considered any environmental effects from the National Grid transmission network works.</p> <table border="1" data-bbox="808 584 2074 1468"> <thead> <tr> <th data-bbox="808 584 1229 708">Description of works</th> <th data-bbox="1229 584 1525 708">Included in the Sizewell C Application?</th> <th data-bbox="1525 584 2074 708">Comments</th> </tr> </thead> <tbody> <tr> <td data-bbox="808 708 1229 1011">Build new 16-bay 400kV substation at Sizewell C, connect to the existing Sizewell B substation and install 400kV fault current limiting reactors</td> <td data-bbox="1229 708 1525 1011">Yes</td> <td data-bbox="1525 708 2074 1011">Assessed as part of the proposed development at the main development site. Refer to description of permanent development within paragraphs 2.5.65 to 2.5.66, Volume 3, Appendix 2.2.A of the ES Addendum [AS-202].</td> </tr> <tr> <td data-bbox="808 1011 1229 1315">Divert existing overhead line circuits from Sizewell B substation into the new Sizewell C substation</td> <td data-bbox="1229 1011 1525 1315">Yes</td> <td data-bbox="1525 1011 2074 1315">Assessed as part of the proposed development at the main development site. Refer to description of permanent development within paragraphs 2.5.65 to 2.5.66, Volume 3, Appendix 2.2.A of the ES Addendum [AS-202].</td> </tr> <tr> <td data-bbox="808 1315 1229 1468">Replace all conductors on four overhead line circuits between Sizewell and Bramford (near Ipswich)</td> <td data-bbox="1229 1315 1525 1468">No</td> <td data-bbox="1525 1315 2074 1468">These works comprise minimal upgrades to existing development and are assumed to be completed under permitted development</td> </tr> </tbody> </table>	Description of works	Included in the Sizewell C Application?	Comments	Build new 16-bay 400kV substation at Sizewell C, connect to the existing Sizewell B substation and install 400kV fault current limiting reactors	Yes	Assessed as part of the proposed development at the main development site. Refer to description of permanent development within paragraphs 2.5.65 to 2.5.66, Volume 3, Appendix 2.2.A of the ES Addendum [AS-202].	Divert existing overhead line circuits from Sizewell B substation into the new Sizewell C substation	Yes	Assessed as part of the proposed development at the main development site. Refer to description of permanent development within paragraphs 2.5.65 to 2.5.66, Volume 3, Appendix 2.2.A of the ES Addendum [AS-202].	Replace all conductors on four overhead line circuits between Sizewell and Bramford (near Ipswich)	No	These works comprise minimal upgrades to existing development and are assumed to be completed under permitted development
Description of works	Included in the Sizewell C Application?	Comments												
Build new 16-bay 400kV substation at Sizewell C, connect to the existing Sizewell B substation and install 400kV fault current limiting reactors	Yes	Assessed as part of the proposed development at the main development site. Refer to description of permanent development within paragraphs 2.5.65 to 2.5.66, Volume 3, Appendix 2.2.A of the ES Addendum [AS-202].												
Divert existing overhead line circuits from Sizewell B substation into the new Sizewell C substation	Yes	Assessed as part of the proposed development at the main development site. Refer to description of permanent development within paragraphs 2.5.65 to 2.5.66, Volume 3, Appendix 2.2.A of the ES Addendum [AS-202].												
Replace all conductors on four overhead line circuits between Sizewell and Bramford (near Ipswich)	No	These works comprise minimal upgrades to existing development and are assumed to be completed under permitted development												

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:												
		<table border="1"> <tr> <td data-bbox="808 240 1229 363">to increase capacity (~40km)</td> <td data-bbox="1229 240 1525 363"></td> <td data-bbox="1525 240 2074 363">rights. Therefore, they do not meet the criteria for a cumulative scheme within the ES.</td> </tr> <tr> <td data-bbox="808 363 1229 486">Construct new 9-bay 400kV substation at Bramford</td> <td data-bbox="1229 363 1525 486">No</td> <td data-bbox="1525 363 2074 486">These works are largely complete and, therefore, were assumed to form part of the baseline.</td> </tr> <tr> <td data-bbox="808 486 1229 609">Extend the new 400kV substation at Bramford by a further 12 bays</td> <td data-bbox="1229 486 1525 609">No</td> <td data-bbox="1525 486 2074 609">These works are largely complete and, therefore, were assumed to form part of the baseline.</td> </tr> <tr> <td data-bbox="808 609 1229 842">Construct new 400kV double circuit overhead line between Bramford (near Ipswich) and Twinstead (in Essex) (~27km)</td> <td data-bbox="1229 609 1525 842">No</td> <td data-bbox="1525 609 2074 842">These works are outside the Zone of Influence of the Sizewell C Project and, therefore, do not meet the criteria for a cumulative scheme within the ES.</td> </tr> </table> <p data-bbox="763 898 2112 1002">(iii) The Grid Connection Statement [APP-583] explains at paragraph 1.3.8 that it is the responsibility of National Grid to develop and maintain the National Electricity Transmission System.</p> <p data-bbox="763 1018 2112 1201">Any studies into the implications of planned / emerging energy projects on the existing 400 kV network would be carried out by National Grid as part of this responsibility. SZC Co. is continuing engagement with National Grid to inform the need for any works required to the transmission network (refer to the Statement of Common Ground with National Grid (Doc Ref. 9.10.8)).</p>	to increase capacity (~40km)		rights. Therefore, they do not meet the criteria for a cumulative scheme within the ES.	Construct new 9-bay 400kV substation at Bramford	No	These works are largely complete and, therefore, were assumed to form part of the baseline.	Extend the new 400kV substation at Bramford by a further 12 bays	No	These works are largely complete and, therefore, were assumed to form part of the baseline.	Construct new 400kV double circuit overhead line between Bramford (near Ipswich) and Twinstead (in Essex) (~27km)	No	These works are outside the Zone of Influence of the Sizewell C Project and, therefore, do not meet the criteria for a cumulative scheme within the ES.
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Construct new 400kV double circuit overhead line between Bramford (near Ipswich) and Twinstead (in Essex) (~27km)	No	These works are outside the Zone of Influence of the Sizewell C Project and, therefore, do not meet the criteria for a cumulative scheme within the ES.												
Cu.1.21	The Applicant	<p data-bbox="763 1222 1800 1254">Cumulative effects with other plans, projects and programmes</p> <p data-bbox="763 1265 2112 1437">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</p>												

ExQ1	Question to:	Question:
	<p>Response</p>	<p>Nationally Significant Infrastructure in the area that has been referred to in that representation.</p> <p>Section 4.7 of Volume 10, Chapter 4 of the ES [APP-578] considers the potential cumulative landscape and visual effects of the Sizewell C Project with other proposed projects, utilising the methodology determined for the EIA as a whole. The list of schemes included within the assessment was agreed with ESC in advance of the assessment. This includes the East Anglia ONE North Offshore Windfarm and the East Anglia TWO Offshore Windfarm; in particular the onshore elements of these projects. Other proposed projects at a much earlier stage in their development were identified but not assessed in detail due to the level of information available on what the proposals would entail. Those schemes of potential relevance to the Suffolk Coast and Heaths AONB were:</p> <ul style="list-style-type: none"> • Nautilus Interconnector. • Eurolink Interconnector. • Greater Gabbard extension. • Galloper Extension offshore windfarm. <p>Other potential cumulative schemes identified within the Relevant Representations by Suffolk Coast & Heaths Area of Outstanding Natural Beauty (AONB) Partnership [RR-1170] (i.e. SCD1 and SCD2, and Five Estuaries offshore windfarm) were not included within the cumulative effects assessment due to a lack of available information on these projects due to their stage of development.</p> <p>Volume 10, Chapter 4 of the ES [APP-578] can only assess the cumulative effects of those cumulative projects where there is sufficient information available to make informed judgements on the likely impacts of the proposals. SZC Co. does not consider that the exclusion of schemes too early in the planning process to be included in the assessment of cumulative effects underplays likely cumulative effects.</p> <p>In addition, the landscape and visual assessment for the main development site at Volume 2, Chapter 13 of the ES [APP-216] identifies localised significant effects on some of the natural beauty and special qualities indicators of the AONB as a result of the construction of the main development site. Volume 10, Chapter 4 of the ES [APP-578] goes on to acknowledge that other proposed projects could affect the same area of the AONB, and that effects on some of the natural beauty and special qualities indicators of</p>

ExQ1	Question to:	Question:
		<p>the AONB would continue to be significant when additional cumulative effects are taken into consideration. Any additional effects on these natural beauty and special qualities indicators are acknowledged rather than underplayed.</p> <p>SZC Co. has considered the existing built context provided by Sizewell A and Sizewell B in its planning and design of Sizewell C. Further detail on the relationship between Sizewell B and Sizewell C in particular is provided in response to question LI.1.21 in Chapter 18. The existing power stations are considered as part of the baseline for the assessment of effects from the main development site rather than included separately within the cumulative assessment.</p>
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 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>
	Response	<p>(i) The Applicant has reviewed the list of cumulative schemes considered within the ES against the cumulative schemes listed within the Joint Local Impact Report [REP1-044], and has concluded that no additional schemes would need further assessment.</p> <p>Table 1.1 of Appendix 13A provides a summary of the changes to the status of energy Nationally Significant Infrastructure Project (NSIPs) in close proximity to the Sizewell C Project and identifies any new information that has been made available. This has been prepared using the information made publicly available at the time of writing. Appendix 13A provides an updated assessment based on the identified new information and concludes that the changes to the nearby energy NSIPs would result in no new or</p>

ExQ1	Question to:	Question:
		<p>different significant effects than those reported in Volume 10, Chapter 4 of the ES [APP-578] or in Volume 1, Chapter 10 of the ES Addendum [AS-189].</p> <p>It is noted that the SCD1 and SCD2 Interconnectors are at an early stage with very little information available in relation to the proposals (no public consultation or EIA Scoping reports have been completed to date). Therefore, due to lack of information, it has not been possible to provide a cumulative assessment with SCD1 and SCD2 at this stage. It is noted that these projects would be required to complete their own cumulative assessments with other infrastructure projects as part of the planning process.</p> <p>(ii) For the construction of the Sizewell C Project the delivery of highway mitigation schemes will be undertaken in two distinct phases:</p> <ul style="list-style-type: none"> • Design Phase • Construction Phase <p>Both phases will be developed to reduce disruption during construction and to provide the required access to other developments surrounding Sizewell C.</p> <p>The preliminary design stage has taken cognisance of the potential disruption to road users during the construction phase. Design considerations taken during the preliminary design stage include:</p> <ul style="list-style-type: none"> • Optimising the alignment of proposed roundabouts and junctions so that most of the new construction can be undertaken outside the footprint of the existing highway network. • Considering pavement design so that pavement overlays can be undertaken on sections of the proposed tie-in works with the existing highway in lieu of full depth road construction. • Identification of reduced speed limits in the vicinity of construction works. <p>These design considerations provide the following benefits to the existing road users:</p> <ul style="list-style-type: none"> • Reduced construction duration on live road networks where much of the works are undertaken off-line. • Reduced interface duration with existing road users during tie-in works between proposed and existing road networks.

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

ExQ1	Question to:	Question:
		<p>The construction phase will require detailed consultation with Suffolk County Council in the development and approval of Traffic Management Plans for all interventions on the existing highway network. SZC Co. has held initial discussions with Suffolk County Council on proposed traffic management arrangement to be implemented during construction. The following traffic management principles have been broadly agreed with Suffolk County Council:</p> <ul style="list-style-type: none">• Proposed roundabouts and junctions will be prioritised and constructed early in the construction programme subject to construction access dates.• All highway interventions will be developed, approved and programmed in consultation with Suffolk County Council prior to commencement of working on the existing road network.• A12 and B1122 interventions such as tie-in works will be undertaken during off-peak travel times (night time or weekends).• All Interventions on the existing highway network will always aim to maintain one way traffic flow under traffic light signal traffic management arrangement. Where necessary, road closures will be planned and coordinated with Suffolk County Council with alternative diversion routes communicated with road users and other impacted stakeholders.• Use the new roundabouts for site access following their construction.• Access to and from the A1094 to the A12 to be maintained during construction of Friday street roundabout. <p>As with the design phase, the aim of the construction phase traffic management principles is to reduce the impact on existing road users and continue to provide access for other projects.</p> <p>(iii) SZC Co. proposes to manage Sizewell C construction traffic through the implementation of a Construction Traffic Management Plan (Doc Ref. 8.7(A)) and Construction Worker Travel Plan (Doc Ref. 8.8(A)), which would be monitored on a quarterly basis throughout the construction phase and reviewed through a Transport Review Group (TRG). The TRG would include representatives from SZC Co., the local authorities and Highways England. A Transport Contingency Fund is to be established by SZC Co. through the Deed of Obligation (Doc Ref. 8.17(C)) and made available to the TRG in the event that further mitigation or corrective actions are required. SZC Co.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>proposes to monitor the cumulative effects of Sizewell C with Scottish Power Renewables of East Anglia 1 North (EA1N) and East Anglia 2 (EA2) during the construction phase and, if any significant effects arise, could utilise the Transport Contingency Fund to implement additional measures to manage/reduce Sizewell C effects. SZC Co. would support a proportionate approach to funding of any mitigation measures in the event that significant cumulative transport effects arise through the monitoring process.</p>
Cu.1.23	The Applicant	<p>Cumulative effects with other plans, projects and programmes 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>
	Response	<p>Volume 10, Chapter 4 of the ES [APP-578] considered the potential for cumulative ecological effects to arise with the offshore components of EA1N and EA2 along with EA3, however, concluded that there would not be a potential for the onshore components of these schemes to result in cumulative ecological effects when considered in combination with the Sizewell C Project. The Applicant presented additional information on the cumulative ecological effects with the onshore components in Volume 3, Appendix 10.4.C of the ES Addendum [AS-201]. It considered the potential for cumulative effects with EA1N, EA2 and EA3 on the following receptor groups during construction:</p> <ul style="list-style-type: none"> • Designated sites; • Farmland birds; and • Bats. <p>The updated assessment concluded that construction and operation of the onshore elements of the three offshore windfarms, would not change the conclusions of the operational cumulative ecological effects and would remain as described within Volume 10, Chapter 4 of the ES [APP-578].</p> <p>In addition to this, Appendix 13A considers any recent changes that have been made to the nearby energy Nationally Significant Infrastructure Projects (NSIPs), scoped in to the cumulative effects assessment in Volume 10 of the ES [APP-572 to APP-582]. In relation to the three offshore wind farms, the new information related to the construction</p>

ExQ1	Question to:	Question:
		programme only which would not change the conclusions of cumulative ecological effects assessment described within Volume 10, Chapter 4 of the ES [APP-578].
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> <p>(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.</p>
	Response	<p>Please refer to the response to SE.1.39 within Part 6. Appendix 23B (Response Paper – Cumulative Effects (Skills and Labour Market)) sets out:</p> <ul style="list-style-type: none"> • That SZC Co. recognises the value of the Technical Skills Legacy Study⁵⁵ and contributed proactively to it by providing data on skill requirements for the Sizewell C Project, but notes that its scope is necessarily different from the scope of an EIA-led cumulative impact assessment in terms of selection of plans, projects and programmes. • Further detailed assessment of cumulative schemes to provide an assessment (where possible) of:

⁵⁵ Suffolk Growth Partnership Board (2020) Technical Skills Study. Available at: <https://www.suffolkgrowth.co.uk/technical-skills-legacy>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> ○ Updated timescales for the delivery of EA3 in particular and any other infrastructure projects where assumptions may have materially changed since submission of the DCO for the Sizewell C Project; ○ Illustrative consideration of schemes that were not included within the original assessment as a result of their location, but where overlapping labour market demand is feasible; and ○ Consideration of different skillsets needed over time from the regional labour market for cumulative schemes. <p>The update provided within Appendix 23B results in no change in significance compared to the original assessment within Volume 10, Chapter 4 of the ES [APP-578].</p>
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.</p> <p>(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.</p> <p>(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><u>Response to (i)</u></p> <p>The cumulative effect on demand for accommodation is considered in Volume 10, Chapter 4, paragraphs 4.3.64-4.3.66 (Project-wide, Cumulative and Transboundary Effects) of the ES [APP-578].</p> <p>It is not clear from information provided by other projects in the public domain that there would be a substantial demand for accommodation from their NHB workforce, particularly in the areas around Sizewell C's main development site where accommodation effects from the Sizewell C Project are likely to be greatest.</p> <p>From review of offshore wind projects, it appears that there are significant differences in the demand for accommodation both in terms of the sector of accommodation being sought (most demand would be for tourist sector accommodation rather than PRS or</p>

ExQ1	Question to:	Question:
		<p>owner occupied accommodation); and peak demand would occur well before the peak of Sizewell C's demand.</p> <p>SZC Co. notes that this conclusion has also been reached by SPR in its further consideration of cumulative accommodation effects related to East Anglia ONE North and East Anglia TWO with Sizewell C.</p> <p>As such, the cumulative effects on local housing stock are considered to be greatest as a result of the effect of the Sizewell C Project's peak NHB construction workforce. As set out in Volume 2, Chapter 9 (Socio-economics) of the ES [APP-195], those effects are likely to be negligible at the wider scale with localised significant adverse effects likely to be concentrated in areas of east Suffolk very close to the main development site, prior to mitigation.</p> <p>SZC Co. has developed a detailed set of measures including a Housing Fund capable of delivering in the region of 1,200 bedspaces by the peak of the Sizewell C Project's workforce profile (i.e. as many private rented bedspaces as are predicted to be sought by NHB workers at peak), alongside an Accommodation Management System and measures to support the tourist accommodation sector and the resilience of statutory housing services for ESC. Proposed measures are detailed in the Accommodation Strategy [APP-613] and the Draft Deed of Obligation, Schedule 3 (Doc Ref. 8.17(C)).</p> <p>Effects and the effectiveness of mitigation will be monitored through an Accommodation Working Group including monitoring of workforce size, location and accommodation sector, and measures of stress on the housing market, and governed so that the Housing Fund is largely within the ability of ESC to direct to mitigate for potential effects. Proposed measures are detailed in the Accommodation Strategy [APP-613] and the Draft Deed of Obligation (Doc Ref. 8.17(C)).</p> <p>As such, it is not considered that the residual effect of the Sizewell C Project would push workers to look further afield creating pressures on adjacent authorities. Effects are not likely to be significant at a wider scale, and are anticipated to be fully mitigated, and supported by a responsive governance system to monitor effects. SZC Co. notes that Suffolk County Council recognise that (paragraph 161 [RR-1174]): "<i>Pressure on existing housing stock in east Suffolk [is] proposed to be mitigated by a Housing Fund</i>"; and "<i>Non-Sizewell C projects may have similar or alternative means to address impacts on housing stock</i>".</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p><u>Response to (ii)</u></p> <p>For the reasons set out above, it is therefore not considered that anything else should 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 (Doc Ref. 8.12(B)).</p>
Cu.1.26	The Applicant	<p>Inter-relationship effects</p> <p>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	<p>Health is a complex multidisciplinary concept with a wide array of overlapping environmental, social and economic health determinants, with varying exposure pathways, casual mechanisms, and scientific certainty.</p> <p>On this basis the primary stage of the health and wellbeing assessment was to establish the potential health pathways directly attributable to what is proposed (i.e. activities with the potential to influence health and wellbeing positively and negatively).</p> <p>This was then applied to identify appropriate assessment protocols for each health pathway, and explore any inter and intra-related hazard characteristics, but also relative community and individual sensitivity that might result in a disproportionate outcome.</p> <p>The health and wellbeing assessment (Volume 2, Chapter 28 of the ES [APP-346], as updated by the ES Addendum [AS-181]), then drew from and built upon the inter-relating technical disciplines within Volume 2 (main development site) and Volumes 3-9 (associated development) of the ES, as updated by the ES Addendum - socio-economics, transport, noise and vibration, air quality and radiological assessment. Here the change in magnitude and distribution of all tangible environmental, social and economic impacts and benefits were considered, assessed and further addressed through a combination of primary, secondary and tertiary mitigation. A cumulative effects assessment with other projects was presented within Volume 10, Chapter 4 of the ES [APP-578], as updated by Volume 1, Chapter 10 of the ES Addendum [AS-189]. Furthermore, the effects by communities were summarised within the Community Impact Report [APP-156].</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>The intangible and more subjective aspects which are often not possible to quantify, have been explored and addressed through meaningful consultation during the planning application process, to inform and refine the proposed development. Subject to consent, this engagement will continue, to inform and refine mitigation, where appropriate, but also share monitoring data, key to addressing risk perceptions, that if left unaddressed can impact upon quality of life. As part of the Draft Deed of Obligation (Doc Ref. 8.17(C)), SZC Co. proposes a Community Fund that will be used to fund measures, projects and programmes in local communities which seek to improve quality of life for those most affected.</p>
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	<p>The Applicant has prepared a summary of the Mitigation Route Map (Doc Ref. 8.12(B)) for each of the sites to summarise the mitigation considered within the inter-relationship effects assessment. These summaries can be found in Appendix 13B of this chapter.</p>
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 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. (i) Please explain in detail any mitigation proposed to overcome these additional or new</p>

ExQ1	Question to:	Question:
		<p>impacts. (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>
	<p>Response</p>	<p>i) Measures proposed to mitigate the interrelationship effects on properties between Yoxford and Leiston, close to the B1122, are summarised within Appendix 13B of this chapter. There are no additional proposed mitigation measures to overcome the new and or different environmental effects identified within the inter-relationship effects assessment [APP-575] beyond those measures already defined within the individual topic assessments presented within Volume 2 of the ES.</p> <p>ii) Where a high potential for interrelationship effects has been identified, each effect contributing to the combined effect would still need to be mitigated through the measures specified within the relevant topic chapters. For example, where a receptor is affected by air quality, noise and vibration and landscape and visual effects, each impact contributing to the combined effect would still need to be mitigated by the relevant topic measures. These measures are summarised within Appendix 13B of this chapter and are considered to comprise all practicable measures to mitigating these effects.</p> <p>SZC Co. also recognises that there will be residual, intangible effects on communities which may result in perceptions of a reduction in quality of life. As such, SZC Co. proposes a Community Fund as part of the Draft Deed of Obligation (Doc Ref. 8.17(C)) that will be used to fund measures, projects and programmes in local communities which seek to improve quality of life for those most affected.</p>
<p>Cu.1.29</p>	<p>The Applicant</p>	<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.</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>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>(ii) (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>
	<p>Response</p>	<p>i) Measures proposed to mitigate the interrelationship effects on properties on the western side of Main Road adjacent to the eastern boundary of the site, are summarised within Appendix 13B of this chapter. There are no additional proposed mitigation measures to overcome the new and or different environmental effects identified within the inter-relationship effects assessment [APP-575] beyond those measures already defined within the individual topic assessments presented within Volume 3 of the ES.</p> <p>ii) Where a high potential for interrelationship effects has been identified, each effect contributing to the combined effect would still need to be mitigated through the measures specified within the relevant topic chapters. For example, where a receptor is affected by air quality, noise and vibration and landscape and visual effects, each impact contributing to the combined effect would still need to be mitigated by the relevant topic measures. These measures are summarised within Appendix 13B of this chapter and are considered to comprise all practicable measures to mitigating these effects. SZC Co. also recognises that there will be residual, intangible effects on communities which may result in perceptions of a reduction in quality of life. As such, SZC Co. proposes a Community Fund as part of the Draft Deed of Obligation (Doc Ref. 8.17(C)) that will be used to fund measures, projects and programmes in local communities which seek to improve quality of life for those most affected.</p>
<p>Cu.1.30</p>	<p>The Applicant</p>	<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 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</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>receptors. (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>
Cu.1.31	The Applicant	<p>Response</p> <p>i) Measures proposed to mitigate the interrelationship effects on properties The Red House and Timbers, Main Road; Hall Cottages, Farnham Hall, Farnham Street Farm; Farnham Hall Farmhouse; and Rosehill Cottages, are summarised within Appendix 13B of this chapter. There are no additional proposed mitigation measures to overcome the new and or different environmental effects identified within the inter-relationship effects assessment [APP-575] beyond those measures already defined within the individual topic assessments presented within Volume 5 of the ES.</p> <p>ii) Where a high potential for interrelationship effects has been identified, each effect contributing to the combined effect would still need to be mitigated through the measures specified within the relevant topic chapters. For example, where a receptor is affected by air quality, noise and vibration and landscape and visual effects, each impact contributing to the combined effect would still need to be mitigated by the relevant topic measures. These measures are summarised within Appendix 13B of this chapter and are considered to comprise all practicable measures to mitigating these effects. SZC Co. also recognises that there will be residual, intangible effects on communities which may result in perceptions of a reduction in quality of life. As such, SZC Co. proposes a Community Fund as part of the Draft Deed of Obligation (Doc Ref. 8.17(C)) that will be used to fund measures, projects and programmes in local communities which seek to improve quality of life for those most affected.</p> <p>Inter-relationship effects 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</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>impacts, during construction. In addition, a number of receptors are also 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, and/or mitigation to further reduce the impact of individual components is proposed, then explain why that approach is considered to be acceptable?</p>
Cu.1.32	The Applicant	<p>Response</p> <p>i) Measures proposed to mitigate the interrelationship effects on properties 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, are summarised within Appendix 13B of this chapter. There are no additional proposed mitigation measures to overcome the new and or different environmental effects identified within the inter-relationship effects assessment [APP-575] beyond those measures already defined within the individual topic assessments presented within Volume 6 of the ES.</p> <p>ii) Where a high potential for interrelationship effects has been identified, each effect contributing to the combined effect would still need to be mitigated through the measures specified within the relevant topic chapters. For example, where a receptor is affected by air quality, noise and vibration and landscape and visual effects, each impact contributing to the combined effect would still need to be mitigated by the relevant topic measures. These measures are summarised within Appendix 13B of this chapter and are considered to comprise all practicable measures to mitigating these effects. SZC Co. also recognises that there will be residual, intangible effects on communities which may result in perceptions of a reduction in quality of life. As such, SZC Co. proposes a Community Fund as part of the Draft Deed of Obligation (Doc Ref. 8.17(C)) that will be used to fund measures, projects and programmes in local communities which seek to improve quality of life for those most affected.</p> <p>Inter-relationship effects 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</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>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 receptors.</p> <p>(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	<p>Measures proposed to mitigate the interrelationship effects on properties between at 1 and 2 Keepers Cottage are summarised within Appendix 13B of this chapter. There are no additional proposed mitigation measures to overcome the new and or different environmental effects identified within the inter-relationship effects assessment [APP-575] beyond those measures already defined within the individual topic assessments presented within Volume 8 of the ES.</p> <p>ii) Where a high potential for interrelationship effects has been identified, each effect contributing to the combined effect would still need to be mitigated through the measures specified within the relevant topic chapters. For example, where a receptor is affected by air quality, noise and vibration and landscape and visual effects, each impact contributing to the combined effect would still need to be mitigated by the relevant topic measures. These measures are summarised within Appendix 13B of this chapter and are considered to comprise all practicable measures to mitigating these effects. SZC Co. also recognises that there will be residual, intangible effects on communities which may result in perceptions of a reduction in quality of life. As such, SZC Co. proposes a Community Fund as part of the Draft Deed of Obligation (Doc Ref. 8.17(C)) that will be used to fund measures, projects and programmes in local communities which seek to improve quality of life for those most affected.</p>
Cu.1.33	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 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</p>

ExQ1	Question to:	Question:
		<p>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.</p> <p>(i) Please identify the receptors where the effects would be significant?</p> <p>(ii) Please explain further mitigation proposed and the extent to which the proposed speed restrictions would assist in that respect;</p> <p>(iii) How could it be ensured that the proposed speed restrictions would be implemented and adhered to?</p>
	<p>Response</p>	<p>(i) Likely significant effects with regards to airborne noise are identified within Volume 1, Chapter 9 of the ES Addendum [AS-188] paragraph 9.3.114 as follows:</p> <ul style="list-style-type: none"> • Major adverse effects are predicted at night at two properties along the Saxmundham to Leiston branch line in the early years (Kelsale Covert and Westhouse Crossing Cottage), and at the same two properties during the later years (Kelsale Covert and Westhouse Crossing Cottage). This outcome is the same as set out in Volume 9, Chapter 4 of the ES [APP-545]. However, there would be an improvement at Crossing East during the later years with the significance of effect reducing from major to moderate adverse effect, although it is still considered to be a significant effect. • Major adverse effects are predicted at night at between 5 and 10 properties along the East Suffolk line, once Saxmundham junction is upgraded, which will enable construction trains to join or leave the Saxmundham to Leiston branch line without stopping. This outcome is the same as was set out in Volume 9, Chapter 4 of the ES [APP-545]. • Moderate adverse effects are predicted at night at between 100 and 110 properties along the East Suffolk line, once Saxmundham junction is upgraded. This outcome is the same as was set out in Volume 9, Chapter 4 of the ES [APP-545]. <p>Likely significant effects with regards to groundborne noise, which is combined with low frequency airborne noise, are identified within Volume 1, Chapter 9 of the ES Addendum [AS-188] paragraphs 9.3.117 to 9.3.118. The night-time groundborne noise SOAEL will only potentially be exceeded at two locations along the length of the railway line from Westerfield junction to the Sizewell C main development site. These two properties, Crossing Cottage on Kiln Lane South in Benhall and an unnamed property on Blackstock Crossing Road in Campsea Ashe are both close to the East Suffolk line.</p>

ExQ1	Question to:	Question:
		<p>For these two properties, it is expected that the airborne component of the internal sound level will be sufficiently reduced as a result of the implementation of the 'Noise Mitigation Scheme' (the original version of which was contained in Volume 2, Appendix 11H of the ES [APP-210] with a revised version provided within Doc Ref. 6.3 11H(A)) such that the SOAEL is not exceeded.</p> <p>(ii) The draft Rail Noise Mitigation Strategy, which is contained in Volume 3, Appendix 9.3.E of the ES Addendum [AS-258], sets out the proposed operational and physical measures to limit railway noise and vibration, including:</p> <ul style="list-style-type: none"> • Installation of a crossover north of Saxmundham station and upgrades to the signalling system to permit trains to join or leave the Saxmundham to Leiston branch line without stopping, known as the 'change arrangements at Saxmundham. • The Saxmundham to Leiston branch line will be upgraded with a refurbished trackbed, concrete or steel sleepers, and welded rails to provide a consistent rail cross-section consistent gauge, and smooth running surface. • The proposed rail extension route will be constructed using the same approach as the upgraded Saxmundham to Leiston branch line. • Under ballast mats will be installed where the Saxmundham to Leiston branch line or proposed rail extension route pass within 15 metres of a residential receptor, and will be installed for a minimum of 10 metres either side of the property. An alternative design may be substituted, if its effectiveness is equal and approved. • Night-time speed limits of 10 mph will apply at three locations along the East Suffolk line: Woodbridge/Melton, Campsea Ashe, and Saxmundham. • Speed on the Saxmundham to Leiston branch line will be limited to 10mph during the early years. • Pending the results of further assessment of the upgraded and mitigated Saxmundham to Leiston branch line during the early years operation, the speed limit on Saxmundham to Leiston branch line may be increased to 20mph. This further assessment work is described later in this section. • The speed limit on the proposed rail extension route will match that applied to the Saxmundham to Leiston branch line. This enables constant train speeds to be maintained, thereby avoiding accelerating locomotive noise close to the north-western corner of Leiston.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> • Class 66 locomotives will be used in preference to Class 68 locomotives, where there is equivalent choice. • Night-time construction trains will not travel into or out of Leiston, instead being held on the Saxmundham to Leiston branch line to the west of the Saxmundham Road level crossing, at defined locations. • Construction trains stabled overnight on the branch line will not be permitted to keep their engines idling. <p>The noise benefits derived from the speed restrictions are described in Volume 3, Appendix 9.3.A of the ES Addendum [AS-257], but can be summarised as:</p> <ul style="list-style-type: none"> • Reduced airborne noise from locomotive exhausts and engines; • Reduced rolling noise from trains in general; and • Reduced groundborne noise and vibration, particularly when combined with continuously-welded rail. <p>In addition, the provisions of the 'Noise Mitigation Scheme' (the original version of which was contained in Volume 2, Appendix 11H of the ES [APP-210] with a revised version provided within Doc Ref. 6.3 11H(A)) will provide for improvements in the sound insulation of properties where the external train noise level exceeds 73dB L_{AFmax} measured 1m from the property façade. This trigger threshold has been lowered from the 80dB L_{AFmax} value contained in the original version of the 'Noise Mitigation Scheme', in response to representations from ESC.</p> <p>(iii) The speed restrictions are included in Appendix B of the draft Rail Noise Mitigation Strategy, which is itself contained in Volume 3, Appendix 9.3.E of the ES Addendum [AS-258], and the Rail Noise Mitigation Strategy is secured by Requirement 25 of the draft DCO (Doc Ref. 3.1(C)). The restrictions will be enforced, on a practical level, through the contractual arrangement with the Freight Operating Company, who will in turn require their train drivers to adhere to the restrictions.</p>
Cu.1.34	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 10.4.229 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</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>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 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.</p>
Cu.1.35	The Applicant	<p>Response</p> <p>Construction of the potable water supply strategy would not generate waste arisings or consume material quantities at a scale likely to be significant acting cumulatively with the Sizewell C Project. In addition, its construction would only coincide with the Sizewell C Project during the early years, when waste arisings and materials use for construction of the power station and associated development would be small relative to those in peak construction. Northumbrian Water Limited's (NWL) proposed Sizewell Transfer Main would involve construction of approximately 28km of replacement or new high pressure water mains, with associated infrastructure. This is based on an outline design that NWL commissioned which is subject to ongoing routing and detailed design studies. Preliminary programme estimates are that the transfer scheme would take approximately 12 months to construct. There would be minimal waste arisings associated with the scheme, all excavations along the pipeline routes being backfilled with arisings. Aggregate use, for example as a bedding layer for the mains, would be small in relation to available resources. No further information is currently available, although technical studies are ongoing. We should be able to provide additional information at Deadline D4.</p> <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</p>

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

ExQ1	Question to:	Question:
		<p>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>
	Response	<p>(i) The proposed Sizewell Transfer Main does not form part of the DCO Application for Sizewell C. It would be delivered separately by Northumbrian Water Limited (NWL) who would be responsible for its design and construction, and for obtaining any planning permissions, consents and licenses as may be required. The routing of the mains and logistics will be considered as part of NWL's routing and detailed design studies which started in May 2021. There is an opportunity to construct a section of the proposed transfer main along the Sizewell Link Road that is being explored. SZC Co. and NWL will continue to collaborate to avoid and reduce impacts as far as possible. Traffic monitoring will be undertaken through the Sizewell C Transport Review Group, with further mitigation put in place, if needed.</p> <p>(ii) The proposed Sizewell Transfer Main would be consented separately to Sizewell C. Any required mitigation for the new mains would be secured in its own planning permissions, licenses and consents.</p> <p>(iii) NWL's routing and detailed design studies for the proposed Sizewell transfer main started in May 2021. The programme will be developed as part of these studies. The scope of these studies also includes all necessary environmental surveys and assessments required to support any planning permissions, licenses and consents.</p> <p>(iv) This information is not currently available but will form part of NWL's detailed design.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		(v) NWL's preliminary programme estimate is that the proposed Sizewell Transfer Main scheme would take approximately 12 months to construct. No further information is currently available, although technical studies are ongoing. We should be able to provide additional information at Deadline D4.
Cu.1.36	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 10.4.258 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.</p>
	Response	This is confirmed.
Cu.1.37	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 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.</p> <p>(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;</p> <p>(ii) Please indicate whether there has been any progress in relation to the provision of any additional mitigation requirements?</p> <p>(iii) Please explain exactly how that mitigation would be secured through planning obligations.</p>
	Response	(i) A site visit by an acoustics specialist was undertaken in July 2020 to better understand Pro Corda's activities, their specific sensitivities and facilities, and how the predicted noise and vibration levels might affect them in a way that might be different from a more typical

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>receptor, such as a dwelling. Following that meeting, a paper was prepared expanding on the potential noise and vibration effects at Pro Corda; the paper is appended to the SoCG with Pro Corda (Doc Ref. 9.10.21).</p> <p>Regular discussions with Pro Corda are ongoing to further that understanding, and to determine what mitigation would be of benefit to address the particular needs of the school.</p> <p>Without prejudicing the outcome of those discussions, it is anticipated that any agreed measures that are designed to directly mitigate noise effects would be in place before the works that give rise to the effects take place. Any agreed measures that seek to off-set adverse effects will be implemented in accordance with a timetable to be agreed between the parties.</p> <p>(ii) Good progress has been made in determining what effects require mitigation, and which measures would be of benefit to Pro Corda without giving rise to secondary issues for the school. Because of the particular sensitivity of the school and its clients, regular, in-depth discussions have been held so that the needs of the school are not compromised. The current position is recorded within the SoCG with Pro Corda (Doc Ref. 9.10.21).</p> <p>(iii) Alterations to glazing and/or ventilation provision for the residential parts of Pro Corda will either be secured through the Noise Mitigation Scheme, the original version of which was contained in Volume 2, Appendix 11H of the ES [APP-210] with a revised version provided within Doc Ref. 6.3 11H(A). Implementation of the Noise Mitigation Scheme is secured through Schedule 12 of the draft Deed of Obligation (Doc Ref. 8.17(C)) or through the Pro Corda Resilience Fund which will be secured in the Schedule 13 of the draft Deed of Obligation (Doc Ref. 8.17(C)).</p> <p>Other measures would be funded through the Pro Corda Resilience Fund which will be secured in the Schedule 13 of the draft Deed of Obligation (Doc Ref. 8.17(C)).</p>
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>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<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	<p>Receptor 14 is not included in Table 3.1 in Volume 10, Chapter 3 of the ES [APP-577]; paragraphs 3.2.14 to 3.2.16 identify Receptor 14 as a location where road traffic noise and construction noise may combine to result in a perceived worsening of effect during some of the early phase construction work at LEEIE.</p> <p>(i) The effects of the two sources of noise are judged differently; road traffic noise is primarily assessed as a change in noise level, whereas construction noise is assessed against absolute criteria. The noise metrics used also differ, with road traffic noise using either the daytime $L_{A10,18hr}$ or night-time L_{night} and construction noise using the $L_{Aeq,T}$ index. Since the assessment is undertaken in advance of the noise-generating activities, the two types of noise can be assessed separately against their own criteria, using their own calculation methods.</p> <p>There is no simple method of correlating the two methods of assessing noise effects, so the assessor must consider the degree to which the two noise sources might combine to determine whether in combination the effect may be greater than in isolation.</p> <p>The principal judgement will relate to the relative balance between the absolute levels of sound from each; for example, even a large increase in road traffic noise may be of little significance, if balanced against a high level of construction noise.</p> <p>Where both the magnitude of effect and the absolute noise levels are similar, it is likely that the combined effect will be greater than either source in isolation. Where one noise source dominates over the other, it is likely that the combined effect will be no greater than the effect of each source individually.</p> <p>For Receptor 14, it was judged that there would be no change to the significance of the effect, but that there may be a perceived worsening of effect.</p> <p>(ii) SOAEL is assessed on a source-by-source basis and there is no method of combining the sources given the use of different noise indices over different time periods. SOAEL is applied in the noise assessment where the separation of sources is both feasible and</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>appropriate. Each source is assessed against the SOAEL defined for that source, as well as against any criteria, such as change thresholds, that are appropriate.</p> <p>Monitoring will be against levels defined in the 'Noise Monitoring and Management Plan', which will be implemented under the Code of Construction Practice (CoCP) (Doc Ref 8.11(B)).</p> <p>Where levels are identified for the purposes of monitoring and multiple sources are present, the most practical option is likely to be to measure close to the source of most interest, and calculate the level at the point of interest and compare that level against the monitoring threshold for that source.</p> <p>The implementation of the Noise Mitigation Scheme, the original version of which was contained in Volume 2, Appendix 11H of the ES [APP-210] with a revised version provided within Doc Ref. 6.3 11H(A), is to commence with refreshed assessments, carried out in advance of the noise-generating activities. This is necessary so that the mitigation is in place before the noise-generating activities that give rise to the eligibility are undertaken. In that instance, eligibility is determined by considering each source against the threshold identified in the Noise Mitigation Scheme for that source.</p>
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	<p>Paragraph 3.5.6 of Volume 10, Chapter 3 of the ES [APP-577] identifies the classification of the residual project-wide effect for both woodlands and hedgerows which is assessed as moderate adverse (significant), following the application of mitigation.</p> <p>The paragraph states that measures have been taken by the Applicant within the design process to mitigate the impacts as far as possible. The key mitigation measures are</p>

ExQ1	Question to:	Question:
		<p>secured through requirements in Schedule 2 of the draft DCO (Doc Ref. 3.1(C)) and are as follows:</p> <ul style="list-style-type: none"> • Project wide: <ul style="list-style-type: none"> • Felling or lopping of trees and removal of hedgerows is controlled by Article 79 of the dDCO. Only important hedgerows identified on the plans in Schedule 21 (removal of important hedgerows) may be removed. • The Code of Construction Practice (Doc Ref. 8.11(B)) (Requirement 2) sets out how vegetation should be dealt with through construction and any removal and reinstatement (as appropriate). • Main development site: <ul style="list-style-type: none"> • During construction, vegetation retention and removal is controlled through general accordance with the Site Clearance Plans and the Construction method statement(Requirement 6), Chapter 5 of the Main Development Site Design and Access Statement (Requirements 11, 12 and 13) and Table A.1 of the Main Development Site Design and Access Statement for accommodation campus (Requirement 17). • New landscaping will be provided through a landscape and ecology scheme which must include specified details and be prepared in general accordance with the detailed design principles set out in Chapter 8 of the Main Development Site Design and Access Statement and the measures set out in the Outline Landscape and Ecology Management Plan (oLEMP) [REP1-010] (Requirement 14). • New wet woodland planting will be provided in compliance with a wet woodland plan which will be approved under Requirement 14B and which must be in general accordance with the Wet Woodland Strategy [REP1-020]. • Associated development sites: <ul style="list-style-type: none"> • During construction vegetation retained and removed is controlled through general accordance with the relevant Site Clearance Plans (Requirement 19) and the Associated Development Design Principles (Requirements 18, 20 and 22). • Buffer distances to retained vegetation will be established in compliance with the Associated Development Design Principles (Doc Ref. 8.3(A)) and the Approved Plans (Requirements 18, 20 and 22). New landscaping provided in

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>general accordance with the relevant Proposed Landscape Masterplan And Finished Levels drawings which are Approved Plans..</p> <ul style="list-style-type: none"> • Landscape works at the two-village bypass and Sizewell link road will be carried out in general accordance with the Two Village Bypass oLEMP [AS-263] and Sizewell Link Road oLEMP [AS-264], (Requirement 22A). • Maintenance of vegetation planting on the associated development sites must be maintained or replaced for five years after it has been planted (Requirement 23).
Cu.1.40	<p>The Applicant</p> <p>Response</p>	<p>Project-wide effects [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> <p>Project-wide effects are described as effects that occur when environmental impacts from different components of the proposed development combine, resulting in the potential for a significant effect.</p> <p>As identified in paragraph 3.5.2 of Volume 10, Chapter 3 of the ES [APP-577], project-wide effects within section 3.5 have been assessed for construction, operation; and removal and reinstatement (where applicable) using the EIA methodology described within in Volume 1, Appendix 6J of the ES [APP-171]. Therefore, the assessment presented considers the magnitude of impacts and value/sensitivity of resources/receptors that could be affected in order to classify effects. In the case of the project-wide assessment, consideration has been given to the combined magnitude of the different components of the proposed development on an individual receptor to identify the project-wide effect on the receptor.</p> <p>In general, across the remainder of the project-wide effects assessment presented in Volume 10, Chapter 3 of the ES [APP-577], the assessments have been undertaken in accordance with the general EIA methodology described in Volume 1, Chapter 6 of the</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>ES [APP-177] and the relevant supporting EIA Methodology appendix included at Volume 1, Appendices 6D to 6Y of the ES [APP-171].</p>
Cu.1.41	The Applicant	<p>Cumulative effects with other plans etc [APP-578] Para 4.8.30 – peak construction, breeding birds. This does not have a conclusion on effects. Please could the Applicant explain.</p>
	Response	<p>The Applicant can confirm that this is an error. Table 4.8 of Volume 10, Chapter 4 of the ES [APP-578] identifies the cumulative effect on the breeding bird assemblage at this period of construction to be minor adverse and not significant. An additional sentence should have been included at the end of paragraph 4.8.30 to state this.</p>
Cu.1.42	The Applicant, ESC	<p>Cumulative effects with other plans etc [APP-578] 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	<p>Paragraph 4.8.33 of Volume 10, Chapter 4 of the ES [APP-578] states that '<i>Assuming the appropriate mitigation measures are implemented across all developments, and landscape design begins to sufficiently establish, minor adverse cumulative effects are anticipated which are considered not significant</i>'. Within this statement, reference to all developments is to those identified within paragraph 4.8.21.</p> <p>The implementation of mitigation measures referenced within the planning applications of the cumulative schemes would be enforced by East Suffolk Council through planning conditions and the Section 106 agreements of these schemes.</p> <p>In addition, all bats in the UK are protected under Council Directive 92/43/EEC 1992 on the conservation of natural habitats and of wild fauna and flora (the European Council (EC) 'Habitats Directive') through their inclusion in Annex IV (animal and plant species of community interest in need of strict protection), as transposed into the UK legislation by the Conservation of Habitats and Species Regulations 2017. Therefore, where relevant protected species licensing requirements will apply and will be enforced by Natural England.</p> <p>For compliance with legislation, it is envisaged that all of the cumulative schemes would also apply at least the following tertiary mitigation in addition to any specific mitigation identified within their application documents:</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> - tool-box talks to be provided to contractors; - minimising vegetation clearance, particularly around site margins; and - undertaking pre works checks and surveys. <p>Given the enforcement of the mitigation requirements by East Suffolk Council and any relevant licensing and legislative requirements, it is considered to be a reasonable assumption that the appropriate mitigation measures will be implemented across all developments, and landscape designs will sufficiently establish.</p>
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	<p>To clarify, winter refers to the winter area (not period) of the Southern North Sea SAC. The Southern North Sea SAC supports harbour porpoise in the specified winter and summer areas in those seasons. The assessment of cumulative effects on harbour porpoise was carried out using two methods; a population approach and an estimate of the area of the Southern North Sea SAC impacted. The population approach determined the total number of harbour porpoise potentially affected by simultaneous piling activities within the North Sea Management Unit. Paragraph 4.15.65 in Volume 10, Chapter 4 of the ES [APP-578] concluded that the cumulative effects of piling events at the proposed development with six offshore wind farms is assessed as having minor adverse effects for harbour porpoise. The second approach considered the area of the SAC impacted in relation to the draft thresholds for noise disturbance produced by the Joint Nature Conservation Committee, which are for the relevant area (winter or summer). The proposed development area is within the winter area of the Southern North Sea SAC, therefore, the assessment considered and concluded in paragraph 4.15.67 of Volume 10, Chapter 4 of the ES [APP-578] that the proposed development, alone or in combination with other plans or projects, would not result in significant noise disturbance within the winter area. The proposed development area is wholly within the winter area and no effects are predicted in the summer area from the proposed development. Therefore, a</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		summer assessment is not applicable. Figure 22.15 of Volume 2, Chapter 22 (Marine Ecology and Fisheries Figures) of the ES [APP-333] has been amended below to show the winter and summer areas of the Southern North Sea SAC (refer to Appendix 13C).
Cu.1.44	The Applicant	<p>Cumulative effects with other plans etc [APP-578]</p> <p>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 transhipment base is at Harwich" (emphasis added). What happens if the transhipment base is not at Harwich? What other candidate locations are there?</p>
	Response	It was assumed that the transhipment base could be Harwich, Great Yarmouth or Rotterdam. This statement refers to the East Anglia Three OWF, where the cable landfall is planned at Bawdsey, approximately 15-16nm south of Sizewell C (and therefore outside the Zone of Influence). If the base is at Harwich, vessels would approach Sizewell C from the south and could therefore cause additional cumulative impacts associated with construction works on the East Anglia Three OWF export cable. This is not expected to be an issue for vessels coming from Great Yarmouth (from the north) or Rotterdam (from the east).
Cu.1.45	The Applicant	<p>Cumulative effects with other plans etc [APP-578]</p> <p>Para 4.17.14. Presumably the reference in the heading to "construction" is a misprint for "operation". But please will the Applicant confirm this.</p>
	Response	The Applicant can confirm that this is a misprint. The heading should read as follows: " <i>c) Assessment of potential cumulative effects during operation</i> ".
Cu.1.46	The Applicant	<p>Transboundary effects</p> <p>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.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>(i) Please confirm that reliance is no longer placed upon the Euratom Treaty obligations;</p> <p>(ii) Please clarify the stage of construction by which the Nuclear Site Licence must be in place; and</p> <p>(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?</p>
	<p>Response</p>	<p>i) At the point of the submission of the DCO Application, the United Kingdom was within a transition period for exiting the European Union and Euratom Treaty. During this period the UK is required to continue to meet its obligations to the Union and under the treaty. In August 2020, General Data was submitted to the European Commission under Article 37 of the Euratom Treaty. This is to enable the Commission to give its opinion on whether the Sizewell C development is likely to result in the radioactive contamination of the water, soil or airspace of another member state both in routine operation and in the event of an accident. As these submissions were received by the Commission prior to the end of the transition period, they will continue through due process. In February 2021, a UK delegation participated in a Hearing with the European Commission Experts in relation to this Article 37 submission. The UK Government is currently awaiting a response from the Commission giving the outcome of the process.</p> <p>ii) Sizewell C submitted its Nuclear Site Licence (NSL) Application in July 2020. The NSL is to be granted prior to the Final Investment Decision and the start of construction of any nuclear significant structures.</p> <p>iii) Under its future Nuclear Site Licence, Sizewell C will be required to submit a Nuclear Safety Case to support the start of construction of the nuclear significant structures, this will take due consideration of the latest available information on risk of accidents. Further iterations of the Safety Case will be produced to support commissioning and throughout operation, this will also take due consideration of the latest available data.</p>
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</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>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>
Cu.1.48	The Applicant	<p>Response</p> <p>The majority of the nuclear and radiation safety requirements established within the Euratom Treaty, including those covered under the 2013 Basic Safety Standards Directive had been implemented within UK domestic legislation prior to the end of the transition period and as such remain in force.</p> <p>In addition as of the 31st December 2020, the UK and Euratom established a Nuclear Cooperation Agreement which became effective at the end of the transition period. This enshrines a clear commitment by both parties not to reduce their current standards of nuclear safety and radiation protection, as well as a joint commitment to cooperating internationally and ensure the implementation and promote the improvement of, international nuclear safety standards.</p>
		<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> <p>Response</p> <p>At the time of submitting the DCO Application, The UK had yet to submit its Article 37 Submission for Sizewell C under the Euratom Treaty. In August 2020, General Data was submitted to the European Commission under Article 37 of the Euratom Treaty.</p> <p>This is to enable the Commission to give its opinion on whether the Sizewell C development is likely to result in the radioactive contamination of the water, soil or airspace of another member state both in routine operation and in the event of an accident.</p> <p>The transboundary dose assessment submitted as part of the General Data Set showed that the dose to the Bounding Member State from the worst case reference accident is</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>very low; 450 times less than the average worldwide annual dose from all-natural sources (2,400 µSv per year) and is broadly equivalent to a dental x-ray (5 µSv).</p> <p>On this basis, the potential transboundary effects are considered by the UK Government to be tolerable and insignificant. A copy of the assessment is provided within Appendix B of the Relevant Representations Report [REP1-013].</p> <p>As this Article 37 submission was received by the Commission prior to the end of the UK transition period it will continue through due process. In February 2021 a UK delegation participated in a Hearing with the European Commission Experts in relation to this Article 37 submission. The UK Government is currently awaiting a response from the Commission giving the outcome of the process.</p> <p>In addition, a detailed assessment of site specific nuclear safety and security risks is undertaken as part of the nuclear site licensing regime. For compliance with the nuclear site licensing regime, SZC Co. would need to ensure the safe operation of the Sizewell C Project and protection of the workers, public and environment. This includes providing the Office for Nuclear Regulation (ONR) with a robust Safety Case demonstrating that all hazards associated with the development or that may impact the development are well understood and adequate arrangements are in place to reduce these risks to an acceptable level. In addition, it requires appropriate emergency plans and arrangements to be established and agreed with the local authority, for the range of accidents and incidents that could occur. It is considered that the ONR would not grant a nuclear site licence for the Sizewell C Project, unless it is demonstrated that all nuclear safety and security risks have been mitigated to ALARP levels.</p> <p>Having regard to that context, it has been agreed with the ONR, Environment Agency, SCC and ESC as part of the EIA process that compliance with existing regulatory regimes would reduce nuclear safety and security risks to be tolerable if as low as reasonably practicable (ALARP), which is considered not significant within the ES.</p> <p>Further information on the assessment approach is provided within Volume 1, Appendix 6X of the ES [APP-171].</p>
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</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>'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 issues. Please ensure that responses to the Reg 32 submissions are included as part of the comments on RRs.</p>
Cu.1.50	The Applicant	<p>Response</p> <p>Within the Relevant Representation Report [REP1-013], responses are provided to the identified RR's and other submissions at the following locations: RR-0127 within Table A.29; RR-0265 within Table A.28; RR-0876 within Table A.30; and RR-0802 within Table A.32.</p> <p>A response to the following RR's and other submissions is provided within Table 4.24 of the Relevant Representation Report [REP1-013]: RR-1267; RR-0909; RR-1163; RR-1197; and RR-0801.</p> <p>In August 2020, a General Data Set was submitted by UK Government to the European Commission in relation to Sizewell C. This has been formerly sent to representatives from European Union's member states. The bounding dose to a member state from an unplanned release is orders of magnitude times less than the average annual dose from all natural sources (2,400 µSv per year), and is broadly equivalent to a dental x-ray (5 µSv). A copy of the assessment is presented within Appendix B of the Relevant Representations Report [REP1-013] for reference.</p>
		Transboundary effects

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

ExQ1	Question to:	Question:
		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	Consultation with the international community has been undertaken in accordance with the Espoo and Aarhus Conventions. The Planning Inspectorate wrote to all Espoo parties on 31 October 2019 notifying them of the proposed development. This went beyond the Secretary of State's legal duty, but is consistent with PINS Advice Note 12 on Transboundary Impacts ⁵⁶ . Following the acceptance of the Application on 24 June 2020, the Planning Inspectorate publicised the Application through press notices in various national newspapers in local languages across Europe. SZC Co. also gave notice of the Application in various national newspapers in local languages across Europe. These notices included a link to the Application and explained the opportunity to participate in the DCO examination process.

⁵⁶ Planning Inspectorate (PINS) (2018), Advice Note Twelve: Transboundary Impacts and Process

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

- Chapter 14 DCO.1 [Draft Development Consent Order \(DCO\)](#)
- Chapter 15 FR.1 [Flood risk, ground water, surface water](#)
- Chapter 16 HW.1 [Health and wellbeing](#)
- Chapter 17 HE.1 [Historic environment \(terrestrial and marine\)](#)
- Chapter 18 LI.1 [Landscape impact, visual effects and design](#)

ExQ1	Question to:	Question:
Chapter 14 - DCO.1 Draft Development Consent Order (DCO)		
DCO.1.0	The Applicant	<p>Art 2. Definition of “commence” and the exclusions from it.</p> <p>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.</p>
	Response	<p>The activities excluded from the definition of the commencement of construction as defined within the Explanatory Memorandum (EM) (Doc Ref. 3.2(B)) para. 3.6. are referenced within the Description of Development Chapters of the ES Volume 2, Chapter 3 (Doc Ref. 6.14(A)) and Chapter 2 of each of Volumes 3-9 [AS-240] (NPR), [AS-242] (SPR) [AS-248] (SLR), [AS-256] (Rail), [PDB-003] (TVBP) and [APP-480] (OHI) and assessed as part of the construction phase as a whole within the relevant technical environmental assessment chapters.</p> <p>Where significant effects have been identified within the ES, these are in relation to specific activities or the peak construction period. No significant effects have been identified within the ES that relate to the activities excluded from the definition of the commencement of construction as defined within the EM para. 3.6.</p> <p>This is with the following exceptions:</p> <ol style="list-style-type: none"> 1) The removal of vegetation and site clearance works at the main development site would result in significant residual effects on ecological receptors due to habitat loss. The habitats would be reinstated through the landscape scale restoration of the EDF Energy estate at the end of the construction period, which would overall deliver biodiversity net gain and as such would provide a long-term significant beneficial effect during the operational phase. However, the effects during construction are significant adverse. 2) A residual significant adverse effect on the historic landscape character at the main development site has also been identified due to the removal of potentially important historic hedgerows. It is proposed that the historic landscape features would be recorded in accordance with an agreed written scheme of investigation prior to the start of construction.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>The conclusion of '<i>no likely significant residual effects</i>' has also been reached on the basis that measures set out within the Code of Construction Practice (Doc Ref. 8.11(B)) and other pre-commencement conditions will be implemented, as appropriate.</p> <p>The text in para. 3.6 of the Explanatory Memorandum has been updated accordingly. The exclusion of the specified activities from the definition of '<i>commence</i>' remains appropriate for the reasons identified in para. 3.6 of the Explanatory Memorandum (Doc Ref. 3.2(B)). Note that the drafting in Revision 4 of the draft DCO (Doc Ref. 3.1(C)) now removes from the exclusions to the definition of '<i>commence</i>' the removal of hedgerows, and dewatering, following the ExA's comments. These elements of the project therefore would fall within the definition of '<i>commence</i>'.</p>
DCO.1.1	The Applicant	<p>Art 2. Definition of "commence" and the exclusions from it.</p> <p>Given that e.g. the Sizewell B Relocation Works will involve decontamination, is this exception from the definition of "commence" appropriate?</p>
	Response	<p>To the extent remediation works are required in the land comprised in Work No. 1D or 1E, any such works of themselves would not be likely to have significant environmental effects provided the measures set out within the Code of Construction Practice (Doc. Ref. 8.11(B)) are implemented. For this reason, and the other reasons identified in para. 3.6 of the Explanatory Memorandum (Doc Ref. 3.2(B)), these works are appropriately included in the list of exceptions.</p>
DCO.1.2	The Applicant, the Host Authorities	<p>Art 2. Definition of "commence" and the exclusions from it.</p> <p>(i) Are the exclusions justified for all of the Proposed Development?</p> <p>(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.</p>
	Response	<p>(i) It is considered appropriate and justified that the exclusions (as updated in Revision 4 of the draft DCO (Doc Ref. 3.1(C)) to make an exception of important hedgerow and dewatering works on the main development site) apply to all of the authorised development. The site clearance and hedgerow removal works described in DCO.1.0 must be carried out in general accordance with the Code of Construction Practice (Doc. Ref. 8.11(B)), in accordance with the Terrestrial Ecological Monitoring and Mitigation Plan (TEMMP) [REP1-016] and the Main</p>

ExQ1	Question to:	Question:
		<p>Development Site Clearance Plans [AS-120], as required by Requirements 2, 4 and 6 respectively. Requirements 2, 4 and 6 are not pre-commencement requirements and therefore the definition of 'commence' (and, in particular, the 'site preparation and clearance works' exception) have no bearing on the applicability of these requirements.</p> <p>It should be noted that</p> <ul style="list-style-type: none"> • the Applicant has updated the drafting of Requirements 14A and 14B in revision 4 of the draft DCO (Doc. Ref 3.1(C)) to ensure that the 'site preparation and clearance works' exception could not be interpreted as having the effect of overriding the requirement to submit and obtain approval of a fen meadow plan and wet woodland plan before vegetation clearance is carried out within the Sizewell Marshes SSSI; and • the Applicant has added to the 'site preparation and clearance works' exception in revision 4 of the draft DCO (Doc. Ref 3.1(C)) a carve out for the removal of any important hedgerows within Work No. 1A to ensure that Requirement 3 must still be complied with in respect of such activities to ensure that site specific WSIs are submitted to and approved by SCC in relation to their removal. <p>(ii) For the reasons given in response to questions DCO 1.0, DCO 1.1 and part (i) above, it is considered that the exceptions to the definition of 'commence' (as amended) are appropriate and justifiable, and that there are no gaps in mitigation (as secured by Requirement) created as a result. As such, the Applicant considers that it is not necessary to limit any or all of the exclusions to earlier phases of the development.</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>Section 145(1) of the Planning Act 2008 authorises the creation of a harbour authority if the development to which the order relates is, or includes, the construction or alteration of harbour facilities; and the creation of a harbour authority is necessary or expedient for the purposes of the development.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>Neither the Planning Act 2008, the Harbours Act 1964 nor the Harbours, Docks, and Piers Clauses Act 1847 define '<i>harbour facilities</i>'. The proposed development includes the construction of soft and hard coastal defence features and both a permanent and a temporary beach landing facility which the Applicant considers to be harbour facilities. The Applicant considers it essential to designate a harbour authority to ensure the safe and efficient management of the waters and harbour facilities forming part of the development for which development consent is sought.</p> <p>For the purposes of section 57 of the Harbours Act 1964, a harbour is defined as '<i>...any harbour, whether natural or artificial, and any port, haven, estuary, tidal or other river or inland waterway navigated by sea-going ships, and includes a dock, [and] a wharf...</i>'. Therefore, it is not necessary for a harbour to have physical limits (e.g. a harbour wall) to define its limits.</p> <p>Section 145(5) of the Planning Act 2008 specifies examples of what can be included in a DCO in relation to a harbour authority and suggests it may include '<i>in particular</i>' any matter that could be included in a harbour revision order under section 14 of the Harbours Act 1964. This is not a definitive or exhaustive list and, therefore, provided the DCO does not include any matters that are included in a harbour revision order or harbour empowerment order, the DCO could legitimately include powers under section 16 of the Harbours Act 1964, which includes the creation of a harbour.</p>
DCO.1.4	<p>The Applicant, the Host Authorities</p>	<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> <ul style="list-style-type: none"> (i) what is the rationale for where the line of the Order limits is drawn; and (ii) whether it is permissible and how for the order to apply outside the Order limits? (iii) confirm that the ES assesses the extent of any proposed works if they are outside the RLB.
	<p>Response</p>	<p>The harbour limits have been drawn to mirror existing longitude and latitude lines to aid mariners in navigation and include the geographical extent of all the marine construction elements of the project.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>(i) Neither the Planning Act 2008, nor Regulations made pursuant to the Act use the term 'Order limits' or require such limits to be shown or referred to in DCO.</p> <p>However, The Planning Act 2008 requires that a DCO is required for 'development' (as defined by the Town and Country Planning Act 1990, see s32 PA) to the extent that the 'development' is or forms part of a nationally significant infrastructure project (s31 PA). 'Order limits' is defined in the draft DCO (Doc Ref. 3.1(C)) as meaning 'the limits shown on the Works Plans within which the authorised development may be carried out'. The draft DCO (Doc Ref. 3.1(C)) defines 'authorised development' as any development within the meaning of s32 PA authorised by the DCO. The concept of 'Order limits' is primarily a clear way of defining the limits within which 'development' within the meaning of s32 may be carried out. This follows the convention used in multiple 'works Orders' of various types (such as Hybrid Acts and Transport and Works Act Orders). However, in some cases it is also a useful concept to employ in an article of the DCO where it is appropriate to tie the Order powers to the boundaries of the physical development authorised (eg use of airspace within the Order limits, art 45). As explained in (ii) below, this is not to say that it is necessary or appropriate to limit all DCO powers to within a defined Order limit as shown on a plan.</p> <p>(ii) Nothing in the Planning Act 2008 or related Regulations requires the powers in a DCO to be limited by reference to a plan showing the boundaries within which all Order powers may be exercised. The need or otherwise to circumscribe the areas over which powers of different sorts must be exercised is a matter of judgement for the Secretary of State within the bounds of his/her discretion under s120 Planning Act 2008. It is common for DCOs and other 'works Orders' to contain some powers which are not circumscribed by reference to an 'Order limits' boundary, but are instead constrained by reference to the words in the Order which describe the circumstances in which they may be exercised, or (as in the case of the proposed Sizewell harbour) by reference to the coordinates set out in Schedule 19.</p> <p>(iii) No 'development' within the meaning of s32 PA would be authorised by the DCO outside of the Order Limits as drafted. Even the 'Other Associated Development' set out in Schedule 1 Part 2 is only authorised within the Order limits. Therefore, no development has been assessed outside the Order limits.</p>
DCO.1.5	The Applicant	Art 2 – definition of land.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	<p>Response</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> <p>'Land' is defined as 'includes land covered by water, any interest in land or right in, to or over land'. This definition includes the sea-bed and land owned by the crown. No issues are created by it in terms of compulsory acquisition.</p> <p>We are aware that the Crown's interest in 'Crown land' (including seabed land owned by the Crown) cannot be subject to compulsory purchase, by virtue of s135(1)(a)PA, and also that third parties' interests in 'Crown land' may only be acquired with the Crown's consent (s135(1)(b)PA. We are in the process of seeking the Crown's consent (via a 's135 letter' to be provided to the ExA) to the inclusion of compulsory powers over third party interests in Crown land via the DCO, and to provisions which may affect Crown land. We expect such consent to be obtained subject to the inclusion of drafting substantially in the form of art 85 of the draft DCO (Doc Ref. 3.1(C)).</p> <p>For clarity, in Rev 4 of the draft DCO (Doc Ref. 3.1(C)), we have added an express prohibition on the ability to '<i>compulsorily acquire</i>' Crown interests in 'Crown land' to art 85(1)(a), reflecting the position at law by virtue of s135(1)(a)PA. The compulsory acquisition powers in art 26 are subject to art 85.</p>
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	See Appendix 14A - DCO Drafting Note 1.
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</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>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	See Appendix 14F - DCO Drafting Note 6.
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	This phrase references any authorised works and development below mean high water springs described in Schedule 1 Part 2 of the draft DCO (Doc Ref. 3.1(C)).
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>
	Response	The Applicant does not consider that it is necessary to specify the time period. The suggested definition is frequently used in granted development consent orders to express the landward boundary of the MMO's jurisdiction, for examples see: The Cleve Hill Solar Park Order 2020; The Hornsea Three Offshore Wind Farm Order 2020; The Norfolk Vanguard Offshore Wind Farm Order 2020; The Walney Extension Offshore Wind Farm Order 2014; Rampion Offshore Wind Farm Order 2014; Hornsea One Offshore Wind Farm Order 2014; Galloper Wind Farm Order 2013; and Triton Knoll Offshore Wind Farm Order 2013.

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 it’s 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	See Appendix 14A - DCO Drafting Note 1.
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	The Applicant confirms that this is correct.
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	The definition of 'Secretary of State' has been removed from Rev 4.0 of the draft DCO (Doc Ref. 3.1(C)).
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	No response from SZC Co. is required.
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	Typo corrected in Rev 4.0 of the draft DCO (Doc Ref. 3.1(C)).
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	Typo corrected in Rev 4.0 of the draft DCO (Doc Ref. 3.1(C)).
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	The Rev 4.0 draft DCO (Doc Ref. 3.1(C)) has been updated to define the 'SZC construction works' as 'means the construction of Work Nos. 1A, 1B, 1C, and 1D or 1E (as the case may be) and any works authorised by Part 2 of Schedule 1 in connection with such works'. We hope that the ExA considers this a clearer definition. The words 'in connection with' mirror the words in the opening paragraph of Part 2 of Schedule 1.
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	<p>(i) The Applicant confirms that the definition of watercourse includes private storm water drains, private foul drains and private sewers.</p> <p>The Applicant considers this definition of 'watercourse' to be appropriate.</p> <p>This definition is only used in Article 23, which provides that the Applicant may use watercourses for the drainage of water in connection with the Project and, within the Order limits, may make openings into and connections with watercourses. The consent of the person to whom the watercourse belongs must be sought in accordance with Article 23(2) and they may impose reasonable terms and conditions. Article 23(6) requires the Applicant to take reasonable steps to ensure that the discharged water is as 'free as may be practicable from gravel, soil or other solid substance, oil or matter in suspension'.</p> <p>In addition to The Infrastructure Planning (Model Provisions) (England and Wales) Order 2009, the proposed definition is used in many granted DCOs, including by way of example: The Hinkley Point C (Nuclear Generating Station) Order 2013; The National Grid (Hinkley Point C Connection Project) Order 2016; The West Burton C (Gas Fired</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>Generating Station) Order 2020; The Great Yarmouth Third River Crossing Development Consent Order 2020; The A303 Sparkford to Ilchester Dualling Development Consent Order 2021; The A1 Birtley to Coal House Development Consent Order 2021; The A38 Derby Junctions Development Consent Order 2021.</p> <p>(ii) The word "and" has been deleted from Rev 4 of the draft DCO (Doc Ref. 3.1(C)).</p>
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	See Appendix 14A - DCO Drafting Note 1.
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>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	<p>i) Article 2(7) is directing the reader to find the location of the site listed in the Schedules under the column headed '<i>relevant site</i>'. Where relevant, the '<i>reference</i>' column then identifies the specific sheet(s) to which the reader should be referring.</p> <p>ii) The site descriptions, as set out in the '<i>relevant site</i>' column, simply reflect the site description on the relevant plan (e.g. Works Plan, Rights of Way Plan, Land Plan).</p> <p>iii) The Applicant has updated the drafting of Requirement 24 in revision 4 of the draft DCO (Doc Ref. 3.1(C)) so as to avoid article 2(7) applying to this article.</p> <p>The ExA is also referred to the Applicant's responses to questions DCO.1.63 and DCO.1.64.</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 "<i>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)</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>
	Response	<p>i) The Applicant has for clarity updated the definition of '<i>main development site</i>' so as to specify each of the Work Nos comprised in the definition and the related Works Plans. The definition now reads, '<i>the land within which Work Nos. 1A, 1B, 1C, 1D and 1E may be constructed as shown on Works Plans on sheet nos. 1-5 and 7-8</i>'. This definition comprises all onshore elements of the main development site. The offshore elements (Work Nos 2A-2L) also form part of the main development site but are not included in this</p>

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

ExQ1	Question to:	Question:
		<p>definition as they are separately listed as licensable activities within the Deemed Marine Licence in Part 2 of Schedule 20 to the draft DCO (Doc Ref. 3.1(C)). Certain elements are both onshore and offshore (e.g. the permanent beach landing facility) and are therefore listed under Work No 1A and as a licensable activity in Schedule 20.</p> <ul style="list-style-type: none">• The titles of the Works Plans have no operative effect. However, to explain, sheets 1-10 are named '<i>Main development site and rail works plans</i>' because they together show the main development site (Work Nos. 1A-1E), and rail works (Work Nos. 4A-4D). Whilst Work Nos 1 and 4 are distinct from each other they overlap in terms of their location, hence the title of these sheets. It should be noted that the elements of the rail infrastructure that fall within the main development site work area were environmentally assessed as part of the main development site.• Sheets 5 and 6 show the offshore elements, which, as explained above, do form part of the main development site but do not fall within the definition of '<i>main development site</i>' in Part 1 of the draft DCO (Doc Ref. 3.1(C)) as this is intended to comprise the onshore elements only.• The Applicant has undertaken a review of the Works Plans and agrees that Work No 1A was missing from the key on sheet 8. This has now been updated in the set of Works Plans (Doc. Ref. 2.3(C)) submitted at Deadline 2 with this response. On this sheet, Work No. 4B is shown using an orange dashed line because it overlaps with Work No 1A which is shown in dark grey shading.• The Applicant considers that on all other sheets the key is clear about which Work No(s) are represented by dark grey shading, light grey shading, or coloured dashed lines; as such, no further updates are considered to be required.• The Applicant does not consider it necessary to provide any new works plans (save for the revised sheet 8), as it is hoped that the information provided in this response has cleared up any ambiguity as to what is comprised in the main development site, and the reasons for treating the onshore and offshore elements as distinct within the draft DCO.• The reference at para. 2.2.1 of the Regulation 6 Additional Information document [APP-584] in relation to the regulation 6(2) equivalent information is to the whole package of plans for approval, of which the Works Plans form part.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
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> <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	See Appendix 14I – DCO Drafting Note 9.
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

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

ExQ1	Question to:	Question:
		conditions in the Sizewell B relocated facilities permission which should continue to be enforceable?
	Response	See Appendix 14C - DCO Drafting Note 3.
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	See Appendix 14C - DCO Drafting Note 3.
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	No response from SZC Co. is required.
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	See Appendix 14C - DCO Drafting Note 3.
DCO.1.26	The Applicant, the Host Authorities	Art 9(6). 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". (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? (ii) Should transfer / lease of benefit without transfer / lease of land be permitted?

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<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	See Appendix 14A - DCO Drafting Note 1.
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 be 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>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<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> <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? 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>
	Response	See Appendix 14A - DCO Drafting Note 1.
DCO.1.28	The Host Authorities	<p>Art 10(1).</p> <p>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>
	Response	No response from SZC Co. is required.
DCO.1.29	The Applicant	<p>Art 10(2).</p> <p>The ExA suggests that the words “will not apply” are changed to “does not apply” so as to meet statutory drafting advice.</p>
	Response	This change has been made in Rev 4.0 draft DCO (Doc. Ref. 3.1(C)).
DCO.1.30	The Applicant, SCC	<p>Part 3 (Arts 11 – 23) generally.</p> <p>Please will the Applicant and SCC explain how the adoption of new roads is addressed.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	<p>The construction and maintenance of any new or altered streets is provided for in Article 20 of the draft DCO (Doc. Ref. 3.1(C)). As set out in Article 20(1):</p> <p>the construction must be to the <i>'reasonable satisfaction of the highway authority'</i>; the undertaker will be responsible for maintenance for 12 months following completion; and the new or altered street <i>'must... be maintained at the expiry of that [12 month] period by and at the expense of the highway authority'</i>, unless otherwise agreed between SZC Co and the highway authority.</p> <p>Further details of the types of agreements which may be entered into are then set out in Article 21.</p> <p>Articles 20 and 21 are similar to those included in the Hinkley Point C Development Consent Order and it is expected that they will be used in a similar way for the Sizewell C Project.</p> <p>Therefore, in practice, highway works at the Sizewell C Project will be carried out pursuant to agreements made with the highway authority under Article 21.</p> <p>These agreements perform the same role as agreements made pursuant to section 278 and section 38 of the Highways Act 1980, documenting the agreed specification of the works in detail and the sign-off process for the carrying out of the works. In this way, what constitutes the completion of the highway works <i>'to the reasonable satisfaction of the highway authority'</i> is captured and documented, such that it is clear when the 12 month maintenance period commences prior to adoption by the highway authority.</p> <p>At Hinkley Point C, such agreements have been based on an amended version of the highway authority's standard section 278 agreement and include the usual provisions typically included in such an agreement, including provision for:</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> (i) approval by the highway authority of the detailed design and specifications for the highway works and approval of a programme of works; (ii) arrangements for any required traffic regulation orders to be obtained and for the undertaker to be responsible for the highway authority's costs associated with those; (iii) a performance bond to be put in place before works commence, and associated step-in rights for the highway authority in the event that the undertaker is in default under the agreement; (iv) monitoring and supervision by the highway authority of the works (including safety audits and the production of a health and safety file); (v) the usual indemnities in favour of the highway authority against claims arising out of the execution or use of the works; (vi) payment of a commuted sum for ongoing maintenance costs post-adoption (where applicable); (vii) arrangements to provide evidence of compliance with Construction (Design and Management) Regulations 2007 and for the undertaker to be responsible for such compliance; (viii) the issuance by the highway authority of a Certificate of Completion where it is satisfied the works have been completed in accordance with the terms of the agreement; and (ix) a minimum 12 month maintenance period and provision for a Final Certificate to be issued once the relevant requirements under the agreement have been met (following which the highway works become maintainable by the highway authority).
DCO.1.31	The Applicant	<p>Arts 12(a) and 23(3). 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	<p>Article 12(a) sets out one of the types of street works that may be undertaken in, on or under a street identified in Schedule 9 (Streets subject to street works) of the draft DCO (Doc. Ref. 3.1(C)). It permits the opening of any sewer, drain or tunnel under the</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>specified street and applies to both public and private sewers and drains. This reflects the definition of 'street works' in section 48(3) of the New Roads and Street Works Act 1991. In the absence of such an Article, the Applicant would not have a statutory right to carry out the street works necessary to the Project and would be required to obtain further licences under the New Roads and Street Works Act 1991.</p> <p>The power in Article 23 is needed to enable the Applicant to connect to and use existing drainage infrastructure in connection with the Project. Article 23(3) is a control on the undertaker's power to make openings into public sewers or drains for the purpose of the drainage of water in connection with the construction, operation or maintenance of the authorised development as granted by Article 23(1). It requires the undertaker to obtain the owner of the public sewer or drain's prior approval of the plans for any openings and to permit the owner to supervise the works. Article 23(3) applies only to public sewers or drains and these do not need to be located under a street.</p> <p>Although both Articles would apply to the making of openings into public sewers or drains beneath the streets listed in Schedule 9 for the drainage of water in connection with the Project, each Article addresses distinct and separate mischiefs by providing the undertaker with particular abilities relating to street works and water discharges. The ability to carry out such works under Article 12(a) without the approval of the street authority is not dependent upon or subject to compliance with Article 23(3) and the prior approval of the owner of the public sewer or drain.</p> <p>Equivalent provisions to both Articles 12(a) and 23(3) of the draft DCO can be found in The Infrastructure Planning (Model Provisions) (England and Wales) Order 2009 as well as other granted DCOs, including: The A1 Birtley to Coal House Development Consent Order 2021; The A303 Sparkford to Ilchester Dualling Development Consent Order 2021; The A38 Derby Junctions Development Consent Order 2021; The Immingham Open Cycle Gas Turbine Order 2020; The Cleve Hill Solar Park Order 2020; The Norfolk Vanguard Offshore Wind Farm Order 2020; The Hornsea Three Offshore Wind Farm Order 2020; The Southampton to London Pipeline Development Consent Order 2020; The Riverside Energy Park Order 2020; The Great Yarmouth Third River Crossing Development Consent Order 2020; The Northampton Gateway Rail Freight Interchange Order 2019; The National Grid (Hinkley Point C Connection Project) Order 2016; Thames Water Utilities Limited (Thames Tideway Tunnel) Order 2014; The Hinkley Point C (Nuclear Generating Station) Order 2013.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
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>
	Response	<p>i) The word '<i>possession</i>' in Article 14(5)(a) of the draft DCO (Doc. Ref. 3.1(C)) is to have its ordinary legal meaning as applicable in the context of possession of land (as described in the judgment of Lord Browne-Wilkinson in <i>J A Pye (Oxford) Limited v Graham</i> [2002] UKHL 30). The undertaker will have possession of the relevant land when it has physical control (i.e. factual possession) and an intention to exercise this control of the land on its own behalf and for its own benefit, excluding the world at large.</p> <p>An equivalent provision to Article 14(5)(a) of the draft DCO (Doc. Ref. 3.1(C)) can be found in the Model Provisions as well as other granted DCOs, including: The Hinkley Point C (Nuclear Generating Station) Order 2013; The Thames Water Utilities Limited (Thames Tideway Tunnel) Order 2014; The Great Yarmouth Third River Crossing Development Consent Order 2020; The A38 Derby Junctions Development Consent Order 2021; and The A303 Sparkford to Ilchester Dualling Development Consent Order 2021.</p> <p>ii) It is not the Applicant's position that all streets are highways. Please see the amended para 5.33 of the Explanatory Memorandum (Doc Ref. 3.2(B)) which provides the requested clarification.</p> <p>The definition of '<i>street</i>' includes highways and in respect of such highways, Article 14 is a matter specifically identified in paragraph 17 of Schedule 5 to the 2008 Act.</p> <p>The definition of '<i>street</i>' includes ways which are not highways. Whilst the stopping up or diversion of these streets are not identified in Schedule 5, as set out in Section 120(4) of the Planning Act 2008, the list in Part 1 of Schedule 5 of the Planning Act 2008 is inclusive</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>rather than exclusive. Therefore, provisions may be made in respect of other matters under section 120(3) of the Planning Act 2008, which states that '<i>an order granting development consent may make provision relating to or to matters ancillary to the development for which consent is granted</i>'.</p> <p>Article 14 is such a provision within the powers of the PA2008 (as is Article 17).</p> <p>The right of the undertaker to permanently stop up a street under Article 14, regardless of whether it is a highway or not, is limited to such streets being listed in Schedule 10. Under Article 17, the undertaker requires the consent of the street authority to temporarily stop up, alter or divert any street, regardless of whether it is a highway or not, which is not listed in Schedule 13. These limitations to the permissions in Articles 14 and 17 are considered appropriate protections as they ensure that any streets (whether or not highways) for which consent to stop up is granted through the draft DCO (Doc. Ref. 3.1(C)) are expressly listed and that further stopping up may only take place (i) on a temporary basis and (ii) with the prior consent of the street authority.</p> <p>Equivalent provisions to both Articles 14 and 17 of the draft DCO (Doc. Ref. 3.1(C)) which provide for the temporary and permanent stopping up of streets (rather than highways) can be found in the Model Provisions as well as other granted DCOs, including: The A303 Sparkford to Ilchester Dualling Development Consent Order 2021; The A38 Derby Junctions Development Consent Order 2021; The A1 Birtley to Coal House Development Consent Order 2021; The Riverside Energy Park Order 2020; The Great Yarmouth Third River Crossing Development Consent Order 2020; The Northampton Gateway Rail Freight Interchange Order 2019; The Thames Water Utilities Limited (Thames Tideway Tunnel) Order 2014; and The Hinkley Point C (Nuclear Generating Station) Order 2013.</p>
DCO.1.33	The Applicant	<p>Art 18 Use of private roads for construction.</p> <p>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?</p>
	Response	<p>The Applicant is content to refer also to Schedule 5 paragraph 2 of the Planning Act 2008 and has made this change to the Explanatory Memorandum (Doc. Ref. 3.2(B)).</p>
DCO.1.34	The Applicant, SCC	Art 22(5)(b).

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>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.</p>
	Response	<p>See Appendix 14A - DCO Drafting Note 1.</p>
DCO.1.35	The Applicant	<p>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.</p> <p>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 (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?</p>
	Response	<p>The Applicant has reviewed the DCOs referred to in paragraph 6.6 of the Explanatory Memorandum (Doc Ref. 3.2(B)) and can confirm that the Triton Knoll DCO does not include the express exemption to the prohibition of any works that damage or interfere with the bed or banks of watercourses. Paragraph 6.3 of the Explanatory Memorandum (Doc Ref. 3.2(B)) has been updated to reflect this.</p> <p>The reason for the inclusion of the specific exemption is that the Applicant proposes to divert an existing main river, Middleton Watercourse, as part of the construction of the Sizewell link road. Such a diversion will involve interference with the bed or banks of a main river.</p> <p>As explained in the Explanatory Memorandum (Doc Ref. 3.2(B)), the drafting at article 22(5) exempts liability for any offences in respect of watercourses under the Land Drainage Act 1991 and the Water Resources Act 1991 (in respect of watercourses that are</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		main rivers). A similar exemption was included in article 16 of the North London Heat and Power Generating Station Order 2017.
DCO.1.36	The Applicant	<p>Art 23.</p> <p>(i) Please will the Applicant confirm that nothing in Art 23 contravenes s.150 of PA 2008?</p> <p>(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?</p> <p>(iii) At what point in time is a s.23 notice received?</p>
	Response	<p>i) The Applicant confirms that Article 23 does not relieve the Applicant of the obligation to obtain the prescribed consents in s.150 PA 2008. Please see the Schedule of Other Consents, Licences and Agreements [APP-153] which lists these additional consents (i.e. Environmental Permits and licences under the Land Drainage Act 1991).</p> <p>(ii) The inclusion of Article 23(4) is considered appropriate to enable the Applicant to efficiently undertake the Project. In addition, it provides an easy method for owners to approve applications received without incurring costs. The step required of any owner wishing to avoid deemed approval is limited to notification of the Applicant of the owner's decision not to approve the application received. Therefore, the Applicant does not consider that it is necessary to exempt private individuals from Article 23(4).</p> <p>An equivalent provision to Article 23(4) of the draft DCO can be found in the following other granted DCOs: The A1 Birtley to Coal House Development Consent Order 2021, The A303 Sparkford to Ilchester Dualling Development Consent Order 2021, The A38 Derby Junctions Development Consent Order 2021, The Cleve Hill Solar Park Order 2020, The Hornsea Three Offshore Wind Farm Order 2020, The Norfolk Vanguard Offshore Wind Farm Order 2020, The Southampton to London Pipeline Development Consent Order 2020, The Northampton Gateway Rail Freight Interchange Order 2019, The National Grid Hinkley Point C Connection Project) Order 2016, The Thames Water Utilities Limited (Thames Tideway Tunnel) Order 2014.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		See the response to question DCO.1.52 in respect of the point in time that the application for consent under Article 23(2) or approval under Article 23(3)(a) are received.
DCO.1.37	The Applicant	<p>Art 24(2)(a).</p> <p>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.</p>
	Response	<p>Article 24, in which the reference to the '<i>in the vicinity</i>' is made, provides for the carrying out of necessary or expedient protective works to buildings within the Order limits. Therefore, the geographical scope of the works permitted is firmly limited to the Order limits.</p> <p>Whether an individual building will be affected is primarily controlled by the definition of '<i>protective works</i>' in Article 24(12) where it is stated that these must relate to damage which may be or has been caused to the building by the authorised development. It is in this context that the references to '<i>vicinity</i>' in Article 24 should be interpreted and should be interpreted as meaning '<i>sufficiently close to be affected</i>' by the relevant part of the authorised development such that protective works are required.</p> <p>Therefore, the extent of the '<i>vicinity</i>' (i.e. the distance between a building and the authorised development) varies throughout the Project, as it depends upon the potential for each part of the authorised development to cause damage. This means that the concept of vicinity must be flexible and no maximum limit on this distance may be specified beyond that of the Order limits. The Applicant considers that it would be inherently inappropriate that a building within the Order limits at a real risk of or already having suffered damage should be excluded from protection as a result of a pre-imposed limitation on '<i>vicinity</i>'.</p> <p>It should be noted that Article 24 contains procedural safeguards in Article 24(5) to (6) and requires the protective works to be carried out at the Applicant's expense and for compensation to be payable to owners and occupiers of buildings where protective works have been carried out. Where an owner or occupier of a particular building within the Order limits disagrees with the Applicant's assessment that protective works should be carried out, it may serve a counter-notice requiring the question to be referred to</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>arbitration. Such a process would therefore be available in a particular instance where an owner or occupier disagreed with the Applicant's interpretation of 'vicinity'.</p> <p>An equivalent provision to Article 24(2)(a) of the draft DCO (Doc Ref. 3.1(C)) can be found in the following other granted DCOs: The A1 Birtley to Coal House Development Consent Order 2021, The A303 Sparkford to Ilchester Dualling Development Consent Order 2021, The A38 Derby Junctions Development Consent Order 2021, The Cleve Hill Solar Park Order 2020, The Great Yarmouth Third River Crossing Development Consent Order 2020, The Hornsea Three Offshore Wind Farm Order 2020, The Riverside Energy Park Order 2020, The Southampton to London Pipeline Development Consent Order 2020, The Immingham Open Cycle Gas Turbine Order 2020, The National Grid (Hinkley Point C Connection Project) Order 2016, The Hinkley Point C (Nuclear Generating Station) Order 2013.</p> <p>The protective works to buildings within the Order limits under Article 24, form part of the authorised development in Schedule 1, Part 2(o). It would be undesirable and impractical for the carrying out of protective works to be subject to a separate consenting regime through the local planning authority. The Applicant does not consider that buildings should be left damaged or unprotected whilst further consents are obtained.</p> <p>The few conservation areas and listed buildings within the Order limits are listed below. Despite the length of the period during which protective works may take place, the Applicant does not consider that any extensions to Conservation Areas or additions to the list or schedule are reasonably likely.</p> <ul style="list-style-type: none">• A small part of the Yoxford Conservation Area falls within the Order limits for the Yoxford roundabout. This is shown on Volume 7, Chapter 9 (Historic Environment), Figure 9.1 of the ES [APP-501].• Upper Abbey Farmhouse (Grade II 1216394) and (Upper Abbey Farm Barn Grade II 1216655) are within the Order limits for the main development. This is shown on Volume 2, Chapter 16 (Historic Environment), Figure 16.1 of the ES [APP-276].• The Gate and Gate Piers at junction of Leiston Road and Onner's Lane (Grade II 1287303) are within the Order Limits for the Sizewell link road. Volume 6, Chapter 9.1B (Historic Environment), Figure 9.1 of the ES [APP-469].

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	No response from SZC Co. is required.
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	The Explanatory Memorandum (Doc Ref. 3.2(B)) explains that the Applicant considers it essential to designate a harbour authority to ensure the safe and efficient management of the waters and harbour facilities forming part of the development for which development consent is sought.
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	No harbour was created in connection with the construction of Sizewell B, nor, as far as the Applicant is aware, was a harbour created in connection with Sizewell A. The Applicant understands that temporary exclusions zones were created on an ad hoc basis around the Sizewell B marine works during the construction.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>However, the scale Sizewell C Project and the level of deliveries proposed by sea are such that the Applicant considers that the creation of a harbour with the powers set out in Part 6 of the draft DCO (Doc Ref. 3.1(C)) is necessary to ensure the safe and efficient management of vessels within the proposed harbour limits.</p>
DCO.1.41	The Applicant	<p>Art 46(2) to (8). The wording "must have effect" is unusual. Would simply "has effect" be more appropriate?</p>
	Response	<p>This change has been made in Rev 4.0 draft DCO (Doc Ref. 3.1(C)).</p>
DCO.1.42	The Applicant, MMO	<p>Art 46(1). (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? (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. (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	<p>(i) The purpose of incorporating section 63 of the 1847 Act is for the undertaker to control the proximity of vessels to the authorised development and to ensure the safe and efficient management and operation of the harbour. Harbours often have limits that</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>extend beyond harbour infrastructure such as harbour walls/arms and the entrance to the harbour limits is not always defined by a physical feature. However, the Applicant acknowledges the query regarding the entrance to the harbour and will amend the DCO to refer solely to vessels '<i>within the harbour limits</i>'.</p> <p>As noted above, there need not be physical works of construction to create a harbour. The Applicant requires the powers to manage the harbour limits from the date the DCO comes into force and will update the DCO drafting accordingly.</p> <p>(ii) Case law relevant to the application of section 74 indicates that this is not a tort of strict liability, but requires an element of negligence on the part of the ship's master. Therefore, if it was not reasonably foreseeable that damage would be caused by a drifting boat or timber, then there would not be any liability.</p> <p>(iii) Article 46 (Incorporation of the Harbours, Docks and Piers Clauses Act 1847) of the DCO to be updated to expressly refer to summary conviction for offences under section 84 of the 1847 Act.</p>
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> <p>Response</p> <p>The Applicant has consulted the DfT as part of the pre-application consultation process and has continued engaging since the acceptance of the application. However, the DfT have now informed the Applicant that these matters will be managed by the Maritime and Coastguard Agency. A Statement of Common Ground has been submitted with this deadline (Doc Ref. 9.10.35).</p> <p>The Applicant considers that removing the definition of '<i>Secretary of State</i>' from the draft DCO addresses some of the MMO's representations. The removal of the definition results in the Interpretation Act 1978 applying. Under the Interpretation Act 1978, which reflects</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>the doctrine of collective responsibility, 'Secretary of State' means 'one of Her Majesty's Principal Secretaries of State'.</p> <p>The Secretary of State has the function of deciding an application for development consent which can include other consents. Division of responsibility between government departments are dealt with by discussions between the departments. Confirming the byelaws will be dealt with by whichever Government Department has that function.</p>
DCO.1.44	The Applicant	<p>Art 51(2). Why would there be a discrepancy between Sch 19 and the works plans?</p>
	Response	<p>The drafting is included to provide certainty in the event of any inconsistency and reflects the drafting in Article 58(2) of the Hinkley Point C (Nuclear Generating Station) Order 2013.</p>
DCO.1.45	The Applicant, MMO	<p>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?</p>
	Response	<p>(i) Typo corrected in Rev 4 of the draft DCO (Doc Ref. 3.1(C)). (ii) Object 17 of Schedule 2 to the Harbours Act 1964 permits the inclusion in a harbour order of provisions which, although not the subject of their own object in Schedule 2, 'appears to the appropriate Minister to be one the achievement of which will conduce to the efficient functioning of the harbour'. Article 62(1) (Rights to lease etc.) gives the undertaker/harbour authority the authority to lease harbour land, should it be necessary for the purposes of the harbour undertaking. The inclusion of this power in the DCO is</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>necessary to ensure the harbour authority can at all times efficiently and economically manage the harbour. Provisions of this nature are frequently included in harbour orders and drafting to this effect is also included in Hinkley Point C (Nuclear Generation Station) Order 2013.</p> <p>(iii) The reference to grant is not intended to relate to freehold interests. Under the Harbours Act 1964, harbour orders may provide for the disposal of land (i.e. freehold interests) where such land is no longer needed for harbour purposes. This is not envisioned by the DCO during the lifetime of the project.</p> <p>(iv) Article 62(1) (Rights to lease etc.) provides that the terms on which the grant of leases or interests in the harbour land will be agreed between the undertaker and the lessee/grantee, and it is acknowledged that under Article 62(2), the undertaker may delegate certain powers and duties to the lessee or grantee.</p> <p>In granting such leases or interests, it is not the intention of the Applicant that it will be relieved of its duties and powers as harbour authority (or undertaker more generally) under the DCO. The harbour authority is expressly defined as the undertaker. The undertaker will continue to be bound by the terms of the DCO in the usual way. The lessee/grantee will nonetheless be required to comply with certain terms of the DCO to avoid criminal liability for any breach that it causes.</p>
DCO.1.46	The Applicant, MMO	<p>Art 64(9). This provides for byelaws to be available at the harbour master's office. Should they not also be available online?</p>
	Response	Online availability has been provided for in Rev 4.0 of the draft DCO (Doc Ref. 3.1(C)).
DCO.1.47	MMO	<p>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.</p>
	Response	No response from SZC Co. is required.
DCO.1.48	The Applicant, MMO	Part 6 (other than Art 75).

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		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	This is included in the SoCG with the MMO (Doc Ref. 9.10.18).
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 disapplied, 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 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</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>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>
	<p>Response</p>	<p>This Article forms one of the Model Provisions and is found in many granted DCOs, including: The Hinkley Point C (Nuclear Generating Station) Order 2013; The Thames Water Utilities Limited (Thames Tideway Tunnel) Order 2014; The National Grid (Hinkley Point C Connection Project) Order 2016; The Norfolk Vanguard Offshore Wind Farm Order 2020; The Southampton to London Pipeline Development Consent Order 2020; The Immingham Open Cycle Gas Turbine Order 2020; The West Burton C (Gas Fired Generating Station) Order 2020; The Cleve Hill Solar Park Order 2020; The Great Yarmouth Third River Crossing Development Consent Order 2020; The Hornsea Three Offshore Wind Farm Order 2020; The A38 Derby Junctions Development Consent Order 2021; The A303 Sparkford to Ilchester Dualling Development Consent Order 2021; The Wheelabrator Kemsley K3 Generating Station Order 2021; and The A1 Birtley to Coal House Development Consent Order 2021.</p>
DCO.1.50	<p>The Applicant, The Host Authorities</p>	<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>
	<p>Response</p>	<p>Article 79 only permits trees or shrubs to be felled or lopped where the Applicant reasonably believes that this is necessary to prevent that tree or shrub from obstructing or interfering with the authorised development or constituting a danger to those using the authorised development. It is in this context that the reference to the tree or shrub being ‘near’ should be interpreted. The greater the distance between the individual tree or shrub and the proposed development, the less reasonable any belief that the Applicant may have that works are required. The reasonable distance will vary depending on the part of the authorised development concerned and so the concept of nearness must be flexible. Moreover, given that felling or lopping may be required to avert danger, the Applicant considers that it would be inappropriate to define ‘near’ by reference to a maximum distance.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>Compensation is payable under Article 79(2) to any person who sustains any loss or damage arising from the Applicant's carrying out of such felling or lopping.</p> <p>Provisions equivalent to Article 79 of the draft DCO using the word 'near' can be found in The Infrastructure Planning (Model Provisions) (England and Wales) Order 2009 as well as many other granted DCOs, including: The Cleve Hill Solar Park Order 2020; The Norfolk Vanguard Offshore Wind Farm Order 2020; The National Grid (Hinkley Point C Connection Project) Order 2016; The Thames Water Utilities Limited (Thames Tideway Tunnel) Order 2014; and The Hinkley Point C (Nuclear Generating Station) Order 2013.</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	<p>Whilst every effort will be made to update certified documents so as not to include references to draft versions of the DCO, the Applicant considers it prudent to include this drafting in case such references are not updated prior to submission to the Secretary of State and for the avoidance of doubt.</p> <p>Similar drafting can be found in other granted DCOs, for example see: Article 36 of The Hornsea Three Offshore Wind Farm Order 2020; Article 43 of The Hinkley Point C (Nuclear Generating Station) Order 2013; and Article 37 of The Norfolk Vanguard Offshore Wind Farm Order 2020.</p>
DCO.1.52	The Applicant	<p>Art 81.</p> <p>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).</p>
	Response	<p>Article 81 does not provide for the deeming of service (or receipt) of notices to take place at a particular time.</p> <p>Therefore, in the case of notices delivered by hand or email, the relevant point of time will be the date of actual service (or receipt).</p> <p>In accordance with Section 7 Interpretation Act 1978 (referenced at Article 81(3)), notices sent by post are presumed to have been served (or received) at the time at which the letter would be delivered in the ordinary course of post, provided that service has been</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>effected by properly addressing, pre-paying and posting the letter containing the document.</p> <p>Equivalent provisions may be found in the following granted DCOs: The Wheelabrator Kemsley K3 Generating Station Order 2021; The A1 Birtley to Coal House Development Consent Order 2021; The A303 Sparkford to Ilchester Dualling Development Consent Order 2021; The A38 Derby Junctions Development Consent Order 2021; The Great Yarmouth Third River Crossing Development Consent Order 2020; The Hornsea Three Offshore Wind Farm Order 2020; The Riverside Energy Park Order 2020; The Southampton to London Pipeline Development Consent Order 2020; The Immingham Open Cycle Gas Turbine Order 2020; The Northampton Gateway Rail Freight Interchange Order 2019; The National Grid (Hinkley Point C Connection Project) Order 2016; and The Hinkley Point C (Nuclear Generating Station) Order 2013.</p>
DCO.1.53	The Applicant	<p>Art 82(2).</p> <p>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)).</p>
	Response	<p>Article 82 has been updated to exclude the ability to arbitrate disputes with the Secretary of State.</p> <p>Appendix 14A - DCO Drafting Note 1 provides further explanation of this. Please note that the MMO were already carved out of the arbitration provision pursuant to Article 82(6) of the draft DCO (Doc Ref. 3.1(C)).</p>
DCO.1.54	Response	<p>Art 83 and Sch 23 – procedure for approvals, consents and appeals.</p> <p>(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.</p> <p>(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.</p> <p>(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</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>period in consultation cases, what is the justification for taking a week off the standard period?</p> <p>(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 and Local Government on 6th March 2014 or any circular or guidance which may from time to time replace it" which is the wording in Appendix 1 of AN15?</p>
	Response	<p>i) Not for the Applicant. ii) Not for the Applicant. iii) Para (1)(2)(b) has been updated to allow for six weeks as per the model schedule at Appendix 1 of Advice Note 15. iv) Council resources will be included in the next revision of the draft Deed of Obligation which will be submitted at Deadline 3 so it is not considered necessary to add fees-related drafting to the draft DCO. To confirm, in revision 3 of the draft DCO [AS-143] the reference to Circular 03/2009 was replaced with reference to the Planning Practice Guidance.</p>
DCO.1.55	The Applicant	<p>Art 85. Has the Applicant obtained all necessary consents from the Crown to carry out the Proposed Development?</p>
	Response	<p>The Applicant has consulted the Department of Education and the Department of Business, Energy and Industrial Strategy as they are the government departments which have management of the Crown Land included within the Application. Letters requesting this consent were sent on 8 May 2021 (DoE) and 25 May 2021 (BEIS).</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
DCO.1.56	<p>The Applicant (I) – (v) The Applicant and the Host Authorities (vi)</p>	<p>Sch 1.</p> <p>(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?</p> <p>(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.</p> <p>(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)”.</p> <p>(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.</p> <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>
	<p>Response</p>	<p>(i) In accordance with section 115 of the PA 2008, a development consent order may be granted by the Secretary of State for:</p> <p>a. development for which a development consent is required (i.e. an NSIP); or</p> <p>b. ‘associated development’.</p> <p>So long as the proposed development (i.e. the ‘authorised development’ as defined in the draft DCO (Doc Ref. 3.1(C))):</p> <ul style="list-style-type: none"> • contains at least one element within (a) (see s.55(3)(c) PA 2008); and • only contains elements which are within either (a) or (b) (s.115 PA 2008), a development consent order may be granted.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>The Applicant considers it apparent that the '<i>authorised development</i>' contains development for which a DCO is required (i.e. the nuclear powered generating station). Furthermore, the Applicant considers it apparent that each part of the '<i>authorised development</i>' is associated with the Project's principle aim of generating nuclear power and satisfies section 115(2) PA 2008 (see the response to (ii) below in relation to S.115(2)(b) PA 2008) and the '<i>Associated Development Principles</i>' set out in the Department for Communities and Local Government's '<i>Planning Act 2008: Guidance on associated development applications for major infrastructure projects</i>' (April 2013).</p> <p>Therefore, there is no legal necessity in respect of the Application to determine whether each element of the '<i>authorised development</i>' is associated development or forms part of the primary NSIP.</p> <p>In addition, the Applicant considers that there is no practical necessity to making this determination for the purposes of examining and determining the Application.</p> <p>The provisions for the draft DCO (Doc Ref. 3.1(C)) for the Project do not require such a determination to be made. Indeed, many granted DCOs do not make such a determination in Schedule 1, including: The A38 Derby Junctions Development Consent Order 2021; The A1 Birtley to Coal House Development Consent Order 2021; The Wheelabrator Kemsley K3 Generating Station Order 2021; The Immingham Open Cycle Gas Turbine Order 2020; The Southampton to London Pipeline Development Consent Order 2020; The Riverside Energy Park Order 2020; The Great Yarmouth Third River Crossing Development Consent Order 2020; The Cleve Hill Solar Park Order 2020; The National Grid (Hinkley Point C Connection Project) Order 2016; and The Hinkley Point C (Nuclear Generating Station) Order 2013.</p> <p>ii) The interpretation of the word dwellings in s.115(2)(b) of the Planning Act 2008 was considered by the High Court in the context of the application for the Hinkley PointC DCO (see <i>R (on the application of Innovia Cellophane Ltd, Innovia Films Ltd) v The Infrastructure Planning Commission</i> [2011] EWHC 2883 (Admin)). Mr Justice Cranston decided that the limitation in s.115(2)(b) of the Planning Act 2008 should not be interpreted to prevent the provision of specially built, temporary, campus-type accommodation required to house construction workers as associated development.</p> <p>iii) Noted. Please also refer to the last bullet point of the response to DCO.1.20.</p> <p>iv) Sections 14(1)(k) and 25 of the Planning Act 2008 together provide that '<i>the construction or alteration of a railway</i>' will be an NSIP if certain conditions are met.</p>

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

ExQ1	Question to:	Question:
		<p>As set out in S.25(2A) PA 2008, such construction or alteration will not be an NSIP to the extent that it takes place on the existing operational land of a railway undertaker. Work No. 4C is the alteration of the existing Saxmundham to Leiston branch line and is excluded from being an NSIP on this basis.</p> <p>As set out in S.25(3) PA 2008, such construction or alteration will not be an NSIP to the extent that it forms part of a rail freight interchange, unless the separate conditions in S.26 PA 2008 apply. The Applicant considers that the conditions in s.26 PA 2008 do not apply to Work No. 4D.</p> <p>The '<i>green rail route</i>' (Work Nos. 4A and 4B) will not be part of a network operated by an approved operator meaning that the relevant condition at s.25(1)(b) will not be satisfied.</p> <p>v) Sections 14(1)(h) and 22 of the Planning Act 2008 together provide that '<i>highway-related development</i>' (i.e. the construction, alteration or improvement of a highway) will be an NSIP if certain conditions are met.</p> <p>The two village bypass (Works No.s 11A and 11B) meets some of these conditions. It will be wholly in England (ss.22(2)(a), 22(3)(a) and 22(5)(a) PA 2008) and its area of development is expected to be over 12.5 hectares (ss.22(2)(c), 22(3)(c) and 24(b) PA 2008) (see paras 2.2.1 and 2.5.1 of Volume 3, Appendix 5.2.A of the ES Addendum [PDB-003]).</p> <p>However, the two village bypass, once constructed, will not be a trunk road forming part of the Strategic Road Network. Therefore, Suffolk County Council will be the relevant highway authority for the two village bypass under section 1 of the Highways Act 1980. As neither the Secretary of State nor a strategic highways company (e.g. Highways England) is to be the highway authority for the two village bypass, the condition in s.22(2)(b) PA 2008 is not met in respect of this development and so Works 11A and 11B do not constitute an NSIP in their own right.</p> <p>(vi) For the reasons given above, it is considered that the Works 4A-4D and 11A-11B are not NSIPs in their own right. If they were, though, then the Secretary of State would need to have regard to the National Policy Statement for National Networks (NNNPS) in respect of these works. As explained above, though, the Applicant considers that this is not required given that the relevant criteria are not met.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
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	<p>The <i>‘ancillary structures’</i> are listed and described in Volume 2, Chapter 2 of the ES within Table 2.4 (refer to Volume 3, Appendix 2.2.A of the ES Addendum for the latest version, Doc. Ref. 6.14(A)). Whilst in both the ES and the draft DCO (Doc Ref. 3.1(C)) the list of ancillary structures is non-exhaustive, this development is located within Parameter Zone 1A and is therefore controlled by the maximum height parameters in Volume 2, Chapter 2 of the ES within Table 2.1 and can only be located within Parameter Zone 1A as shown on the Main Development Site Operational Parameter Plan (Doc. Ref. 2.5(B)). It is also worth noting that at paragraph 13.3.8 of Volume 2, Chapter 13 of the ES (Main Development Site – Landscape and Visual) [APP-216] it is explained that <i>‘the assessment of effects arising from parameter zones assumes structures/buildings could occupy the full extent of the outline envelope proposed albeit with a maximum building height and objective of locating taller structures in less visually sensitive locations, for example in views from the coastline’</i>.</p> <p>The ExA is also referred to Appendix 14I - Drafting Note 9.</p>
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 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.</p>
	Response	<p>These words appeared in the submission draft of the draft DCO [APP-059] but have since been removed and do not appear in revisions 2, 3 or 4.</p>
DCO.1.59	The Applicant	<p>Work No. 1A (w), temporary and permanent accesses [PD-005] and [AS-006].</p> <p>The ExA notes the Applicant’s replies to [PD-005] in [AS-006] paras 4.7</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	No further response from SZC Co. is required.
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	The Applicant is no longer proposing to retain the CHP Plant beyond the construction phase so it will be removed at the same time as the accommodation campus. This is because the Emergency Equipment Store will now be located within the Main Platform (Parameter Zone 1A) meaning that the CHP plant no longer needs to be retained. An updated version of the Description of Permanent Development ES chapter has been submitted at Deadline 2 (refer to Volume 3, Appendix 2.2.A of the ES Addendum (Doc Ref. 6.14(A))).
DCO.1.61	The Applicant, ESC, MMO, Natural England	<p>Sch 1 Part 1. Work No 2.</p> <p>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.</p> <p>Work numbers 2B and 2D shown on the works plans indicate the separation between the cooling water intakes for units 1 and 2.</p> <p>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)?</p> <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</p>

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

ExQ1	Question to:	Question:
		<p>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	<p>The boundary within which the cooling water and fish return tunnels (Work Nos 2A, 2C, 2E, 2G, 2I and 2K) may be carried out is shown on the Works Plans 2, 4, 5 and 6 by reference to the green dotted line shown in the key which refers to these works. The description of these works in Schedule 2 expressly cross-refers to these Works Plans. The Applicant confirms that these works will not extend outside the Order limits. This is clear on the plans, since the boundary of the green dotted line within which these works are to be carried out does not extend outside the solid red line on the Works Plans which indicates the Order limits. It was not considered necessary to show the exact alignment of the completed tunnel within these areas, since: (i) the alignment of the tunnels will be constrained in practice by the location of the outfalls for each tunnel, which are shown by dotted black lines in the form of circles/ovals shown on the Works Plans and labelled as Work Nos, 2B, 2D, 2F, 2H, 2J and 2K, and the need for the tunnels to be built in straight lines from the power station onshore; and (ii) the deemed marine licence requires details of the tunnels to be approved by the MMO prior to commencement of these works. See DML condition 44 and 48 which refer to <i>'the alignment (horizontal and vertical)'</i> of these tunnels.</p> <p>Abstraction of cooling water is not only part of the conventional electricity generating process of a direct-cooled station, but it also serves to cool essential and safety systems. Therefore, the cooling water infrastructure is safety classified and needs a degree of redundancy built in, such that if cooling water from one source is lost then cooling can still be maintained from another source. Relative geographic separation of the two intake tunnels achieves this redundancy (each intake tunnel also has two intake heads,</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>separated by 100m for the same reason). The ExA is correct that the tunnel lengths simply reflect the shortest route to the intake heads. There is no significance attached to this.</p> <p>The alignment of the three cooling water tunnels is completely disregarded in the ES and HRA assessments as, being several tens of metres below the seabed there is no pathway for them to cause environmental impacts (concerns regarding bentonite frack-out from the Tunnel Boring Machines notwithstanding as that has no relevance to the route of the tunnels). Indeed, it is likely that the tunnels themselves will be exempt from needing a Marine Licence for those same reasons.</p>
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	<p>The Applicant is not aware that '<i>capital dredging</i>' has been defined in other DCOs. If the MMO and Environment Agency feel it is necessary to define it, the Applicant is content to consider whatever definition they suggest. No change has however been made to Rev 4.0 of the draft DCO (Doc Ref. 3.1(C)) pending the views of the MMO and the Environment Agency.</p>
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	<p>The area within which the works described as '<i>Work No. 1</i>' in the draft DCO may be carried out is shown on the Works Plans (sheets 7 and 8) in dark grey, as indicated in the key to those plans. Part of the green rail route overlaps that area. The Applicant wished to give that part of the green rail route a separate work number (distinct from Work No. 1A) because it is a distinct and important piece of infrastructure, the exact location of which is important and we considered was most helpfully shown on the Works Plans as an overlay onto Work No. 1A.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>The green rail route also, however, continues beyond the area within which the Work No. 1A works may be carried out. The light grey area shown as Work No. 4A on the plans, shows the general area (outside of Work No. 1A) within which the works which are associated with the laying of the rail line itself are to be carried out (eg formation of embankments, trenches and laying of utilities, level crossing works). Within this area, we considered it helpful to show the specific alignment within which the rail line itself would be laid (as we have within the Work No. 1A area). The dotted line denoting Work No. 4B shows that alignment.</p>
DCO.1.64	The Applicant	<p>Sch 1 Part 1. Work No 4. 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	<p>The 'Saxmundham to Leiston Branch Line Upgrades Existing Plans – Not for Approval' show the level crossings in context [APP-058]. The branch line is shown in relation to the rest of the Order limits on SZC-SZ0204-XX-000-DRW-100480 Rev 02 (Works Plans Key Plan 1) at 1:40.000 [AS-284]. Work No. 4C (i.e. the branch line) is also shown in context on sheets 3, 7, 9 and 10 on the Work Plans at 1:2,500 [AS-285]. The existing plans at [APP-058], which as stated above show the level crossings in context, show the branch line at 1:2,500 and 1:5,000. At a scale of 1:25,000 the details of the key features would be lost. The Applicant hopes that the signposting to the relevant plans in this response provides the ExA with enough information in order to better understand the context of the rail works but should further information be required please do let us know.</p>
DCO.1.65	The Applicant	<p>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?</p>
	Response	<p>The ExA is referred to paragraph 8.3.35 of the Planning Statement [APP-590] which states:</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p><i>"...an additional, temporary, off-site area which could be improved to provide further marsh harrier foraging during construction is also proposed west of Westleton. The Applicant believes this additional area is not required to mitigate or compensate for the effects of the Sizewell C Project on marsh harriers. The area at Westleton is nevertheless being put forward as part of the Application in case the Secretary of State disagrees with this position and takes the view that it is in fact required. If the Secretary of State agrees with the Applicant that such land is not required then the Secretary of State is expected to grant the DCO in a form which does not authorise any powers over such land, including powers of compulsory purchase."</i></p> <p>Work No. 8 is the area of potential marsh harrier habitat at Westleton referred to above – it is in square brackets for the time being because it is a site that the Applicant believes is not necessary as mitigation, and should the Secretary of State agree with this position it will not be included in the granted DCO accordingly.</p> <p>In terms of the underlying assessment, the ExA is referred to the Shadow Habitats Regulation Assessment Report [APP-145 to APP-149] and the Shadow Habitats Regulation Assessment – Compensatory Measures Report [APP-152] which conclude that the permanent habitat improvement area that has been developed at the northern edge of the EDF Energy estate would provide sufficient foraging to be regarded as appropriate compensation for the predicted 'loss of foraging' over the Sizewell Marshes SSSI arising as a result of a barrier effect created by the temporary construction area. The ExA is also referred to the Applicant's ExQ1 Bio.1.48 response paper (Appendix 7F – Bio 1.48 response paper).</p>
DCO.1.66	The Applicant, SCC	<p>Sch 1 Part 1, Work No. 9, para (b).</p> <p>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.</p>
	Response	<p>This is intended to refer to cessation of the operational use of the Northern park and ride site. Clarificatory drafting has been added to Rev 4.0 draft DCO (Doc Ref. 3.1(C))</p>
DCO.1.67	The Applicant	Sch 1 Part 1, Work No. 12D.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		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	The wording has been added to the end of Works No. 12D in Rev 4.0 of the draft DCO (Doc Ref. 3.1(C)).
DCO.1.68	The Applicant	Sch 1 Part 2, Other Associated Development. Please explain how this is limited by the Parameter Plans.
	Response	See Appendix 14I – DCO Drafting Note 9.
DCO.1.69	The Applicant, ESC	<p>Sch 1 Part 2, Other Associated Development.</p> <p>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 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?</p> <p>(ii) Is the location of the works limited to the Order Limits?</p> <p>(iii) What will be the constraints in the DCO if made on the development they permit?</p> <p>(iv) The EM para 10.4 says they are "minor works". Where is such a limit set out in the dDCO?</p> <p>(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	See Appendix 14B - DCO Drafting Note 2.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
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	<p>The Applicant has now had time to consider the ExA's line of questions on how the car parking facilities will be secured, and has made updates to the Construction Method Statement within Volume 2, Chapter 3 of the ES (refer to Volume 3, Appendix 2.2.B of the ES Addendum (Doc Ref. 6.14(A)) for the latest version) to include Table 3-9 which sets out the name of the parking facility, parameter zone, number of spaces, predominant vehicle type and the relevant operational period. All of this information was contained within the previous version of the CMS but has been pulled together into a standalone table. All of these parking facilities are therefore secured via Requirement 8 meaning that in the Applicant's view a separate car parking Requirement is not needed.</p>
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	<p>This correction has been made in Rev 4.0 of the draft DCO (Doc Ref. 3.1(C)).</p>
DCO.1.72	The Applicant	<p>Sch 2 para 1(2).</p> <p>Should the reference to Art 76 be to Art 80?</p>
	Response	<p>This correction has been made in Rev 4.0 of the draft DCO (Doc Ref. 3.1(C)).</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
DCO.1.73	The Applicant, ESC	<p>Schedule 2 para 1(3).</p> <p>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>.</p> <p>Environmental assessment is a process which assesses not effects but projects to see what significant effects the project is likely to have.</p> <p>(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.</p> <p>(ii) Should the assessment instead be against the position at the time of seeking the <i>“unless otherwise agreed”</i> - 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?</p> <p>(iii) How is the decision on effects to be taken? Could the <i>“subsequent application”</i> 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.</p>
	Response	<p>See Appendix 14E - DCO Drafting Note 5. It should be noted that in considering its response to this question, the Applicant has decided to remove the drafting at Schedule 2, paragraph 1(4) as it is not considered necessary. This is because the Applicant has factored in to the parameter heights for all buildings and structures an allowance for all necessary external projections, and these parameters have been used for the purposes of</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>carrying out the environmental assessment. Notwithstanding this, the Applicant sets out below information in response to the ExA's questions which is hopefully helpful.</p> <p>The construction of the approved buildings or structures, including their design, size and location, is regulated and constrained by Requirements which also apply to external projections. These include, in particular:</p> <ul style="list-style-type: none">• R11 (Main development site: Approved buildings, structures and plant). This requires the relevant numbered works to be carried out in accordance with the Approved Plans (including elevations and roof plans). Detailed designs for approximately 65 buildings and structures within the main development site have been submitted for approval. Any external projections on those buildings and structures would need to be in accordance with those Approved Plans. In addition, R11 requires those same numbered works to be carried out in accordance with the detailed design principles in Chapter 5 of the MDS DAS (Doc Ref. 8.1Ad2(A)).• Authority. The details must accord with the detailed design principles in Chapter 5 of the MDS DAS (Doc Ref. 8.1Ad2(A)) (see above).• R13 (main development site: Ancillary structures, other building and plant). This requires the relevant numbered works to be carried out in general accordance with the detailed design principles in Chapter 5 of the MDS DAS (Doc Ref. 8.1Ad2(A)) (see above).• R 17 (Accommodation campus: Buildings and structures). This requires the relevant numbered works to be carried out in general accordance with the detailed design principles in Table A.1 of the MDS DAS (Doc Ref. 8.1Ad2(A)) (see above). Although these principles do not specifically control the provision of plant, an area of plant is provided within the service area located to the rear of the recreation building, thus making it unlikely that any significant plant would need to be provided on the exterior of the proposed buildings themselves.• R20 (Associated development sites: Buildings and structures). This requires Work No. 9 (northern park and ride), Work No. 10 (southern park and ride) and Work No. 13 (freight management facilities) to be carried out in accordance with the relevant Parameter Plans and Approved Plans, and in general accordance with the relevant sections of the Associated Development Design Principles (Doc Ref. 8.3(A)). These three AD sites are the ones that will have buildings and the parameters for their

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>dimensions, including heights, are stipulated on the for approval general arrangement and parameter plans.</p> <p>The heights secured by the Requirements summarised above have been assessed in the relevant chapters of the ES and can be found in the descriptions of development – please refer to the DCO Signposting Document (Doc. Ref. 3.4(B)).</p>
DCO.1.74	The Applicant, ESC	<p>Sch 2 Art 1(4).</p> <p>This exempts external projections such as plant rooms and telecommunications infrastructure from the Parameter Plans. Such items can be sizeable.</p> <p>(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?</p> <p>(ii) How have they been environmentally assessed?</p> <p>(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	<p>It should be noted that in considering its response to this question, the Applicant has decided to remove the drafting at Schedule 2, paragraph 1(4) of the draft DCO (Doc Ref. 3.1 (C)) as it is not considered necessary. This is because the Applicant has factored in to the parameter heights for all buildings and structures an allowance for all necessary external projections, and it is using these parameters that the environmental assessment has been carried out. Notwithstanding this, the Applicant sets out below information in response the ExA's questions.</p> <p>The construction of the approved buildings or structures, including their design, size and location, is regulated and constrained by Requirements which also apply to external projections. These include, in particular:</p> <ul style="list-style-type: none"> • R11 (Main development site: Approved buildings, structures and plant). This requires the relevant numbered works to be carried out in accordance with the Approved Plans (including elevations and roof plans). Detailed designs for approximately 65 buildings and structures within the main development site have been submitted for approval. Any external projections on those buildings and structures would need to be in accordance with those Approved Plans. In addition,

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>R11 requires those same numbered works to be carried out in accordance with the detailed design principles in Chapter 5 of the MDS DAS.</p> <ul style="list-style-type: none"> • R13 (main development site: Ancillary structures, other building and plant). This requires the relevant numbered works to be carried out in general accordance with the detailed design principles in Chapter 5 of the MDS DAS (see above). • R 17 (Accommodation campus: Buildings and structures). This requires the relevant numbered works to be carried out in general accordance with the detailed design principles in Table A.1 of the MDS DAS (see above). Although these principles do not specifically control the provision of plant, an area of plant is provided within the service area located to the rear of the recreation building, thus making it unlikely that any significant plant would need to be provided on the exterior of the proposed buildings themselves. • R20 (Associated development sites: Buildings and structures). This requires Work No. 9 (northern park and ride), Work No. 10 (southern park and ride) and Work No. 13 (freight management facilities) to be carried out in accordance with the relevant Parameter Plans and Approved Plans, and in general accordance with the relevant sections of the Associated Development Design Principles. These three AD sites are the ones that will have buildings and the parameters for their dimensions, including heights, are stipulated on the for approval general arrangement and parameter plans. <p>The heights secured by the Requirements summarised above have been assessed in the relevant chapters of the ES and can be found in the descriptions of development.</p>
DCO.1.75	<p>The Applicant, ESC</p>	<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>
	<p>Response</p>	<p>The drafting at Schedule 2, paragraph 1(5) is not introducing a different definition of 'commencement' but rather it is explaining for the avoidance of doubt that in Schedule 2 (Requirements) where there is a pre-commencement requirement which applies (or can</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>apply) to a specific site or Work No. then references to ‘<i>commencement</i>’ of development are to commencement of development of that specified site or work only. The purpose of this is to enable the discharge of pre-commencement requirements on a site-by-site basis. This is reasonable given the scale and nature of the Sizewell C Project and avoids details having to be submitted in respect of the whole authorised development when works are commencing in respect of a work or part of a work only.</p> <p>The Explanatory Memorandum (Doc Ref.3.2(B)) at paragraph 10.15 explains this in the following terms:</p> <p><i>"As the requirements often apply to several Works, the undertaker has the ability to discharge requirements in parts. The discharge of a certain requirement may be required at different times for different Works through the construction programme as new information is delivered and the construction progresses. This allows the undertaker to prioritise discharging certain parts of requirements at the correct time in the construction programme."</i></p>
DCO.1.76	The Applicant, ESC	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?
	Response	Requirement 2 has been updated to clarify which works ‘ <i>removal and reinstatement</i> ’ relate to.
DCO.1.77	The Applicant, ESC	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.
	Response	<p>The draft DCO and CoCP were drafted to complement each other and control activities in different ways. The Applicant does not believe there are any instances of inconsistencies between the CoCP (Doc Ref. 8.11(B)) and the draft DCO (Doc Ref. 3.1(C)).</p> <p>The draft DCO and CoCP should be read together. The draft DCO provides for necessary general powers and the CoCP secures specific controls to ensure those powers are used in accordance with the ES. Furthermore, Requirement 2 requires construction to be carried out in general accordance with the CoCP. This specific requirement is supplemented by any specific controls in the draft DCO.</p>

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	Please see Appendix 14L – DCO Drafting Note 11.
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	No response from SZC Co. is required.
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	The Water Monitoring and Response Strategy [AS-236] for the main development site ensures that the water monitoring plans which will be approved by East Suffolk Council secure all of the measures necessary to mitigate the impacts associated with the Sizewell C Project. This includes the works and mitigation measures which are in the Applicant's control.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>In addition to these measures a memorandum of understanding with ENGL, RSPB and the Applicant is being developed which seeks to ensure that the current water level management regime, including responsibilities, continues to operate in the existing way. Requirement 7 has been amended to refer to the correct strategies.</p>
DCO.1.81	ESC	<p>R8, temporary buildings. 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>
	Response	<p>No response from SZC Co. is required.</p>
DCO.1.82	The Applicant, ESC	<p>R10. What obligation is there to operate the regulation of vehicular access specified in this requirement?</p>
	Response	<p>Requirement 10 has been updated to include a specific obligation to implement the approved scheme of security measures.</p>
DCO.1.83	The Applicant, ESC	<p>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?</p>
	Response	<p>Requirement 11 has been updated to refer only to the works numbers.</p>
DCO.1.84	ESC	<p>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?</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	No response from SZC Co. is required.
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	No response from SZC Co. is required.
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	No response from SZC Co. is required.
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	Requirement 14 relates solely to the landscape and ecology implementation and maintenance of the operational power station site. Requirement 14 has been updated to require the landscape scheme to have been submitted for approval by ESC within 6 months of Unit 1 commencing operation. The landscape and ecology scheme must be carried out as approved. Yes, Requirement 14 is the requirement referred to at para 7.1.2 of the oLEMP [APP-588] (note now updated by [REP1-010]).
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

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>comply not only by carrying out the landscape works but also to maintain them in accordance with the landscape and ecology management plan? (ii) Should not the words "and ecology" be inserted between "landscape" and "works" in R14(2)?</p>
	Response	Requirement 14(2) has been updated to address both of these points.
DCO.1.89	ESC	<p>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?</p>
	Response	No response from SZC Co. is required.
DCO.1.90	ESC	<p>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?</p>
	Response	No response from SZC Co. is required.
DCO.1.91	ESC, The Applicant	<p>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?</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	Requirement 18 has been updated to refer specifically to the tables in the Associated Development Design Principles (Doc Ref. 8.3(A)).
DCO.1.92	ESC	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?
	Response	No response from SZC Co. is required.
DCO.1.93	ESC, The Applicant	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? 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?
	Response	As there is no reference to Schedule 6 in Requirement 19, the Applicant assumes that the ExA's question relates to Requirement 20 and has answered on that basis. Requirement 20 has been updated to detail the relevant tables within the Associated Developments Design Principles (Doc Ref. 8.3(A)). Schedule 6 and 7 list the plans by the name of the site that they are related to. These match the names of the works referred to Schedule 1. Schedule 7 has been updated to also refer to the work numbers to provide extra clarity.
DCO.1.94	ESC	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?
	Response	No response from SZC Co. is required.

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	No response from SZC Co. is required.
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	Requirement 22 has been updated to detail the relevant tables within the Associated Developments Design Principles (Doc Ref. 8.3(A)). Schedule 6 and 7 list the plans by the name of the site that they are related to. These match the names of the works referred to Schedule 1. Schedule 7 has been updated to also refer to the work numbers to provide extra clarity.
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	Clause 12 of the draft Deed of Obligation (Doc Ref. 8.17(C)) requires the Applicant to give notice to ESC and SCC within 10 Working Days of the day on which the Construction Period ends.
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?

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	<p>Response</p>	<p>The requirement imposed by Requirement 25 is to submit a Rail Noise Mitigation Strategy (“RNMS”) for approval, and thereafter to implement that strategy, before freight trains may be operated along Work No. 4.</p> <p>The Applicant has submitted a thorough and detailed assessment of the likely significant effects arising from rail noise associated with the operation of freight trains along Work No. 4 (Volume 9, Chapter 4 of the ES [APP-545], supplemented by an Addendum to reflect the potential increase in the number of train movements introduced through the changes made to the scheme (Volume 1, Chapter 9 of the ES Addendum, section 9.3 [AS-188]). The assessment is complete and includes both the prediction of likely significant effects, the identification of proposed mitigation measures, and the prediction of residual effects once those mitigation measures are taken into account.</p> <p>In addition, the Applicant has prepared and submitted a draft RNMS (Volume 3, Appendix 9.3.E to the ES Addendum [AS-257 to AS-258]) so that the ExA and IPs can make an informed judgment on the likely efficacy of the mitigation measures that would be secured by R25. The draft RNMS contains the proposed mitigation measures to reduce rail noise and vibration, in a form that the Applicant is able to deliver. It has been informed by additional surveys and assessments and its contents are summarised at para. 9.3.124 of Volume 1, Chapter 9 of the ES Addendum [AS-188].</p> <p>The purpose of Requirement 25 is to secure the appropriate mitigation measures described and assessed in the ES, and thereby to ensure that the likely significant effects of rail noise do not exceed those that have been assessed. Final approval of the RNMS is not required in order to enable the Secretary of State to undertake an adequate EIA before determining the application for a DCO.</p> <p>In the circumstances it is clear that there is no conflict between the imposition of Requirement 25 and the ratio of the decision in <i>ex p Hardy</i>.</p>
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>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	Requirement 25 has been updated to no longer refer to the noise mitigation scheme and Requirement 25(3) has been corrected.
DCO.1.100	The Applicant, SCC	Sch 19. 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?
	Response	Schedule 19 has been updated so it is named ' <i>Limits of Harbour</i> ' in Rev 4.0 of the draft DCO (Doc Ref. 3.1(C)).
DCO.1.101	The Applicant, MMO	Sch 20 – deemed Marine Licence ("DML") – definition of "authorised development". 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 drafts person 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.
	Response	See Appendix 14D - DCO Drafting Note 4.
DCO.1.102	The Applicant, MMO	Sch 20 Para 1. Definition of "maintain". 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. (i) Should it be made clear that the mitigation required by the ES and that applied elsewhere in this DCO must be complied with?

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<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	See Appendix 14D - DCO Drafting Note 4.
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	The Schedule 20 definition has been updated to match the Article 2 definition.
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 1A(m)”? This may be a small drafting point. If there is more to it than that, please will the Applicant and MMO explain.</p>
	Response	In Rev 4.0 of the draft DCO (Doc Ref. 3.1(C)) the definitions of each numbered Work have been updated in the Interpretation section to refer directly to the Works as defined in the Order. The Applicant considers this is sufficiently clear and the headings while having no operative effect are helpful to the reader.
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?

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	<p>This drafting seems standard in other deemed marine licences (for example the Hornsea Three DCO).</p> <p>The Applicant considers it likely that members of the public would find the MMO's address online should they wish to raise a concern.</p>
DCO.1.106	The Applicant, MMO	<p>Sch 20 Para 3 – transfers of the DML.</p> <p>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?</p>
	Response	<p>Para 3 of Schedule 20 has been deleted, such that the transfer of the deemed marine licence can be done only pursuant to Article 9 (Consent to transfer the benefit of the Order).</p>
DCO.1.107	The Applicant, MMO	<p>Sch 20 Para 4.</p> <p>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.</p>
	Response	<p>In Rev 4.0 of the draft DCO (Doc Ref. 3.1(C)), the definition of '<i>authorised development</i>' has been replaced with the definition of '<i>marine works</i>'.</p> <p>The formulation of para 4(1) and (2) is similar to other deemed marine licences.</p> <p>We understand paragraph 4(2) as describing specifically all of the '<i>licensable marine activities</i>' which need to be carried out as part of each element of the '<i>marine works</i>', and are therefore authorised by the deemed marine licence.</p> <p>For clarity we have added the words '<i>(referred to in paragraph 4(1))</i>' after the words '<i>Such activities</i>' in paragraph 4(2).</p>
DCO.1.108	The Applicant, MMO	Sch 20 Para 5(e).

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		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	See Appendix 14D - DCO Drafting Note 4.
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	Rev 4.0 of the draft DCO (Doc Ref. 3.1(C)) clarifies and corrects the drafting to refer to sub-paragraphs '4(2)(a) to 4(2)(m)'.
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	No response from SZC Co. is required.
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?

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	Condition 34 requires the undertaker to submit a Maintenance Activity Plan for approval and to submit it every 5 years or when activities not contained in the plan are required to be carried out. This would appear to cover the ExA's concern on operational matters. The Applicant has not seen an express exception for urgent or emergency works in other deemed marine licences. s86 MCC Act 2009 would provide a defence in most circumstances, and the MMO would be trusted to be reasonable in any event in taking enforcement action where the undertaker had behaved responsibly in responding to an urgent unforeseen circumstance.
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	This wording was used in the Hinkley Point C marine licence, which was a standalone licence drafted by the MMO. In practice this will mean that the rock armour is from an operational quarry that can be referenced.
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	The Soft Coastal Defence Feature is located partly above the MHWS and partly below the MHWS. Requirement 12B regulates the part above MHWS. The remainder is a licensable activity within the MMO's jurisdiction and appropriately regulated through Schedule 20 Paragraph 41. The Hard Coastal Defence Feature is entirely above the MHWS and outside the jurisdiction of the MMO. See Requirement 12B which regulates commencement of the Hard Coastal Defence Feature.
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?

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	This condition has now been deleted as the deemed marine licence no longer covers the hard coastal defence feature.
DCO.1.115	The Applicant	Sch 20 Para 45. Small typo "untilo".
	Response	Corrected.
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	Under the Water Resources Act 1991 the abstraction of seawater is not an activity requiring an abstraction licence from the Environment Agency. As such, any controls within the DCO/DML in relation to abstraction would not overlap with or duplicate the Environment Agency's control.
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	The coordinates are the licensable area which is not necessarily the same as that covered in the plans (while the licensable areas lie with the redline boundary they need not necessarily reflect the deposited plans; for example the licensable area only goes as far landward as MHWS). The MMO uses specific coordinate system (WGS84) on the Marine Case Management System. As much as the marine licence is deemed within the DCO it will, once granted as part of the DCO, be no different to any other marine licence and will be managed via the MCMS for providing Condition Returns, apply for variations etc. An important part of the MCMS is that large parts of it are publicly available to search etc. The deposited plans cannot be put on the MMO website.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
DCO.1.118	The Applicant	<p>Sch 20, the DML, general.</p> <p>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.</p>
	Response	<p>No deemed marine licence was included in the Hinkley Point C DCO. A marine licence was sought and granted separately. A copy of the Hinkley marine licence is provided to the ExA as Appendix 14K. It has been varied 6 times since it was originally granted, so the most up to date version has been provided. A comparison of that licence against the proposed wording of the Schedule 20 deemed marine licence would not be useful given that each marine licence deals with unique local conditions, and that drafting practice and precedent in respect of marine licences and deemed marine licences will have evolved since the time the Hinkley licence was granted. To the extent that the MMO wishes to point the ExA or the Applicant to specific preferred wording, based on the marine licence for Hinkley Point C or any other precedent we are of course happy to consider it, but given the fairly advanced stage of negotiations on the deemed marine licence between the MMO and the Applicant we would not expect that to be necessary or helpful.</p>
DCO.1.119	The Applicant, MMO	<p>Sch 20.</p> <p>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.</p>
	Response	<p>This is included in the SoCG with the MMO (Doc Ref. 9.10.18).</p>
DCO.1.120	The Applicant	<p>Sch 20.</p> <p>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.</p>
	Response	<p>The Explanatory Memorandum (Doc Ref. 3.2(B)) has been updated accordingly.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
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	No response from SZC Co. is required.
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 (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	Please see Appendix 14J – DCO Drafting Note 10.
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.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	Please see Appendix 14J – DCO Drafting Note 10.
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?
	Response	No response from SZC Co. is required.
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	The purpose of this provision is to ensure that in the event that the local planning authority were to adopt a CIL charging schedule which might be considered to apply to the power station or its associated development sites, CIL would not apply. The rationale for this dis-application is that the power station is in its own right a piece of nationally significant infrastructure, and the Applicant will be obliged to provide all of the mitigatory infrastructure (in the form of transport infrastructure in particular) to mitigate its effects. Therefore, it would not be justifiable for CIL to be charged in respect of the development on top of this, for further infrastructure to mitigate impacts.
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

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>deriving title from the original covenantor. The Applicant and Host Authorities should note the questions below on s.106 agreements.</p>
	<p>Response</p>	<p>Paragraph 5(2) has been deleted from Rev 4.0 draft DCO (Doc Ref. 3.1(C)). Please refer to Appendix 26A which explains the Applicant's proposed approach to binding the undertaker to contractual commitments, via a Deed of Obligation rather than a s106 agreement.</p>
DCO.1.127	The Applicant	<p>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.</p>
	<p>Response</p>	<p>Section 120(5)(a) of the Planning Act 2008 permits DCOs to apply, modify or exclude an existing statutory provision which relates to any matter for which provision may be made in the DCO. The Explanatory Memorandum (Doc Ref. 3.2(B)) has been updated to explain the purpose and effect of the modifications and exclusions in Schedule 24.</p>
DCO.1.128	ESC, the Applicant	<p>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?</p>
	<p>Response</p>	<p>The Applicant has continued to engage with ESC in respect of the necessary mitigation for the residual landscape and visual effects of the Project, conserving and enhancing landscape character, and protecting and enhancing ecology, biodiversity and wildlife, and improving habitat connectivity and resilience, as well as conserving and enhancing the natural beauty and special qualities of the Suffolk Coast and Heaths AONB and Suffolk Heritage Coast and their setting. The Applicant has agreed the replacement of the AONB Fund proposed in the draft Deed of Obligation (Doc. Ref. 8.17(C)) with a Natural Environment Improvement Fund which will address these areas of concern. Funding will</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>be available to projects addressing these areas of concern located within the administrative area of East Suffolk Council, with a specified minimum amount to be allocated to projects within the part of the Suffolk Coast and Heaths AONB and Suffolk Heritage Coast located within East Suffolk. The Natural Environment Improvement Fund is secured through Schedule 11 of the draft Deed of Obligation (Doc Ref.8.17(C)).</p> <p>For the reasons explained in SA.1 Response Paper (Appendix 26A) the Applicant no longer proposes to enter into development consent obligations pursuant to section 106 of the Town and Country Planning Act 1990. See Section 10 of the SA.1 Response Paper in respect of the relevance of the NPS policy tests in respect of non-development consent obligations.</p> <p>In the Applicant's view, the proposed Natural Environment Improvement Fund in its final form is likely to meet the policy tests for obligations set out in National Policy Statement EN-1 (at paragraph 4.1.8) as it shall be used to fund necessary off-site mitigation directly related to the impacts of the Project. The scale of the Fund is subject to further discussion with the Councils, which will be relevant to policy compliance. The Applicant intends to set out its analysis of the satisfaction of the policy tests in the Explanatory Memorandum (Doc Ref. 3.2(B)) and has set out its proposed structure for doing so in the updated draft of this document.</p>
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>All of the funds and financial contributions which the Applicant considers appropriate and necessary are secured through the draft Deed of Obligation (Doc. Ref. 8.17(C)) and are summarised in Annex 2 of the draft Deed of Obligation (Doc. Ref. 8.17(C)).</p> <p>As explained in the SA.1 Response Paper (Appendix 26A), the Applicant no longer proposes to enter into development consent obligations pursuant to section 106 of the Town and Country Planning Act 1990. See Section 10 of the SA.1 Response Paper (Appendix 26A) in respect of the relevance of the NPS policy tests in respect of non-development consent obligations.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>The scale and scope of the funding to be provided are subject to further development and ongoing discussions with the Councils. These matters would impact upon the satisfaction of the policy tests and no definitive statement can be provided at this stage.</p> <p>However, the Applicant is confident that the proposed payments once finalised will be compliant with policy. The Applicant intends to set out its analysis of the satisfaction of the policy tests in the Explanatory Memorandum and has set out its proposed structure for doing so in the updated draft of this document.</p> <p>All of the funds listed by SCC are accepted by the Applicant in principle and secured by the Deed of Obligation (Doc Ref. 8.17(C)) save for:</p> <ul style="list-style-type: none">• Levels of funding and the scope of each fund is subject to further discussion and negotiation with the local authorities.• It is not agreed that the Natural Environment Improvement Fund shall be provided throughout the operational and decommissioning phases of Sizewell C. The Applicant does not consider that such an extension to the lifetime of the proposed Fund would satisfy the policy tests for obligations set out in National Policy Statement EN-1 (at paragraph 4.1.8). No significant adverse effects requiring mitigation through the continuation of the Fund have been identified for terrestrial ecology and ornithology during the operational phase [AS-033]. Significant adverse landscape and visual effects have been identified during the operational phase [APP-216]. However, the Applicant considers that all reasonably practicable mitigation measures have been embedded into the scheme and that the scope for additional mitigation through the extension of the funding period for the Fund is limited. Given the limited scope for measures funded by the Natural Environment Improvement Fund during the operational period to mitigate the assessed effects, the Applicant considers that SCC's proposal that the Applicant continues funding the Natural Environment Improvement Fund throughout the operational phase is neither fairly nor reasonably related in scale to the proposed development. Instead, it is considered reasonable that funding be provided for the first three years following the receipt of fuel at Unit 2.• Whilst the Applicant proposes to provide funding towards a Wickham Market Improvement Scheme and a Leiston Improvement Scheme to address transport impacts, it is not considered necessary or reasonable that such funding is unlimited in scale. The scale of the funding shall be based upon an estimate of the cost of the

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>schemes to be delivered and include a reasonable contingency towards possible cost overruns.</p> <ul style="list-style-type: none"> Whilst the Applicant has proposed contributions towards the increased highway maintenance costs of Suffolk County Council resulting from construction traffic using the B1122 prior to the opening of the Sizewell link road, no similar contributions are considered necessary or reasonable in respect of the A12 or other local roads.
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	<p>Drawing number SZC-SZ0100-XX-000-DRW-100102 Rev 02 [AS-121] does not show the red line boundary on the Saxmundham to Leiston branch line between the GRR and LEEIE as this set of rail plans concerns the rail works within the MDS (Work No. 4B). The whole of the Saxmundham to Leiston branch line falls within the Order Limits and comprises Work No. 4C as shown on Works Plans - Part 2 of 3 - Revision 3.0, Sheets 9 and 10 [AS-285]. Further detail on the Green Rail Route Plans (Outside Of The Main Development Site Boundary) can be found in the Plans For Approval - Revision 2.0 [AS-141] and Plans Not For Approval - Revision 2.0 [AS-142].</p>
DCO.1.131	The Applicant	<p>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.</p>
	Response	<p>The title of the plan is used to identify the site in which the relevant part of the rail works is situated. However, having considered the ExA's comment, the Applicant has updated the plans so that they are clearly marked 'Rail Works' throughout (Doc. Ref. 2.5(B)).</p>
DCO.1.132	The Applicant	<p>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</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		the remaining improvement works, where are they described and limited in the DCO and where are they assessed in the ES?
	Response	The existing car park serving Kenton Hills would be improved to provide 15 additional parking spaces and selective vegetation would be removed to make it less enclosed. The car park surfacing and the access road to it would be improved, and signage would be enhanced so that the parking and walking facilities are better promoted on the approach. The Applicant has reinstated the number of car parking spaces in the description of Work No. 1A(cc) in revision 4 of the draft DCO (Doc Ref. 3.1(C)) (submitted with this response at Deadline 2) as this appears to have been removed in error in the previous revision.
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.		
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	Confirmed. Please note that a new version of the Explanatory Memorandum (Revision 3) has now been issued with Rev 4.0 draft DCO (Doc Ref. 3.1(C)).
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	Confirmed.
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	See Appendix 14(H) – DCO Drafting Note 8.
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	Confirmed. Any changes to the draft DCO that are committed to by the Applicant in its responses to the ExA's further questions listed at Annex F of the Rule 6 letter on the relationship between the draft Development Consent Order and the Environmental Statement are reflected in version 4 of the draft DCO (Doc Ref. 3.1(C)).
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	Corrected in Rev 4.0 of the draft DCO (Doc Ref. 3.1(C)).
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	The Hard Coastal Defence Feature will be situated wholly above mean high water spring and is therefore not a licenseable activity under the deemed marine licence. For drafting clarity, the 'marine works' are those which are also licensable activities controlled by the deemed marine licence.
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>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<i>Please could the Applicant reflect on this and respond.</i>
	Response	<p>This was a matter which the Applicant considered carefully. The Pakenham site, being one of the ecological mitigation sites naturally should be located with Work No.s 6, 7 and 8. We considered that re-numbering all of the Works in Schedule 1 from Work No. 8 onwards in order to insert the Pakenham as Work No. 8 would cause more confusion than clarity with stakeholders and interested parties, who have come to know these sites by the existing numbering system, and are referred to by these numbers in our Works Plans and in other application documents.</p> <p>While it may be a curiosity in years to come that Work No. 18 is located after Work No. 7 in the drafting, we do not consider it would cause any confusion. More confusion would be caused in our view by a re-numbering exercise at this stage.</p> <p>We considered using the number '7A' but this could imply that it is co-located with Work No. 7, and in that way cause confusion.</p>
DCO.1.140	The Applicant	<p>Art 2 – references to Works 1D and 1E. it is evident that the intention is that these are in the alternative.</p> <p>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.</p>
	Response	See Appendix 14C - DCO Drafting Note 3.
DCO.1.141	The Applicant, ESC	<p>Art 2 “Sizewell B relocated facilities permission 2”.</p> <p>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?</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	<p>The 'Sizewell B relocated facilities permission 2' was granted on 18 February 2021. The target is to deliver the following activities under the Sizewell B relocated facilities permission 2 by October 2021:</p> <ul style="list-style-type: none"> • landscaping/tree planting at Pillbox field; • tree felling; • archaeological surveys; • tree stump and root removal; • site preparation /earthworks (excavation of site to prepare for construction); and commence construction of the new access road.
DCO.1.142	The Applicant	<p>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))".</p> <p>(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?</p>
	Response	See Appendix 14C - DCO Drafting Note 3.
DCO.1.143	ESC, the Applicant	<p>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 defences to statutory nuisance in this Article. In particular, are they sufficiently precise documents for this purpose?</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	The Main Development Site Design and Access Statement [APP-585 to APP-587, Doc Ref. 8.1Ad2 (A)] and the Associated Development Design Principles (Doc Ref. 8.3(A)) include controls and measures which relate to noise, vibration, dust or lighting. The Applicant considers these documents sufficiently precise 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	See Appendix 14G – DCO Drafting Note 7.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
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	<p>Yes, this change is intentional. The permanent limits are defined as meaning the land coloured pink, orange and blue on the Land Plans. This is the land which the undertaker may acquire outright, or over which it may acquire rights in land or impose restrictions (permanently). It excludes the land coloured yellow and green which the undertaker may only use temporarily. The Applicant considered that it was equitable for the power in Article 16 (to create a permanent private means of access over land) only to apply in respect of land which the undertaker in any event has the power to acquire permanently. It was for this reason that we replaced reference to the '<i>Order limits</i>' (which would have included all land, including temporary possession land) with reference to the '<i>permanent limits</i>' only.</p>
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>

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

ExQ1	Question to:	Question:
		Would the Applicant please consider this issue and propose revised drafting or explain why the current drafting is still appropriate.
	Response	The Applicant notes the views of the ExA in the Southampton to London Pipeline examination and the comments made in this question. Amendments have been made to revision 4 of the draft DCO (Doc Ref. 3.1(C)) which reflect the approach taken in the last revision of the Southampton to London Pipeline DCO.
DCO.1.147	The Applicant, MMO	Art 64(4). What is the justification for choosing 28 days rather than the original one month for notice of application for confirmation of byelaws.
	Response	In paragraph 2.2.18 of their relevant representation [RR-0744], the MMO suggested that it be changed to 28 days to one month for clarity.
DCO.1.148	The Applicant, MMO	Art 73 – use of BLFs. 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	Article 73 has been updated to clarify: <i>"The undertaker may only use the temporary beach landing facility for the purposes of, or in connection with, the construction of the authorised development and may only use the permanent beach landing facility for the purposes of, or in connection with the construction, operation, maintenance and decommissioning of the authorised development."</i>
DCO.1.149	The Applicant, MMO	Art 75A – appeals in relation to deemed marine licence.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>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</p>
	<p>Response</p>	<p>The proposed approach in Article 75A and Schedule 20A seeks to address matters of non-decision and delay in respect of post consent approvals for marine works. Such post consent approvals can take many months and may result in delays to construction, increased costs etc. Therefore, the appeals process ensures timely decision making.</p> <p>The overarching purpose of a DCO is that it provides a single consent in relation to the delivery of nationally significant infrastructure and so the DCO should be drafted to ensure there is no impediment to its delivery.</p> <p>Article 75A is required to avoid a potential impediment to delivery for an indeterminable period of time, for which there is no appropriate procedure to resolve in a timely and appropriate manner.</p> <p>It should be noted that, Article 82(4) of the draft DCO (Doc Ref. 3.1(C)) provides that the deemed marine licence is not subject to arbitration.</p> <p>An example of an appeals process supporting set timeframes for approvals under a deemed marine licence may be found in the granted TTT DCO, as well as the draft DCO for the Aquind Interconnector.</p>
DCO.1.150	The Applicant, MMO	<p>Art 82(6) no arbitration of consents or approvals by the MMO. Please will the MMO say if it approves this wording.</p>
	<p>Response</p>	<p>Refer to Applicant's response to DCO.1.149 for details.</p>
DCO.1.151	The Applicant, MMO	<p>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.</p> <p>Please will the MMO also comment and say if it approves the wording in the third draft..</p>
	<p>Response</p>	<p>ESC's jurisdiction extends to the mean low water springs (MLWS). The MMO's jurisdiction extends to the mean high water springs (MHWS).</p> <p>In the inter-tidal area between MLWS and MHWS, both the Council and the MMO have jurisdiction. In this area, ESC would be entitled to defer approval and enforcement action</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>to the MMO. The Applicant thinks that this would be a sensible approach given that the works in the inter-tidal area will in any event to be subject to the deemed marine licence. The Applicant considers that it is important to all parties involved that there is a robust approval and enforcement structure around the coastal works for Sizewell C and that this structure must be clear and transparent. As such, the Applicant has sought to formalise this by amending Article 86 as follows:</p> <p><i>"For the purposes of section 173 of the 2008 Act, the MMO will be the relevant local planning authority in respect of Works seaward of the mean high water springs."</i></p>
DCO.1.152	The Applicant	<p>Sch 1 Pt 1- Work No. 5. This now includes "one 3G pitch". Should this not be defined?</p>
	Response	A definition of 3G Pitch has been added into Rev 4.0 draft DCO (Doc Ref. 3.1(C)).
DCO.1.153	The Applicant	<p>Sch 1 Pt 1 Work No. 18. Please see question above on the Explanatory Memorandum</p>
	Response	Please see response to question DCO 1.139 .
DCO.1.154	The Applicant, SCC	<p>Sch 2, R3 – archaeology. 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.</p>
	Response	<p>Requirement 3 has been updated further for Deadline 2. The amendments have arisen from discussions with SCC and Natural England.</p> <p>The change from 'authorised development' to 'terrestrial works' in paragraph 3(1) is to clarify that this requirement only relates to terrestrial works. DML condition 19 relates to the marine works.</p> <p>Paragraph 3(2) adds a specific reference to the reporting methods in section 5.6 of the Overarching Written Scheme of Investigation [AS-210].</p> <p>Paragraphs 3(3) and 3(4) now clarify that peat archaeological written schemes of investigation for a part of Work 1A (a) to (h), in accordance with the Peat Strategy, must be approved before below ground works on that part can commence. Previously this was within the Peat Strategy but has been brought into the requirement for clarity.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:											
DCO.1.155	The Applicant	<p>Sch 2 – Requirements, generally.</p> <p>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.</p> <p>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.</p>											
	Response	<p>The Applicant will be carrying out a thorough definitions check at a later stage in the examination but in light of the ExA's question, the Applicant has reviewed Schedule 2 and can confirm that definitions of the following terms have been added to rev 4 of the draft DCO (Doc Ref. 3.1(C)).</p> <table border="1" data-bbox="770 730 2000 1236"> <thead> <tr> <th data-bbox="770 730 1263 788">Definition</th> <th data-bbox="1263 730 2000 788">First used in draft DCO</th> </tr> </thead> <tbody> <tr> <td data-bbox="770 788 1263 874">Overarching Written Scheme of Investigation</td> <td data-bbox="1263 788 2000 874">Schedule 2, Requirement 3 - Project wide: Archaeology and Peat</td> </tr> <tr> <td data-bbox="770 874 1263 960">Peat Archaeological Written Schemes of Investigation</td> <td data-bbox="1263 874 2000 960">Schedule 2, Requirement 3 - Project wide: Archaeology and Peat</td> </tr> <tr> <td data-bbox="770 960 1263 1091">Statutory Nature Conservation Body</td> <td data-bbox="1263 960 2000 1091">Schedule 2, Requirement 4 - Project wide: Terrestrial ecology monitoring and mitigation plan</td> </tr> <tr> <td data-bbox="770 1091 1263 1177">Lead Local Flood Authority</td> <td data-bbox="1263 1091 2000 1177">Schedule 2, Requirement 5 – Project wide: Surface and foul water drainage</td> </tr> <tr> <td data-bbox="770 1177 1263 1236">Rail Noise Mitigation Strategy</td> <td data-bbox="1263 1177 2000 1236">Schedule 2, Requirement 25 – Rail noise</td> </tr> </tbody> </table>	Definition	First used in draft DCO	Overarching Written Scheme of Investigation	Schedule 2, Requirement 3 - Project wide: Archaeology and Peat	Peat Archaeological Written Schemes of Investigation	Schedule 2, Requirement 3 - Project wide: Archaeology and Peat	Statutory Nature Conservation Body	Schedule 2, Requirement 4 - Project wide: Terrestrial ecology monitoring and mitigation plan	Lead Local Flood Authority	Schedule 2, Requirement 5 – Project wide: Surface and foul water drainage	Rail Noise Mitigation Strategy
Definition	First used in draft DCO												
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Lead Local Flood Authority	Schedule 2, Requirement 5 – Project wide: Surface and foul water drainage												
Rail Noise Mitigation Strategy	Schedule 2, Requirement 25 – Rail noise												
DCO.1.156	The Applicant , SCC, ESC	<p>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.</p>											

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		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	See Appendix 14A - DCO Drafting Note 1.
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	There is no proposed clearance of the Sizewell Marshes SSSI beyond that in Work 1A. However Rev 4 of the draft DCO (Doc Ref. 3.1(C)) has been updated to remove reference to Work 1A.
DCO.1.158	The Applicant, SCC	R 6A – is “general” accord with the Public Rights of Way Strategy appropriate? Why not “in accordance”?
	Response	Requirement 6A has been updated to make the purpose of the footpath implementation plans clearer. These footpath implementation plans will set out the detail of how the Rights of Way and Access Strategy (Doc Ref. 6.3 15I(A)) is to be applied to each new or diverted footpath. The footpath implementation plans are subject to Suffolk County Council’s approval. The measures in the strategy would apply differently in the context of each footpath. Therefore the Applicant is content that ‘ <i>general accordance</i> ’ is suitable to ensure that the impacts are no greater than those assessed in the Environmental Statement.
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	This is found in the draft Deed of Obligation (Doc Ref. 8.17(C)).
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

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	<p>for the changes, or point the ExA to where the reasons may be found in the Applicant's submissions thus far.</p> <p>The explanation for changes to the deemed marine licence in the latest version can be found in the Applicant's Schedule of Changes (Doc Ref. 3.1Ad 4) submitted together with Rev 4.0 draft DCO (Doc Ref. 3.1(C)) at Deadline 2.</p> <p>The Applicant is aware that the MMO opposes the incorporation of an appeals procedure in relation to deemed marine licences. The two primary reasons for such opposition are that judicial review should be a sufficient remedy for the undertaker if the MMO refuses or delays a decision, and that it would be wrong for deemed marine licences in DCOs to enjoy an appeals procedure not available in respect of marine licences granted outside of the DCO regime.</p> <p>The Applicant disagrees with these two points raised by the MMO. Judicial review would not provide an adequate remedy for the undertaker as the grounds for such legal challenges are narrow (procedural unfairness, irrationality or ultra vires). In some cases the undertaker may wish to challenge the merits of a decision by the MMO to refuse an application to discharge a condition (as it could the discharge of a DCO requirement). We see no proper public interest reason why such a remedy should be available in respect of requirements but not deemed marine licence conditions. The practical and public interest considerations are identical in each case, and there is no rational basis for distinguishing between the two in this respect.</p> <p>While we recognise that such a remedy is not available in respect of marine licences outside the DCO regime, it is in our view entirely appropriate that such a remedy should be available in respect of nationally significant infrastructure projects. Parliament has decided that the authorisation of such projects should be subject to a different statutory regime, the Planning Act 2008, reflecting their national significance and the different issues that arise as a result. Comparison with the statutory regime that applies in respect of marine licences granted for less significant projects which do not qualify for determination under the Planning Act is therefore of very limited utility.</p> <p>The MMO has suggested that if Parliament had intended for an appeal to be available as a mechanism to challenge MMO decisions on discharge of conditions then they would have provided for this in the MCA Act 2009. We do not think there is any substantive merit in this argument, and would remind the ExA that as explained above, Parliament has chosen to provide a different statutory regime for authorising projects such as this, because</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>different considerations arise in relation to nationally significant infrastructure projects. In any event, it should be noted that whilst the Planning Act 2008 does not provide a mechanism for appeal against the refusal to discharge DCO requirements, yet this has nevertheless become standard in DCOs since the precedent was originally set in the Hinkley Point C DCO. That reflects the fact that such a provision is obviously appropriate and fair, and that it would be wholly disproportionate and contrary to the public interest in the efficient and timely delivery of nationally significant infrastructure projects for this to be frustrated by a refusal to discharge a requirement, remediable only via an application to the Administrative Court for judicial review.</p> <p>While the Applicant has every intention of seeking to collaborate and agree the terms on which all marine licence conditions are discharged, it cannot be right that there is no ability to appeal on the merits in the event that stalemate is reached, which could disrupt the project programme.</p> <p>Furthermore, such an approach would be likely to increase the burden on the Planning Court by making it the only body with jurisdiction to oversee such decisions. That would plainly be contrary to the public interest.</p>
DCO.1.161	MMO, the Applicant	<p>Sch 20, Pt 1, para 2(3).</p> <p>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.</p> <p>This question applies to other instances of addresses and telephone numbers in the deemed licence, e.g. Sch 20, Pt 3 para 9</p>
	Response	This change has been made, where relevant, in Rev 4.0 draft DCO (Doc Ref. 3.1(C)).
DCO.1.162	MMO, the Applicant	<p>Sch 20, Pt 2 para 4(2)(c)(ii).</p> <p>Does this make sense? What is “by pass (movement alongshore)”?</p>
	Response	'By- pass' in this instance means to physically remove sediment that has become trapped by an obstacle blocking its normal transport pathway and transfer it to the other side of the obstacle so that it can continue following its normal pathway.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		Sch 20, Pt 2 para 4(2)(c)(ii) has been updated to add this clarity ' <i>by-pass (movement of accreted sediment alongshore past obstructions)</i> '.
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	See Appendix 14A - DCO Drafting Note 1.
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	Para 7A has been deleted on the basis that it replicated para 3 of Part 2. In theory if environmental standard increased, for example, and the power station was found to be causing an unacceptable impact then s72 could be used to impose further constraints, although in reality it would be very difficult to adapt the power station once built.
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	This para 7B has been moved to Part 3 of the DML to be condition 9A as requested by the MMO. The Applicant has included an EIA limitation so as to align the drafting with Schedule 2, paragraph 1(3).
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	Reference now changed to ' <i>paragraphs 4 and 5</i> ', being the paragraphs of the deemed marine licence setting out the licensed activities authorised.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
DCO.1.167	MMO, the Applicant	<p>Sch 20, Pt 3 para 17. Application for approval of a Coastal Processes Monitoring and Mitigation Plan.</p> <p>By sub-para (f) this application “must include (f) confidence that the proposed mitigation will be effective”.</p> <p>(i) Should it not rather be demonstrating confidence? In addition, what level of confidence, how is misplaced confidence avoided?</p> <p>(ii) Should there be a statement of the purpose for which the mitigation is to be “effective”?</p> <p>(iii) Whatever the answer to (ii), please explain what is the purpose of this mitigation.</p>
	Response	<p>The Applicant has updated the wording of part (f) to make it clearer that the statement of confidence is made by the undertaker. Part (f) now reads ‘<i>an explanation of the undertaker’s confidence that the proposed mitigation will be effective</i>’ (see rev 4 of the draft DCO (Doc. Ref. 3.1(C))</p> <p>The CPMMP [AS-237] is structured by trigger points for mitigation and includes details of the proposed mitigation. The Applicant has proposed this mitigation as it is confident that it will be effective in mitigating the impacts identified within the ES and which may arise through the lifetime of the project at various points. The monitoring regime set out in the CPMMP will indicate when the mitigation is required and the undertaker will be required to implement that mitigation to address the impacts and reduce the impact to below the trigger points. The Applicant has submitted the Preliminary Design and Maintenance Requirements for the Sizewell C Soft Coastal Defence Feature Report (Doc Ref. 9.12) which demonstrates confidence that the proposed mitigation will be effective.</p>
DCO.1.168	MMO, the Applicant	<p>Sch 20, Pt 3 para 39.</p> <p>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.</p>
	Response	<p>The MMO has stated a separate licence application for UXO removal is necessary once the detailed information is available. Therefore, the provisions related to UXO removal have been removed from the deemed marine licence. The undertaker will prepare the relevant information necessary to apply for UXO removal licences at the appropriate times in the construction programme. The undertaker will be required to carry out surveys and identify any UXOs and the size of those UXOs (involving magnetometer surveys and diver</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		confirmation) which require removal. The undertaker will then apply to the MMO for a separate marine licence to carry out those activities.
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	Please see Appendix 14J – DCO Drafting Note 10.
Chapter 15 - FR.1 Flood risk, ground water, surface water		
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	<p>The temporary feature described in the Main Development Site Flood Risk Assessment [AS-018] is no longer required and has been superseded by the more spatially efficient temporary sheet pile wall described in Main Development Site Flood Risk Assessment Addendum, Section 4.2.5 [AS-157] and illustrated in Plate 4.1. Access to install the temporary flood defence will be from the main construction area, strengthening and improving existing tracks over the Bent Hills. Installation will use traditional tracked piling rigs which will drive multiple, single interlocking sheets to the +7.3m level to create a wall along the whole length of the site. The new sheet pile wall will extend south to tie in to the existing Sizewell B sea defences and north to tie in with the new SSSI crossing. Construction of this new temporary coastal defence feature will occur in Phase 1, and it will remain in place to fulfil the site sea defence function for the majority of Phase 2 and Phase 3. Once the new temporary feature is in place, the Bent Hills will be removed, the topmost layer of organic material will be stockpiled separately for reuse as landscaping and the remainder used as bulk fill material during construction.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>The route of the temporary sea defence is shown on drawing SZC-SZ0100-XX-000-DRW-100210 in document [PDA-005]. Construction of the permanent sea defences will take place towards the back end of construction Phase 3. During this phase, the temporary sea defence will be progressively replaced by the permanent sea defence features and the sheet pile wall cut down or removed completely. Further detail regarding the design and layout of the different stages of the site sea defence arrangements is available in Sizewell C Coastal Defences Design Report (Doc Ref. 9.13).</p>
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>
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	<p>(i) The Coastal Processes Monitoring and Mitigation Plan (MMP) (Volume 3, Appendix 2.15.A of the ES Addendum) [AS-237] states that Sizewell Marine Technical Forum (MTF) has been established 'to facilitate open and transparent</p>

ExQ1	Question to:	Question:
		<p><i>dialogue between SZC Co. and the statutory environmental bodies (and their advisors) relating to marine monitoring of the SZC Project’.</i></p> <p>Paragraph 7.1.37 in the Main Development Site Flood Risk Assessment (MDS FRA) [AS-018] confirms that the impacts of climate change on sea level rise would be monitored and assessed at set intervals (e.g. 10 years) to determine the trajectory of the projections (e.g. in terms of sea level rise or increased storminess) and consider whether there is any change from either the currently considered projections or the climate change guidance as applied within the Application. This is in line with the Nuclear Site Licence requirements, whereby an appropriate monitoring programme needs to be in place and that a periodic safety review is undertaken (every 10 years as a minimum) to review the Safety Case assessment and its assumptions.</p> <p>The Applicant notes that the periodic safety review would aid in the decision-making process regarding whether and when there is a need to raise the sea defences.</p> <p>(ii) The Coastal Processes Monitoring and Mitigation Plan (MMP) (Volume 3, Appendix 2.15A) of the ES Addendum [AS-237] is secured in the DCO (Requirement 7A) and Marine Licence (Condition 17) (see draft DCO, Ref. 3.1(C)). Requirement 12B then secures the details of the hard coastal sea defences. This has now been amended to clarify that the submitted details pursuant to Requirement 12B must include a monitoring and adaptive sea defence plan that sets out the periodic monitoring proposals for the sea defence features and the trigger point for when the crest height of the sea defence would need to be increased to 16.9m (AOD). This ensures that the monitoring and adaptive measures are appropriately secured in the draft DCO (Ref. 3.1(C)).</p> <p>As stated at (i) monitoring of the sea defences is also an integral part of the MDS FRA and periodic monitoring/assessment is a requirement of the NSL. As detailed in the response to question R.1.14 (iii), Conditions relating to safety are included in the Nuclear Site Licence (see Conditions 15 and 28).</p> <p>(iii) As noted above, Requirement 12B has been amended to secure the monitoring arrangements for the sea defences, including the trigger points when the crest of the sea defences would need to be increased. Any changes needed to the sea defences would then be delivered through updated design details submitted pursuant to Requirement 12B (see draft DCO (Doc Ref. 3.1(C))).</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
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	<p>The design process for the Project is such that the detailed design of the Hard Coastal Defence Feature was required for the application and was not available at the time of submission. Instead, assessments for FRA (and coastal processes) were based on defined parameters within the basic design. Change 9 in the ES Addendum included proposals to amend the basic design to incorporate an increase in initial crest height (in response to latest climate change projections in UKCP18) which meant the spatial footprint necessarily extended slightly towards the east. See Volume 1, Chapter 2 of the ES Addendum [AS-181].</p> <p>However, the design process has progressed and further illustrative details of the design, including detailed plans and drawings have been provided to the ExA at Deadline 2 (refer to Sizewell C Coastal Defences Design Report (Doc Ref. 9.13)).</p> <p>The detailed design of both the HCDF and the SCDF must be approved by ESC under DCO Requirement 12B prior to works commencing (refer to the draft DCO (Doc Ref. 3.1(C))).</p> <p>As described in the answer for FR.1.2, monitoring under the CPMMP (Appendix 2.15.A, Volume 3, Chapter 2 of the ES Addendum [AS-237]) together with compliance with NSL Conditions 18 and 28, will ascertain whether the adapted design needs to be constructed.</p> <p>Please find tabled design in the Sizewell C Coastal Defences Design Report (Doc Ref. 9.13) for further design information on the HCDF.</p> <p>Provision for the works to adapt the sea defence is explained in response to question FR.1.2.</p>
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</p>

ExQ1	Question to:	Question:
		<p>probability event through a temporary shut-down of operations is considered adequate by the Applicant. Explain:</p> <ul style="list-style-type: none"> (i) How such an event would affect operation, and (ii) Any implications for the storage of radioactive material on site.
	<p>Response</p>	<ul style="list-style-type: none"> (i) The reference in paragraph 7.2.27 in the MDS FRA [AS-018] refers to flooding above the threshold of the buildings during the 2140 epoch and is based on the adoption of the most conservative climate change allowance (i.e. credible maximum / BECC Upper) as set out in Paragraph 7.2.16 of the same document. In this worst-case scenario, up to 70mm of flooding above the threshold may be experienced during the 1 in 200-year event, whilst up to 170mm may be experienced during the 1 in 1,000-year event. Buildings within the site include measures to ensure they are water-tight to a depth of approximately 0.3m and therefore, these measures would aid in limiting water ingress into the buildings such that operation can be maintained during such an event. <p>The Applicant notes that the worst-case modelling scenario has been undertaken using the credible maximum climate change scenario (i.e. BECC Upper) as part of a sensitivity test for safety critical elements of the Project.</p> <p>The flooding above building thresholds assessed in the MDS FRA [AS-018] was based on the design of the HCDF with a raised crest level of 14.2m AOD. This has now been superseded by the change accepted in April 2021, as set out in Volume 1, Chapter 2 of the ES Addendum [AS-181] with the permanent crest of the HCDF raised to 12.6m AOD (14.6m AOD with landscaping) and with the ability to adapt the defence up to 16.4m AOD (18.0m AOD with landscaping).</p> <p>The breach assessment for the revised defence design has not been undertaken. However, the Applicant notes that the proposed defence structure is being designed to withstand extreme conditions, i.e. 1 in 10,000-year storm event with climate change allowance, and therefore the likelihood of a breach would be very low, especially when compared with existing natural defences along the frontage. As a safety critical feature, the defence would be part of the periodic monitoring programme that would determine its structural condition and identify any measures, if needed, to maintain its integrity. As such, it was determined that a</p>

ExQ1	Question to:	Question:
		<p>breach assessment of the revised HCDF for the purpose of flood risk assessment would not be required.</p> <p>(ii) Further to the above, it is also noted that by the 2140 epoch there will be limited buildings and structures remaining on the site, as this marks the end of the decommissioning phase. As such there will be limited buildings remaining that contain radioactive material. As part of the monitoring programme and safety case review, required by the Nuclear Site Licence, there will be a continual review of flood risk to the site. Should it be identified that further flood resilience measures are required to protect those buildings remaining these will be implemented, as required.</p>
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	<p>(i) The cut-off wall construction process involves the construction of a diaphragm wall. The diaphragm wall construction involves:</p> <ul style="list-style-type: none"> • The excavation of a sequence of 1.5 m thick trenches, that are approximately 50 m deep that are held open and stable with liquid bentonite. The excavation is carried out with specialist excavation plant with either grab or cutter-head attachments. • The liquid bentonite as well as keeping the excavation stable, stops groundwater entering the excavation. Additionally, the bentonite is of a thick enough consistency that it does not leach into the groundwater. • Once the sequence is complete (usually 3 adjacent panels excavated), the reinforcement cages are installed in the excavations. • After this, concrete is poured from the base of the excavation via tremmie pipe continuously, until the concrete has displaced all of the bentonite and the concrete it left in place to set.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> • The bentonite is syphoned as it is being displaced, and sent to the bentonite treatment plant where it was processed, treated and then re-used in the next excavation sequence. <p>(ii) The cut-off wall excavation and construction process does not impact or influence the groundwater. Thus, no management of the groundwater is required, or proposed during its construction. As described in response to i) there is no dewatering associated with the construction of the cut-off wall. Groundwater within the excavated trench is displaced and excluded initially by bentonite, and then by concrete, as part of the construction process. Following completion of cut-off wall construction, and commissioning testing to demonstrate its performance complies with the design specification, internal dewatering can commence to manage groundwater and allow dry excavation.</p>
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	Refer to Figures 2.5-2.8 attached to the Part 1 written responses which show the layout of the Main Platform Underground Construction. These drawings include a general layout of the Main Platform, details of the underground construction, and location of the cut off wall extent and marine tunnelling shafts.
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>
	Response	The current minimum elevation of the cut off wall is proposed at +4 mOD, and this level is reasonably fixed. Calculations carried out suggest that the groundwater is unlikely to rise as high as this level during the construction or operational phase. The current groundwater level measured on site is between approximately 0 and +0.5 mOD. Further calculations undertaken also suggest that over time, the groundwater inside the cut-off

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>wall will naturally recharge to the same level as outside the cut-off wall. This has been incorporated into the permanent buildings waterproofing design.</p> <p>All permanent buildings are designed for groundwater loads predicted from the groundwater calculations and associated modelling. Analyses and calculations carried out in 2020 have demonstrated that the buildings can resist the effects of groundwater.</p>
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	<ul style="list-style-type: none"> (i) This was an error in the previous draft of Requirement 7. Requirement 7 has now been revised (see the draft DCO at Doc Ref. 3.1(C)) to require the approval of a Water Monitoring Plan, which will address both groundwater and surface water monitoring. (ii) Continued hydrological monitoring is proposed, as outlined in Volume 3, Appendix 2.14.A of the ES Addendum [AS-236]. This states that the purpose of continued monitoring is to demonstrate that changes in the water environment are consistent with the impact assessment. The Water Monitoring and Response Strategy and the Water Monitoring Plan define the specific measures that will be secured by Requirement 7 of the draft DCO (Doc Ref. 3.1(C)), along with the relationship to the environmental permits and licences that would be necessary. The Water Monitoring Plan would be prepared by SZC Co. and submitted to East Suffolk Council for their approval, following consultation with relevant stakeholders. Together these provide a robust and effective framework of controls for the management of water levels for the duration of the project.
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>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	No response from SZC Co. is required.
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	<p>The cross reference to Table 8.2 in paragraph 11.2.6 was incorrect. The paragraph should instead have referred to Table 6.5 of Appendix 4 Breach Modelling Update Report of the MDS FRA [APP-099].</p> <p>The Applicant also notes that revised results for the breach modelling, updated following changes to the design submitted in the Change Application, are presented in section 3.4 of the MDS FRA Addendum [AS-157]. Further details are provided in Appendix D MDS Tidal Breach and Coastal Inundation Modelling Report Addendum [AS-164].</p>
FR.1.11	The Applicant	<p>Main Development Site FRA Addendum [AS-157]</p> <p>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.</p>
	Response	<p>The development of the Flood Risk Assessment has been undertaken in consultation with the Environment Agency, Suffolk County Council, East Suffolk Council, the East Suffolk Internal Drainage Board, Natural England, Suffolk Wildlife Trust and the RSPB. The Applicant has reviewed the Relevant Representations from each of these stakeholders.</p> <p>The RSPB raised a general comment in relation to flood risk to the RSPB Minsmere Reserve and the Minsmere –Walberswick SAC and SPA. Suffolk County Council raised comments in relation to flood risk from a surface water drainage perspective. The East Suffolk Internal Drainage Board queried the reliance on an infiltration-based drainage strategy in relation to assumed hydrological performance and input to the watercourses.</p> <p>Comments that are specific to the Applicant's assessment of flood risk within the MDS FRA [AS-018] were only raised by the Environment Agency. Furthermore, comments on flood risk raised by the East Suffolk Internal Drainage Board, RSPB and Suffolk County Council are encompassed by more detailed comments from the Environment Agency. A summary of the Relevant Representation and detailed comments from the Environment</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>Agency is included in Appendix A and Appendix B of the MDS FRA Addendum [AS-157]. A summary response to surface water drainage concerns is provided within the MDS FRA Addendum [AS-157], which also provides cross references to relevant documents where further information can be found.</p> <p>Furthermore, comments were received from the Suffolk Resilience Forum, dated 28 October 2020, in response to the provision of a draft template for the MDS Flood Risk Emergency Plan (FREP). These comments have been considered within the development of the MDS FREP, submitted as Appendix F of the MDS FRA Addendum [AS-170]. Appendix A of the MDS FREP includes the response letter from the Suffolk Resilience Forum [AS-170] relating to the draft template.</p>
FR.1.12	Environment Agency	<p>Main Development Site FRA Addendum [AS-157]</p> <p>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?</p>
	Response	No response from SZC Co. is required.
FR.1.13	The Applicant	<p>Main Development Site FRA Addendum [AS-157]</p> <p>Table 2.1, 200 year return period, 2140 epoch Explain why different Climate Change criteria is used for this particular prediction?</p>
	Response	<p>Within the overtopping calculations the UKCP18 RCP8.5 95th percentile climate change allowance has been adopted within the assessment of flood risk, in accordance with the guidance set out in the Position Statement on the Use of Climate Change Projections 2018 by the GB Nuclear Industry¹.</p> <p>Additionally, the Applicant has undertaken further overtopping calculations using the credible maximum climate change scenario (i.e. BECC Upper) as part of a sensitivity test for safety critical elements of the Project. The overtopping assessment presented in Table 2.1 comprises both the results of the reasonably foreseeable and credible maximum scenario as requested in the Environment Agency’s review, summarised in paragraph 2.4.2 and 2.4.5 of the MDS FRA Addendum [AS-157].</p>

¹ Office for Nuclear Regulation (2019) Use of UK Climate Projections 2018 (UKCP18) by GB Nuclear Industry, Position Statement March 2019.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		As acknowledged in paragraphs 2.4.3 and 2.4.4, the extreme future scenarios (i.e. using the credible maximum) are such that the still water levels would result in platform inundation and therefore these scenarios were not included in the overtopping assessment. Hence the overtopping calculations for the credible maximum climate change scenarios (i.e. BECC Upper allowance) were not undertaken for the 1 in 1,000-year and 1 in 10,000-year return period events but only for the 1 in 200-year event at the 2140 climate change epoch, where the still water level is below the main platform height.
FR.1.14	Environment Agency	<p>Main Development Site FRA Addendum [AS-157]</p> <p>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?</p>
	Response	No response from SZC Co. is required.
FR.1.15	The Applicant	<p>Main Development Site FRA Addendum [AS-157]</p> <p>Paragraph 3.3.18, Is this saying that there is no property at this postcode or that it would not be flooded?</p>
	Response	Following an assessment of the National Receptors Dataset (NRD), the Applicant determined that there is no property at this post code. The assessment found that the data point was located in the middle of a road and that all other properties in the surrounding area were appropriately represented by other NRD data points. Therefore, this NRD point was discounted in the assessment by the Applicant.
FR.1.16	The Applicant	<p>Main Development Site FRA Addendum [AS-157]</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<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>
	<p>Response</p>	<p>The Applicant has not undertaken a threshold survey for the properties' doorsteps. Instead, a threshold of 0.1m was applied to residential properties as stated in paragraph 3.3.15 of the MDS FRA Addendum [AS-157]. Additionally, it is noted that non-residential properties were assumed to have no raised threshold.</p> <p>The Environment Agency's guidance on 'Computational modelling to assess flood and coastal risk' (Operational Instruction 379_05), in row 3 on page 16 recommends the following:</p> <p><i>'typically set the threshold level if known, or a uniform 250-300mm above ground level.'</i></p> <p>As such, the Applicant considers that the use of the 0.1m threshold for residential properties and no threshold for non-residential properties is more conservative than the approach set out in the Environment Agency's guidance and is therefore appropriate for this assessment. Paragraph 3.3.17 of the MDS FRA Addendum [AS-157] notes that the appropriateness of the adopted threshold was assessed by undertaking visual checks of the affected residential properties with street-view imagery (Google Maps street view), where it was available. This exercise showed that the residential properties in the area have an average doorstep at the entrance that is raised up by approximately 0.15m (around the height of 2 bricks). Therefore, the Applicant considers that the 100mm threshold applied within the modelling is appropriate.</p>
<p>FR.1.17</p>	<p>The Applicant, Environment Agency, Suffolk County Council</p>	<p>Main Development Site FRA Addendum [AS-157] 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>
	<p>Response</p>	<p>The wording of Paragraph 5.1.20 of the MDS FRA Addendum [AS-157] has been taken from Paragraph 2.14.35 of the Volume 1 Chapter 2 of the ES Addendum [AS-181].</p> <p>The ExA is directed to the Fen Meadow Strategy [AS-209], which has been prepared to define SZC Co.'s commitment to provide appropriate compensation measures to mitigate for the loss of fen meadow habitat through the creation of compensatory fen meadow</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>habitats, and the provision of a contingency fund. Please also see the response to question Bio.1.86.</p> <p>Paragraphs 4.1.1 – 4.1.12 of the Fen Meadow Strategy [AS-209] detail:</p> <ul style="list-style-type: none"> • the studies undertaken to date to identify potential fen meadow compensation sites; • the further studies on-going on the fen meadow sites; and • the development of a Fen Meadow Plan, which will be developed over a series of three reports, with the final Plan drawing upon 12 months of monitoring. The final plan will be submitted for approval, as detailed [Paragraph 4.1.11 in AS-209]. <p>The draft Fen Meadow Plan (in preparation) will be submitted to the examination at a suitable deadline.</p> <p>The suitability of the sites is defined further in the answer to Bio.1.65. However, specifically in relation to flood risk, taking into account guidance set out in the National Planning Policy Framework and its supporting Planning Practice Guidance, the proposed fen meadow site would be classified as '<i>Amenity open space, nature conservation and biodiversity</i>' which is a water compatible use and appropriate for location within Flood Zone 3. Furthermore, the nature of the proposed habitat is such that it is required to be located in an area that may be subject to flooding. Therefore, the Applicant considers that the proposed fen meadow sites are appropriate in terms of flood risk.</p> <p>Whilst paragraph 5.1.20 of the FRA recognises that it will be necessary to engage with the EA and other stakeholders in designing the detailed water management regime at the fen meadow sites, each site has been selected based on its inherent suitability. There is no reason in principle to doubt the ability of each site to provide the water environment necessary to establish and sustain a fen meadow habitat.</p> <p>The emerging Fen Meadow Plan will be used as the basis for preliminary discussions with the Environment Agency, Internal Drainage Board and LLFA in respect of the appropriate consenting regime (to be confirmed, but for example, Ordinary Watercourse Consent, Flood Defence Consent and/or Impoundment Licence). The consenting and licensing process will provide the framework for the next iteration of the design in assessing and managing flood risk.</p>
FR.1.18	Environment Agency, Suffolk County Council	<p>Main Development Site FRA Addendum [AS-157] Surface Water Drainage</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		Paragraph 5.1.46, What is your view of the suitability of the proposals at this stage of the development?
	Response	No response from SZC Co. is required.
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	<p>Flood risk activity permits (FRAP) are required for (amongst other things) any works within 8m of a Main River. The purpose of the permit is to ensure that appropriate measures are taken to adequately protect the watercourse from any potential water quality impacts, as well as either flood risk impacts to surrounding receptors, or the contractors themselves.</p> <p>Before the Environment Agency would be able to approve a permit application they would need to be satisfied with the full detailed design and construction arrangements proposed. Therefore, it is normal practice on similar projects for FRAP applications to be finalised once this detailed design has been undertaken, which is expected to occur after the DCO application determination. The exact number and nature of these FRAPs cannot be finally determined at this time. That will depend on detailed construction arrangements and sequencing. The applicant would need to satisfy the Environment Agency that the</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>proposed works and methodologies are appropriately protective of the water environment and flood risk, or the permit would not be granted.</p> <p>The Applicant has established regular meetings with the Environment Agency to discuss permitting requirements to ensure that the appropriate protection and measures are incorporated into detailed design to facilitate permitting.</p> <p>Consequently, it is not considered that there is an immediate need to update the Schedule of Other Consents and Licences [APP-153] in respect of the FRAP permits. This document outlines all consents, licences and permits that SZC Co. anticipate will be required, and will be updated by Deadline 3 to include for FRAP permits at the fen meadow sites.</p>
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	<p>SZC Co. has signed Heads of Terms with the relevant landowner, which (subject to contract) acknowledge the increased flood risk to land where the two village bypass crosses the River Alde. This agreement gives SZC Co. the right in perpetuity to increase the depth, duration, flow and frequency of flooding.</p>
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 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.</p>
	Response	<p>Following submission of the Application, the Applicant has undertaken further assessment and carried out revised hydraulic modelling that considers flood risk to the Sizewell link road. The updated assessment includes modelling for watercourse crossings SW4 and SW7 as well updates to the remaining watercourse crossings in line with comments provided by the Environment Agency. The updated Flood Risk Assessment and accompanying hydraulic modelling report will be submitted into the examination as</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		addenda to the original documents. The updated Flood Risk Assessment is currently being reviewed by the Environment Agency, Suffolk County Council (as Lead Local Flood Authority) and East Suffolk Council (including in their role on the Suffolk Resilience Forum).
FR.1.22	The Applicant	<p>Water Framework Directive Compliance Assessment (WFDCA) Part 2 or 4 [APP-621]</p> <p>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.</p>
	Response	<p>A revised assessment is provided in Section 3.4 of the WFD Compliance Assessment Addendum [AS-279].</p> <p>The Benhall site is located within the Fromus (GB105035045980) river water body catchment, and the Halesworth site is located within the Blyth (Hevingham Hall - d/s Halesworth) (GB105035046030) river water body catchment. Both sites are underlain by the Waveney and East Suffolk Chalk and Crag (GB40501G400600) groundwater body.</p> <p>The revised assessment considers potential impacts on water body status, RBMP mitigation measures and protected areas, and concludes that the proposals would not result in deterioration of any of the three water bodies or prevent good status being achieved in the future.</p>
FR.1.23	The Applicant	<p>Water Framework Directive Compliance Assessment (WFDCA) Part 2 or 4 [APP-621]</p> <p>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.</p>
	Response	Please refer to response to question W.1.0 .
FR.1.24	The Applicant	<p>Water Framework Directive Compliance Assessment (WFDCA) Part 2 or 4 [APP-621]</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>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?</p>
	Response	<p>Please refer to response to question W.1.0.</p>
FR.1.25	The Applicant	<p>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.</p>
	Response	<p>This text was based on an early working draft of Volume 2, Chapter 5 (Description of Decommissioning) of the ES [APP-189] that was erroneously not updated in the WFD compliance assessment. This paragraph should instead read: <i>"Best practices will be implemented during the works to avoid the discharge of sediment laden water off-site and to control the flow rate of discharges into surface watercourses."</i> The emphasis should, therefore, be on the best practice measures to managed surface runoff and sediment, rather than the distance of the site from surface watercourses. The conclusion in paragraph 2.2.197 that <i>'there are no significant effects on surface water receptors as a result of the decommissioning works and therefore compliance with WFD requirements would be expected to be achieve'</i> remains unchanged.</p>
FR.1.26	The Applicant	<p>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.</p>
	Response	<p>A precautionary approach was adopted in the scoping assessment presented in Section 2.4 of Part 2 of the WFD Compliance Assessment [APP-621]. This concluded that Activity O1 Presence of power station platform and cut off wall could potentially result in direct impacts on the Leiston Beck, Minsmere Old River and Waveney and East Suffolk Chalk and Crag water bodies. The Suffolk coastal water body was scoped in to the assessment for this activity on the basis that it is connected to these water bodies, and any potential impacts on these water bodies could therefore theoretically affect the coastal</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		water body. Paragraph 2.5.376 concludes that there is no affect on adjoining water bodies such as the Suffolk coastal water body as a result of Activity O1.
FR.1.27	The Applicant	<p>Water Framework Directive Compliance Assessment (WFDCA) Part 2 or 4 [APP-621]</p> <p>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?</p>
	Response	At the time of scoping, the detailed plume information was not available. However, initial plume studies had been produced. Using this information, scoping was undertaken on a precautionary basis and scoped in even very low risk effects. Further assessment is provided in Section 2.5 , (starting at paragraph 2.5.465) of Part 2 of the WFD Compliance Assessment [APP-621] (activities O5 and O7), which used the final output from the modelling work. All effects are, therefore, considered at this stage on the basis of the detailed plume output.
FR.1.28	Environment Agency	<p>Water Framework Directive Compliance Assessment (WFDCA) Part 2 or 4 [APP-621]</p> <p>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?</p>
	Response	This paragraph is intended to acknowledge that broader ecological data and assessments were produced to inform the ES chapter and shadow HRA. However, only information directly relating to WFD quality elements was included in the summary of baseline conditions in Leiston Beck presented in section 2.5 c) iii) of Part 2 of the WFD Compliance Assessment [APP-621]. Environment Agency guidance confirms that these parameters should be considered in WFD Compliance Assessment; see, for example, ' <i>Clearing the Waters For All</i> ² .

² GOV.UK. Clearing the Waters for All Guidance. Defra 2016. Last updated 9 November 2017. Available from: <https://www.gov.uk/guidance/water-framework-directive-assessment-estuarine-and-coastal-waters>.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
FR.1.29	The Applicant	<p>Water Framework Directive Compliance Assessment (WFDCA) Part 2 or 4 [APP-621]</p> <p>Paragraph 2.5.46 Figure 2.8 is not in APP-629, signpost or provide.</p>
	Response	<p>Figure 2.8 of Part 2 of the WFD Compliance Assessment [APP-629] shows the red line boundary of the main development site overlaid on the Minsmere Old River water body catchment boundary, and was missed out of the DCO submission in error. The figure is now provided for reference in Appendix 15A of the written responses.</p>
FR.1.30	The Applicant	<p>Water Framework Directive Compliance Assessment (WFDCA) Part 2 or 4 [APP-621]</p> <p>Paragraph 2.5.60 Figure 2.9 is not in APP-629, signpost or provide</p>
	Response	<p>Figure 2.9 of Part 2 of the WFD Compliance Assessment [APP-629] shows the main morphological features of Sizewell Bay, and was missed out of the DCO submission in error. The figure is now provided for reference in Appendix 15B of the written responses.</p>
FR.1.31	The Applicant	<p>Water Framework Directive Compliance Assessment (WFDCA) Part 2 or 4 [APP-621]</p> <p>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.</p>
	Response	<p>Under the Water Framework Directive Implementation (2014)³, a moderate number of breaches of the EQS for zinc were expected in marine waters. However, in some cases Regulatory authorities may adjust the EQS to incorporate some level of background dependent on local waterbody conditions that influence potential bioavailability of the chemical concerned.</p> <p>In the additional submission for Volume 2, Chapter 21 (Marine Water Quality and Sediments) of the ES [AS-034] at Section 21.6.23) since the background concentrations of zinc exceed the EQS, modelling was undertaken to predict the point at which zinc</p>

³ Defra (2014) Water Framework Directive implementation in England and Wales: new and updated standards to protect the water environment. Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/307788/river-basin-planning-standards.pdf

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>concentrations would be indiscernible from background based on analytical detection limits of 0.4 µg/l⁻¹. Modelling demonstrated that zinc concentrations would only be discernible above background levels over a mean sea surface area of 0.11 ha. At the seabed, zinc concentrations are not predicted to exceed background concentrations. This means that there would be no deterioration in water body status.</p>
FR.1.32	The Applicant	<p>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.</p>
	Response	<p>Reference was made to Cefas Action Levels because this is a requirement of the Environment Agency's Clearing the Waters for All guidance⁴. The assessment is scoped against whether contaminants are present in the sediments in excess of these action levels.</p>
FR.1.33	The Applicant	<p>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.</p>
	Response	<p>Further information is provided in the remainder of Section 2.5 g) (starting at para 2.5.153)_of Part 2 of the WFD Compliance Assessment [APP-621] and in Section 19.4 b) (starting at para. 19.4.85) of Volume 2, Chapter 19 (Groundwater and Surface Water) of the ES [APP-297].</p> <p>Although the length of the construction period means that there is potential for changes to the status of WFD water bodies to be realised in line with targets to achieve good ecological status by 2027, the baseline conditions in the surface or groundwater bodies are not expected to deviate significantly from the current (2020) baseline during the construction or operational lifetime of the development.</p>

⁴ GOV.UK. Clearing the Waters for All Guidance. Defra 2016. Last updated 9 November 2017. Available from: <https://www.gov.uk/guidance/water-framework-directive-assessment-estuarine-and-coastal-waters>.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>Further discussions in Section 2.5 g) i) (groundwater bodies), ii) (river water bodies) and iii) (coastal and transitional water bodies) of Part 2 of the WFD Compliance Assessment [APP-621] demonstrate that:</p> <ul style="list-style-type: none"> • Pressures on the Waveney and East Suffolk Chalk and Crag groundwater body from agricultural abstractions and nutrient supply from livestock management are unlikely to be addressed in the short to medium term, and the status of the water body is, therefore, unlikely to improve significantly during the construction phase. • Existing pressures on the biology of the Minsmere Old River (from barriers to fish passage) and the physico-chemistry of Leiston Beck (from discharges of treated sewage effluent) mean that the overall status of these water bodies is unlikely to be improved before 2027. • No significant changes to the hydromorphology, physico-chemistry or biology of the Suffolk coastal water body are predicted to occur during the construction period. <p>Based on the lack of anticipated changes in baseline conditions described above, it is considered that the current baseline conditions are appropriate for the assessment of impacts relating to the whole construction period.</p>
FR.1.34	The Applicant	<p>Water Framework Directive Compliance Assessment (WFDCA) Part 2 or 4 [APP-621]</p> <p>Paragraph 2.5.156 Explain the implications of Defra’s “Water Abstraction Plan” to this assessment.</p>
	Response	<p>The reference to Defra’s Water Abstraction Plan was included in Section 2.5 g) of Part 2 of the WFD Compliance Assessment [APP-621] to acknowledge that the chemical and quantitative status of groundwater bodies is likely to improve in the future. However, as stated in paragraph 2.5.159, the status of the Waveney and East Suffolk Chalk and Crag groundwater body is not expected to alter significantly during the construction and early operational phases of the development. The assessment of potential impacts on groundwater was, therefore, based on the current status of the water body.</p>
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</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>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	<p>The reference to foul waters being tankered off site for disposal was based on an earlier draft drainage strategy that has now been superseded by Volume 2, Appendix 2A (Outline Drainage Strategy) of the ES (Doc Ref. 6.3 2A(A)). However, although treated effluent will be discharged to sea once the Combined Drainage Outfall is constructed, it will still be necessary to collect foul waters in a self-contained chemical system and tanker them off site for disposal during the early stages of construction. The conclusions of paragraph 2.5.196 of Part 2 of the WFD Compliance Assessment [APP-621] therefore remain valid for this early period and there would be no adverse impacts on protected areas as a result of discharges of treated sewage effluent.</p> <p>Note that the impacts of the proposed discharges from the Combined Drainage Outfall have been assessed in detail in Section 2.5 k) of Part 2 of the WFD Compliance Assessment [APP-621]. This assessment concluded that there would be no deterioration in water body status as a result of these discharges.</p>
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> <ul style="list-style-type: none"> (i) The term “synthetic baseline”; and (ii) Where in Chapter 19 of Volume 2 of the ES the data relating to Leiston Beck referred to, can be found.
	Response	<ul style="list-style-type: none"> (i) The term synthetic baseline refers to the future projected groundwater and surface water levels and flows without the proposed development. It is not possible to use observed data as a baseline to assess change against as future conditions are being considered. In this case the numerical model was run with future projected climatic inputs, but no change to the representation of the physical setting (i.e. without any aspects of the proposed development). (ii) The data referred to is in the chart showing the surface water flow rate at G3. This is located in Appendix E of Volume 2, Appendix 19B of the ES [APP-304]. There

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>is a step change in flow rates recorded at G3 in mid-April 2014. Prior to this time flow was recorded at G3 throughout the monitoring period, with a few short term exceptions. Flow was occurring at G3 as a result of a flow control structure located at monitoring point G4, shown on Figure 19E.3 of Volume 2, Appendix 19E of the ES [APP-309]. The control structure at G4 was impeding free drainage in the Leiston Drain. This resulted in a proportion of flow from the Leiston Drain being diverted into the surface water drainage network in the Sizewell Marshes SSSI, including to monitoring point G3. After the control structure at G4 was adjusted to lower its level and allow free flow to occur past G4 the patterns of flow recorded at G3 changed. After mid-April 2014 no flow is typically recorded at G3. As shown on Drawing 5129919/SZC/009 of Volume 2, Appendix 19B of the ES [APP-304] control structures are deployed across the Sizewell Marshes SSSI manage surface water flow.</p>
FR.1.37	The Applicant	<p>Water Framework Directive Compliance Assessment (WFDCA) Part 2 or 4 [APP-621] Paragraph 2.3.335 state whether the stated concentrations have any implications for the compliance assessment or not.</p>
	Response	<p>Given the CDO is 10km from the location of discharge and exceedances of the bathing water standards are only predicted to occur for 460m from the CDO, there are no predicted effects on the designated bathing waters which are Protected Areas under WFD.</p>
FR.1.38	The Applicant	<p>Water Framework Directive Compliance Assessment (WFDCA) Part 2 or 4 [APP-621] Paragraph 2.5.336 provide references to the relevant paragraphs above.</p>
	Response	<p>The “paragraphs above” referred to in Paragraph 2.5.336 are paragraphs 2.5.301 to 2.5.311 in Section 2.5 k) ii) and paragraphs 2.5.312 to 2.5.314 in Section 2.5 k) iii) of Part 2 of the WFD Compliance Assessment [APP-621]. However, there is an error in that Table 2.33 shows that the 95% dissolved concentrations exceed the respective EQS for zinc, chromium, copper and DIN rather than just zinc and chromium as stated in paragraph 2.5.314. Missing text following this omission should state that Test 5 on chromium, copper and DIN shows a failure of test 5 for chromium only (test 5 cannot be undertaken on zinc because the background concentration data</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		exceeds the EQS). Chromium and zinc were therefore taken forward for a modelling assessment (see paragraphs 2.5.315 to 2.5.319). The DIN assessment therefore focusses on its effect on biological parameters as assessed in paragraphs 2.5.306 to 2.5.310 in Section 2.5 k) ii) of Part 2 of the WFD Compliance Assessment [APP-621] .
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	Yes the assumption is correct. All commissioning discharges from both reactors will be made via the CDO. The assessment looked at simultaneous commissioning as a worst case because this scenario would have the highest concentrations of commissioning products. In reality, Unit 1 will likely be commissioned in advance of Unit 2 (i.e. they will be commissioned in succession as suggested by the ExA). This scenario has lower concentrations of commissioning products but the duration of the discharges is increased. This does not alter the conclusion of the WFDCA.
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	Paragraph 2.5.363 follows a discussion of the results of the MIKE11 and FEFLOW groundwater model for the operational phase of the development. 2130 was assumed to be the end date for operation in the scenarios considered in the groundwater modelling (Table 4.1 of Volume 2, Appendix 19A of the ES [APP-298]) and was therefore referenced in Part 2 of the WFD Compliance Assessment [APP-621] .
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.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	The parameters at the bottom of Table 2.45 do not have formal Environmental Quality Standards. Surrogates have instead been used, hence the headings do not directly apply to these parameters.
FR.1.42	The Applicant	<p>Water Framework Directive Compliance Assessment (WFDCA) Part 2 or 4 [APP-621]</p> <p>Paragraph 2.5.537 Does this include staff for an outage and if not, what effect does the additional staff during an outage have?</p>
	Response	The level of treatment described in the assessment is based on peak numbers (i.e., during outage). section 7.3.1, 4 th paragraphs of page 90 of Appendix 21F of Volume 2 of the ES [APP-315] . The Sewage Treatment Plant will be designed and sized to accommodate peak numbers of people on-site, for example during a major outage (shutdown for maintenance purposes), as well as operating effectively to treat effluent from the lower numbers of people expected during normal operations.
FR.1.43	The Applicant	<p>Water Framework Directive Compliance Assessment (WFDCA) Part 2 or 4 [APP-621]</p> <p>Paragraph 2.5.553 What are the implications for the WFDCA of an exceedance of the absolute 23°C threshold mentioned?</p>
	Response	<p>This refers to exceedance of 23°C under future climate change predictions in 2055. Present targets for status achievement under the WFD are aligned with a reference date of 2027. At this point or thereafter relevant standards including thermal thresholds would require review and adjustment as appropriate to the existing background at the time. This would be necessary as species present would likely be more adapted to the existing absolute temperature background and so judgments on their tolerance to change would need to be made relative to this background. The present absolute thermal standard of 23°C is unlikely to be relevant to 2055.</p> <p>As stated in Paragraph 2.5.553 of Part 2 of the WFD Compliance Assessment [APP-621], in 2055 and 2085 there are no exceedances of the 23°C absolute thermal standard, assuming the likely scenario that Sizewell B is not operational. This assessment covers the 60-year operational life of Sizewell C.</p> <p>Consideration was also given to 2110 in case the operational life of Sizewell C is extended. This additional modelling showed that the absolute temperature threshold would be</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>exceeded, but the majority of this exceedance (+3.045°C) can be attributed to climate change. This means that the additional uplift of 0.56°C associated with Sizewell C would be sufficient to exceed the current absolute temperature threshold. However, should an extension beyond the 60 year operational timeframe be required, it would be expected that additional assessment would be undertaken to support an Environmental Permit variation request with a revised absolute temperature threshold to reflect baseline conditions at the time (this baseline would include climate change uplifts). This is likely to mean that the predicted uplift from Sizewell C would not result in thermal exceedances. It is therefore concluded that the thermal uplift would not give rise to a deterioration in the status of the WFD water bodies, either within the current 60-year operation period or if the operational life is extended beyond 60 years.</p>
FR.1.44	The Applicant	<p>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?</p>
	Response	<p>The EQS for ammonia would be exceeded in 6.7ha of the Suffolk coastal water body. This is a precautionary figure with the calculation of the area being explained in 2.5.649. The area of 6.7ha represents less than 0.05% of the total area (14,653.26ha) of the water body. Given that the area affected is small in comparison to the overall area of the water body, deterioration in status on a water body scale is therefore not predicted.</p>
FR.1.45	The Applicant	<p>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?</p>
	Response	<p>Further details regarding ammonia are provided in our response to comment FR.1.44. With regards to nutrients, the input loading of phosphorus and nitrogen from biomass discharged from the FRR is not predicted to cause a deterioration in water quality within the WFD water body, but further consideration is given with the section considering the potential effects on phytoplankton given that these parameters can contribute to blooms (paragraphs 2.5.657 – 2.5.658 in Section 2.5 s) ii) of Part 2 of the WFD Compliance Assessment [APP-621]).</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		The overall conclusion is that there would be no impacts on any of the physico-chemical quality elements at a water body scale and no deterioration in the status of the Suffolk coastal water body.
FR.1.46	The Applicant	<p>Water Framework Directive Compliance Assessment (WFDCA) Part 2 or 4 [APP-621]</p> <p>Page 265 O4 Suffolk Explain the implications for the WFDCA is there is an impact on hydromorphological parameters created by the hard coastal defence.</p>
	Response	The hard coastal defence structure is not located within the boundary of the Suffolk coastal water body, therefore there are no implications. Potential future effects, should the boundary of the water body be updated due to changes in the baseline environment, are assessed in paragraphs 2.5.462 to 2.5.463 in Section 2.5 p) iii) of Part 2 of the WFD Compliance Assessment [APP-621] . Those paragraphs conclude that it is unlikely that there will be a significant effect on the hydromorphological features of the WFD water body in the future.
FR.1.47	The Applicant	<p>Water Framework Directive Compliance Assessment (WFDCA) Part 2 or 4 [APP-621]</p> <p>Page 265 O5 Suffolk. Provide paragraph reference numbers to where considerations, stated in the last sentence, of other adjacent water bodies is set out.</p>
	Response	The potential effects of activities O5 and O7 on water bodies adjoining the Suffolk coastal water body are assessed in paragraphs 2.5.541 to 2.5.549 in Section 2.5 q) ix) of Part 2 of the WFD Compliance Assessment [APP-621] .
FR.1.48	The Applicant, Relevant Authorities	<p>Flood Risk Emergency Plan (FREP) Appendix F [AS-170]</p> <p>The Suffolk Resilience Forum comments in Appendix A of the FREP:</p> <ul style="list-style-type: none"> (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.
	Response	(i) The comments in Appendix A of the MDS FREP [AS-170] were provided in response to the draft template of the MDS FREP, which only contained outline headings and sub-headings. The draft template was submitted to the Suffolk Resilience Forum as part of the engagement process to agree on the required

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>content and format of the MDS FREP. These comments do not relate directly to the MDS FREP [AS-170], however the comments were taken into account during the production of the MDS FREP.</p> <p>(ii) The Applicant has submitted the MDS FREP as Appendix F of the MDS FRA Addendum [AS-170] as part of the Change Application in January 2021. The Applicant is awaiting formal feedback from the Suffolk Resilience Forum.</p> <p>(iii) Suffolk Resilience Forum to date has not provided comments on the MDS FREP submitted in the Change Application; however, the Applicant will engage with the Suffolk Resilience Forum to address these once received.</p>
FR.1.49	Environment Agency	<p>Main Development Site (MDS) - Flood Risk Emergency Plan (FREP) Appendix F [AS-170]</p> <p>The Applicant has now provided a FREP. Could the EA confirm:</p> <p>(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]?</p> <p>(ii) Any other outstanding matters of concern with respect to the FREP.</p>
	Response	No response from SZC Co. is required.
FR.1.50	The Applicant	<p>(MDS) Flood Risk Emergency Plan (FREP) Appendix F [AS-170]</p> <p>(i) How would adherence with the measures set out in the FREP be secured through the DCO?</p> <p>(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?</p>
	Response	<p>(i) Part B of the CoCP (Doc Ref. 8.11(B)) (Table 11.2) states: <i>"A Flood Risk Emergency Plan will be developed in compliance with Environment Agency guidance to ensure that in the event of flooding occurring on-site, appropriate plans are in place to manage the risks and ensure that there is no</i></p>

ExQ1	Question to:	Question:
		<p><i>increased risk to human health and that risks to property are managed appropriately. The plan would, as a minimum, include details of the requirements for monitoring regulatory flood warning alerts, identification of safe meeting areas, access and egress routes, activities required to secure plant and equipment in the event of a flood being forecast, checking of drainage systems, roles and responsibilities and checking procedures."</i></p> <p>Paragraph 11.2.1 of Part B of the CoCP (Doc Ref. 8.11(B)) commits that this would be undertaken prior to the relevant construction works commencing. Requirement 2 of the draft DCO (Doc Ref. 3.1(C)) then secures that the construction works would be undertaken in accordance with the CoCP. This would ensure that the FREP measures would be secured and implemented throughout the course of construction.</p> <p>(ii) Paragraph 4.2.1 of the MDS FRA Addendum [AS-157] notes that a temporary SSSI crossing would be installed to provide an early route between the temporary construction area and the main construction area to facilitate the construction of the platform and other elements of the Project while the permanent bridge is constructed. The temporary SSSI crossing is likely to comprise two off-the-shelf bridges (e.g. Bailey bridge or similar). As noted in paragraph 4.2.3, the soffit of the temporary structure would be at a minimum of 2.1m AOD and the deck will be set at approximately 3.5m AOD. This is greater than the flood level associated with either the 1 in 100-year or 1 in 1,000-year fluvial events, where the maximum flood level associated with these events is approximately 1.8m AOD and 2.1m AOD respectively. As such, there will be no significant fluvial flood risk to the temporary SSSI crossing and its users throughout its temporary use and prior to the construction of the permanent SSSI crossing.</p> <p>The MDS FREP, submitted as Appendix F of the MDS FRA Addendum [AS-170], acknowledges the risk to the construction of the permanent SSSI crossing during both a fluvial and coastal flooding event. Paragraph 3.1.6 notes that measures related to working in the fluvial flood zone will be developed further within the Flood Risk Activity Permit Application post the grant of the DCO. However, it does also note in paragraph 3.1.10 that a series of measures, as summarised in the MDS FREP, will need to be put in place to minimise the impact of flooding during the construction phase.</p> <p>Further to the above, SZC Co. notes that the comments in the Environment Agency's</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>Relevant Representation, included as Appendix A of the MDS FRA Addendum [AS-157], were provided in response to the draft template of the MDS FREP where only headings and sub-headings were outlined. The draft template was submitted to the Environment Agency as part of the engagement process to agree on the required content and format of the MDS FREP. Following on from this SZC Co. has submitted the MDS FREP as Appendix F of the MDS FRA Addendum [AS-170].</p> <p>Comments on the MDS FREP have been received during ongoing engagement with the Environment Agency and SZC Co. has responded to these, providing clarity where required. During this engagement no queries or comments have been raised in relation to the temporary SSSI crossing. Therefore, SZC Co. does not consider there to be a need to update the MDS FREP with regard to this item.</p>
FR.1.51	The Applicant	<p>Outline Drainage Strategy (ODS) [APP-181]</p> <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.
	Response	<ul style="list-style-type: none"> (i) Plate 3.4 does not explicitly label the temporary sewage treatment plant. This is represented by the HAJ building, which is labelled as 'common user facilities area'. The Outline Drainage Strategy (Doc Ref. 6.3 2A(A)) has been revised to specifically answer the Examination Authority's questions FR.1.51, FR.1.53, FR.1.56 and FR.1.57(i), and as such Plate 3.4 has been adjusted to ensure the temporary sewage treatment plant is labelled explicitly. All other plates will be reviewed for consistency in a future drainage strategy update. (ii) The layout for the Temporary Construction Area is provided at Figure 2.2.33 of [AS-191] and further described in Volume 3, Appendix 2.2.B of the ES Addendum (Doc Ref. 6.14(A)). <p>Temporary construction-related development, including buildings, structures, plant, equipment, uses, haul roads, construction hoardings and means of enclosure will be</p>

ExQ1	Question to:	Question:
		built and used as required by Schedule 2, Requirement 8 of the draft DCO (Doc. Ref. 3.1(C)).
FR.1.52	The Applicant	<p>Outline Drainage Strategy (ODS) [APP-181] 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?
	Response	<ul style="list-style-type: none"> (i) Surface water runoff from the main construction area is no longer proposed to be conveyed to Water Management Zones 1 and 2. This option has been superseded by the proposal to install a temporary marine outfall that will allow early surface water runoff from the main construction area to be discharged to the sea. <p>The temporary marine outfall is proposed to be installed early in the construction programme, as a redundancy measure or a precautionary principle for discharging surface water to sea, prior to the commissioning of the Combined Drainage Outfall (CDO). During this period, management of surface water run-off and discharge is required to prevent flooding of the Main Development Site (MDS), and any adverse effects on the nearby Sizewell Marshes Site of Special Scientific Interest (SSSI) and Minsmere South Levels.</p> <p>For a period of 15 months or so, the temporary marine outfall would principally be used where factors external to the MDS that are out of the control of Sizewell C result in the Sizewell Drain being unsuitable to discharge to, for example, flooding</p>

ExQ1	Question to:	Question:
		<p>on site caused by off-site flood conditions. The temporary outfall will be controlled through conditions set by the Environment Agency through discharge permit applications. Once the CDO is installed, the temporary marine outfall will no longer be required, and will be removed.</p> <p>The Outline Drainage Strategy (Doc Ref. 6.3 2A(A)) has been revised to specifically answer the Examination Authority's questions FR.1.51, FR.1.53, FR.1.56 and FR.1.57(i). The Outline Drainage Strategy (Doc Ref. 6.3 2A(A)) has been updated to include the role of the temporary marine outfall.</p> <p>(ii) As stated in the text above to part (i), the WMZ1 attenuation features are not sized to allow conveyance of surface water from the main construction area (MCA) to WMZ1/2. The WMZ1 attenuation basin has been sized for the WMZ1 catchment, for a 1:100 year, 24 hours storm event including an allowance for climate change, checking the worst case scenario for several rainfall models including FEH1999, FEH2013 and the Flood Studies Report (FSR). The attenuation basin provides a storage of approximately 17,300m³.</p> <p>(iii) The Applicant notes that the comments in the Environment Agency's Relevant Representation, included as Appendix A of the MDS FRA Addendum [AS-157], were provided in response to the draft template of the MDS FREP where only headings and sub-headings were outlined. The draft template was submitted to the Environment Agency as part of the engagement process to agree on the required content and format of the MDS FREP. Following on from this, the Applicant has submitted the MDS FREP as Appendix F of the MDS FRA Addendum [AS-170]. Section 3 of the MDS FREP (Appendix F of the MDS FRA Addendum [AS-170]) identifies flood risk to the temporary construction area which includes the WMZ1 and its earth bund. Furthermore, this section outlines emergency plan procedures, including monitoring of flood and weather warning services, flood risk management, evacuation procedures and access/egress routes. As such, the Applicant considers that the FREP submitted with the Change Application in January 2021 provides appropriate response to the comment raised by the Environment Agency in their Relevant Representation.</p>
FR.1.53	The Applicant	Main Development Site FRA Addendum [AS-157]- Temporary Outfall

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		Provide an updated Outline Drainage Strategy that includes the role of the temporary outfall
	Response	The Outline Drainage Strategy (Doc Ref. 6.3 2A(A)) has been revised to specifically answer the Examination Authority's questions FR.1.51, FR.1.53, FR.1.56 and FR.1.57(i) . The Outline Drainage Strategy (Doc Ref. 6.3 2A(A)) has been updated to include the role of the temporary marine outfall.
FR.1.54	The Applicant	Outline Drainage Strategy (ODS) [APP-181] 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	The discharge of treated storm water to the foreshore will be permitted as per item 7 in Table 1.1 of the Schedule of Other Consents, Licences and Agreements [APP-153] . It will be authorised pursuant to a construction water discharge activity permit which will cover surface water discharges via the temporary marine outfall, and later the CDO. A permit will be applied for from the Environment Agency under the Environmental Permitting (England and Wales) Regulations 2016. SZC Co. is already engaging with the Environment Agency to clarify the nature, number and type of permits required.
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	The word 'public' should have been included to aid clarity in the report and thus to explain that there are no known public combined sewers. The CDO will effectively be a combined discharge, albeit with treated not raw effluent. As discussed in the Outline Drainage Strategy (Doc Ref. 6.3 2A(A)), it shall be used for discharge until the cooling water tunnel is completed and brought into commission. Allowance for the use of the CDO for surface water from the TCA has been considered and may be used in exceptional circumstances in a controlled manner. When the site is fully established SZC Co. expects all water in the TCA to be controlled by the Water Management Zones to minimise any impact on the release of water to the natural environment.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
FR.1.56	The Applicant	<p>Outline Drainage Strategy (ODS) [APP-181]</p> <p>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.</p>
	Response	<p>The Outline Drainage Strategy (Doc Ref. 6.3 2A(A)) has been revised to specifically answer the Examination Authority's questions FR.1.51, FR.1.53, FR.1.56 and FR.1.57(i). The Outline Drainage Strategy (Doc Ref. 6.3 2A(A)) has been updated to correct these errors and is provided separately.</p>
FR.1.57	The Applicant	<p>Outline Drainage Strategy (ODS) [APP-181]</p> <p>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:</p> <p>(i) Is direct discharge intended in WMZ6; and</p> <p>(ii) Describe the appropriate measures referred to in this context.</p>
	Response	<p>(i) WMZ6 discharges to the Leiston Drain via a proposed drainage system adjacent to Lover’s Lane. Plate 3.12: Proposed techniques in Water Management Zone 6 has been amended in the revised Outline Drainage Strategy (Doc Ref. 6.3 2A(A)) to show this proposed outfall towards the Leiston Drain.</p> <p>(ii) Infiltration trenches and swales have been proposed to convey surface runoff towards WMZ6. These drainage features will treat the runoff by removing solids and absorbing material, and can be deemed an appropriate measure to include silt control within the catchment. WMZ6 has been proposed as an infiltration basin and can include a forebay to gather and treat sediment from the runoff prior to entering the WMZ, before ultimately discharging to the Leiston Drain. This will provide further measures in dealing with the presence of silt and the contaminant load. Furthermore, it is proposed to construct a manhole upstream of the discharge point to monitor the total suspended solids discharging to the watercourse, through permitting processes.</p>

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	<p>(i) The red dashed line in Plate 3.17 represents the indicative alignment of the CDO, and includes two outfall shafts, one on the Temporary Construction Area side of the SSSI, and another on the Main Construction Area (MCA) side of the SSSI. This allows discharge of treated surface water from WMZ7, WMZ8 and WMZ9 within the MCA, treated foul water from across the TCA and MCA, treated dewatering water from within the cut-off wall, commissioning water, and other treated construction water discharges to sea. The CDO also provides a precautionary flow route for surface water from the TCA if required. All discharges will be in accordance with an environmental permit.</p> <p>(ii) Plate 3.17 shows the indicative WMZ catchment areas that will be discharged as described in the paragraph 3.4.59. The techniques discussed in paragraph 3.4.59 where surface water will be managed (rain water harvesting and pumping to the CDO) are not indicated in Plate 3.17. This will be updated in next release version of the ODS.</p> <p>The CDO would not be required after cold commissioning had completed because surface water and treated foul water would then be discharged to sea via the outfall tunnel. Currently it is assumed that the CDO would not be physically removed, however it would be made safe by leaving it in place and decommissioning the tunnel.</p>
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	<p>The CDO would not be required after cold commissioning had completed because surface water and treated foul water would then be discharged to sea via the outfall tunnel.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		Currently it is assumed that the CDO would not be physically removed, however it would be made safe by leaving it in place and decommissioning the tunnel.
FR.1.60	The Applicant	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?
	Response	The access shaft described in paragraph 3.4.64 relates to the CDO.
FR.1.61	The Applicant	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.
	Response	At the time of writing the Outline Drainage Strategy [APP-181], full details of the Campus development proposal were unknown. A general design philosophy (in implementing sustainable drainage following the drainage hierarchy) was developed to indicate to designers the considerations that would need to be made to dispose of surface water appropriately in the area. As such, a full assessment of the capacity and/or suitability of the surface water system referred to in Table 3.7 row 6 was not undertaken at the time of writing. This is a requirement of the design process and is informed by the design philosophy within the Outline Drainage Strategy (Doc Ref. 6.3 2A(A)).
FR.1.62	The Applicant	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.
	Response	The surface water drainage strategy for the Land East of Eastlands Industrial Estate (LEEIE) has progressed since the Outline Drainage Strategy (ODS) [APP-181] was submitted, following discussions with key stakeholders including Suffolk County Council and the Environment Agency. The updated LEEIE outline drainage strategy proposes to primarily convey and discharge surface water runoff from the LEEIE to the Sizewell Marshes. A second outfall is proposed to the Leiston Drain on Lover's Lane to discharge surface water runoff from the topsoil compound and area west of the topsoil compound within the LEEIE only (Catchment 2). A technical note on the LEEIE basic drainage design

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>will be shared with the ExA by Deadline 4 and will be shared initially with stakeholders in advance of this. The ODS will be amended accordingly in a future strategy update.</p> <p>The recent drainage design development has eliminated the need for below ground geocellular storage tanks and therefore is no longer proposed. In subsequent design stages, the surface water drainage design will consider the use of other SuDS and optimisation of the network.</p> <p>The submission and approval of surface water drainage details prior to commencement of that part of the authorised development are required by Schedule 2, Requirement 5 of the draft DCO(Doc. Ref. 3.1(C)).</p>
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	<p>The numerical model has been used to assess potential changes to groundwater and surface water flows and levels associated with the cut-off wall during construction and operation of the power station. The potential change predicted by the numerical modelling is shown on Figures 19A.85 to 19A.111 of Volume 2, Appendix 19A (Numerical Modelling Report) of the ES [APP-298].</p> <p>Prior to the commencement of internal dewatering, the cut-off wall will undergo commissioning testing to demonstrate its performance complies with the design specification used to represent the cut-off wall in the numerical model. This will provide quality assurance of the construction and allow any defects to be identified and addressed using standard industry practice.</p> <p>As stated in paragraph 1.1.2 of the Volume 3, Appendix 2.14.A (Water Monitoring and Response Strategy) of the ES Addendum [AS-236], monitoring will be undertaken to demonstrate that the modelled outputs are in line with that which actually occurs.</p>
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	<p>Please note that Volume 2, Appendix 19F of the ES was updated by the Volume 3, Appendix 2.14.A of the ES Addendum [AS-236].</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
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	<p>The Water Resource Storage Area (WRSA) will be filled through both a low flow one way connection from WMZ5 infiltration basin that will allow excess water from the infiltration basin into the WRSA, as well as through treated foul water from both Sizewell B and Sizewell C. It is likely the treated foul water from Sizewell B will be transferred to the WRSA via tankers in the early days prior to a treated foul water pressure pipeline being constructed. There will be approximately 2-3 tankers per day from Sizewell B to the WRSA. Treated foul water from Sizewell C will be transferred to the WRSA via a dedicated pressure pipeline, however Sizewell C treatment plants and the WRSA will accommodate a loading/unloading point to allow for tankers to make this transfer as well, if required.</p> <p>To distribute non-potable water around the site, either a pressure pipeline will be used or tankers if required and suitable. This arrangement will be included in a future revision of the Outline Drainage Strategy to be provided during Examination.</p>
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	<p>Refer to Figure 15.1 of the written responses. A plan showing the proposed foul water network layout on the Main Construction Area and the Temporary Construction Area has been prepared and issued alongside this response.</p>
FR.1.67	The Applicant	<p>Outline Drainage Strategy (ODS) [APP-181]</p> <p>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.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	<p>Work is still being undertaken to determine the most suitable solution for the disposal and treatment of foul water at the LEEIE. The options include:</p> <ul style="list-style-type: none"> • Water recycling and infiltration. • Installing a storage tank to discharge to the Leiston treatment plant when flows are low. • Proposing treated effluent flows to bypass the existing treatment plant to discharge to the Leiston Drain. • Treating effluent on site and conveying it along Lover’s Lane and discharging to the Leiston Drain. • Treating effluent on the LEEIE and then pumping this to the treated water network within the temporary construction area (TCA), to be disposed of to sea via the combined drainage outfall (CDO). <p>The preferred option remains to connect to the Leiston Water Recycling Centre as stated in paragraph 3.6.15 of the Outline Drainage Strategy. This option is still under discussion with Anglian Water as part of the Statement of Common Ground (SoCG) discussions with Anglian Water (Doc Ref. 9.10.1).</p>
FR.1.68	The Applicant	<p>Outline Drainage Strategy (ODS) [APP-181]</p> <p>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?</p>
	Response	<p>Should foul water disposal at associated development sites not be feasible, tankering to the Sizewell C constructed works (the new treatment plant within the site) would take place. This would have no impact on the Anglian Water treatment works as no foul would be discharged to the Anglian Water site.</p>
FR.1.69	The Applicant	<p>Outline Drainage Strategy (ODS) [APP-181]</p> <p>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.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	SZC Co. has provided a standalone response to FR.1.69 as Appendix 15C which sets out how sustainable drainage systems can be implemented and the level of certainty attributed to SZC Co.'s approach.
FR.1.70	The Applicant	<p>Outline Drainage Strategy (ODS) [APP-181]</p> <p>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.</p>
	Response	<p>Before development on the relevant authorised development (including the Associated Development sites) can commence Requirement 5 of the draft DCO (Doc Ref. 3.1(C)) requires details of the surface and foul water drainage system for that part (including management and maintenance arrangements, means of pollution control, sewage treatment works and a programme of construction and implementation) to be submitted to and approved by East Suffolk Council, following consultation with the Environment Agency, the relevant Statutory Nature Conservation Body, the relevant Internal Drainage Board, the Lead Local Flood Authority and the drainage authority.</p> <p>The Outline Drainage Strategy (Doc Ref. 6.3 2A(A)) details in the tables for the individual Associated Development sites in Section 4 that the attenuation stage of the drainage strategy will provide treatment on site before infiltration to ground or discharge to a watercourse.</p> <p>Whilst the detailed drainage design is controlled by Requirement 5 of the draft DCO (Doc Ref. 3.1(C)), SZC Co. is preparing a set of technical notes to respond to queries raised by the LLFA and to back-up the indicative drainage plans (not for approval) submitted as part of the DCO. The aims of the technical notes would be to demonstrate:</p> <ul style="list-style-type: none"> (i) that SZC Co. has a justifiable drainage solution that promotes SuDS / drainage hierarchy and meets surface water flooding requirements / parameters; (ii) that the highways drainage meets minimum design standards expected of that Authority; and (iii) that it can be accommodated within the existing Order Limits. <p>For all sites within the Order Limits, Sustainable Drainage Systems (SuDS) have been prioritised in the surface water drainage proposals where possible to aid pollution control.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>SuDS techniques proposed provide flood reduction, pollution control and aim to mimic the existing drainage characteristics to prevent impact on the protected Sizewell Marshes Site of Special Scientific Interest and the South Minsmere Levels. The pollution and water quality risk are being assessed using the simple index approach as set out in Section 26.7.1 of CIRIA C753 SuDS Manual, to determine the effectiveness of the SuDS measures to treat different types of developments. In general, a sequence of natural treatment methods are proposed to build robustness within the drainage network by providing numerous options to initially treat runoff.</p> <p>In places where there is potential for increased risk of pollution or threat to receiving watercourses/sewers, proprietary systems are considered and may be used as a fail-safe method of treatment to supplement primary treatment observed using SuDS techniques. This will be explored further in future design stages on a risk management basis.</p>
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 the Council.</p>
	Response	<p>The surface water design has so far been progressed to a developed design level (similar to RIBA stage 3), and the proposed strategy can sufficiently manage surface water runoff generated by the proposed development, within the Order Limits and whilst complying with current local and national guidance.</p> <p>Surface water drainage proposals across all development areas within the application boundary prioritise Sustainable Drainage Systems (SuDS) where possible and have been incorporated across the site in the form of swales, infiltration trenches, permeable pavements and infiltration / attenuation basins.</p> <p>The design so far has been prepared to account for the worst-case storage volumes required for each Water Management Zone basin across the Main Development Site. The design demonstrates that sufficient space will be provided within the order limits to ensure no surface water, other than at controlled greenfield runoff rates, will run off the site up to a 1:100 year storm including allowance for climate change.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>Similarly, the surface water drainage strategy for the Land East of Eastlands Industrial Estate (LEEIE) has progressed since the original submission of the ODS following discussions with key stakeholders including Suffolk County Council, Essex and Suffolk Internal Drainage Boards, East Suffolk Council, Natural England, and the Environment Agency. Surface water on site will be collected primarily using SuDS in combination with conventional drainage systems, to store, treat and discharge runoff to nearby watercourses at agreed rates. The surface water design improves the existing flood risk of the site by allowing systems to capture surface water runoff and attenuating this up to 1 in 100-year storm event, in accordance with national and local guidance.</p> <p>A similar approach will be undertaken for the Associated Development sites and will ensure that the proposed surface water drainage systems will adhere to the principle stated in the Outline Drainage Strategy (Doc Ref. 6.3 2A(A)).</p>
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	<p>SZC Co. recognises concerns of stakeholders regarding the long-term viability of Minsmere Sluice. It neither owns the structure nor includes it within the Application boundary for the proposed power station.</p> <p>Minsmere Sluice is an Environment Agency owned and maintained structure that controls drainage from the Minsmere New River, Leiston Drain and Scott's Hall Drain. It provides controls and limits the ingress of salt water and is tide locked when water levels in the North Sea are high. At low tide drainage of the upstream fluvial system via Minsmere Sluice is via gravity. SZC Co. notes that the Shoreline Management Plan (SMP)⁵ policy for the wider coast (MIN12.3 and MIN12.4) in the vicinity of Minsmere Sluice is managed</p>

⁵ Shoreline Management Plan 7 Lowestoft to Felixstowe (Lowestoft Ness to Felixstowe Languard) Lead: Suffolk Coastal District Council [About the Shoreline Management Plan 7 \(suffolksmp2.org.uk\)](http://suffolksmp2.org.uk)

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>realignment, whereas the position for Minsmere Sluice is for it to be maintained. Consistent with the policy stated in the SMP, the Environment Agency refurbished Minsmere Sluice in 2013 and this work was completed with a 50 year design life⁶.</p> <p>A thorough assessment has been undertaken and reported on in Volume 2, Chapter 19 (Groundwater and surface water) of the ES [APP-297], which concludes that there would be no significant change in water levels and discharge volumes, and therefore there would be no mechanism that could accelerate degradation of the Minsmere Sluice.</p>
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	<p>There is no potential for the SZC development to cause or affect the discharge from Minsmere. Please refer to question CG.1.18 for further detail.</p>
FR.1.74	Environment Agency, Suffolk County Council, East Suffolk Council, East Suffolk Internal Drainage Board	<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>
	Response	<p>No response from SZC Co. is required.</p>
Chapter 16 - HW.1 Health and wellbeing		
HW.1.0	ESC, SCC, CCG, Sizewell Health Working Group	<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>

⁶ Minsmere Sluice and Embankment Works Project Appraisal Report, Authority Scheme IMAN002421, Environment Agency Anglian Region, Version 1.0 (Final – Submission to PAB), 3 July 2012.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<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>
	Response	No response from SZC Co. is required.
HW.1.1	The Applicant	<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>
	Response	<p>With regards to sensitivity, inequality and the potential for disproportionate impacts, Volume 2, Chapter 28 (Health and Wellbeing), paragraph 28.3.16 of the ES [APP-346] sets out how sensitivity can vary within a community and can further vary by individual health pathway. The rationale is then provided as to why a precautionary approach has been applied, where every resident is considered highly sensitive to every health pathway. In short, the assessment works on the basis that every resident is vulnerable to everything. Contrary to the ESC concern, this does not mask any disproportionate effect, quite the opposite. As a consequence, any inequality or vulnerability that may not be reported within demographic, health and health care statistics, is still accounted for in the professional judgment on significance. Therefore, applying a consistently precautionary approach that considers a uniformly high burden of poor health for the entire population, neither masks nor underplays the degree of effect in any circumstance.</p>
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>

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

ExQ1	Question to:	Question:
		<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><u>Response to (i)</u></p> <p>The purpose of the Sizewell link road and two village bypass is to mitigate the environmental effects on local communities associated with the Sizewell C Project. Were these new roads not provided, the communities of Stratford St Andrew, Farnham, Yoxford, Middleton Moor and Theberton would experience an increase in traffic, resulting in adverse environmental effects, including adverse severance effects. With the new roads in place, general traffic and Sizewell C traffic will be diverted away from these communities and onto the new roads, which will result in beneficial environmental effects within the communities as a result of the lower traffic flows. The beneficial environmental transport effects within these communities once the new roads are in place are summarised in Volume 1, Chapter 2 of the ES Addendum [AS-181].</p> <p>However, any new road/bypass brings new severance effects. The alignment of the two village bypass dissects existing public rights of way (PRoW). The Sizewell link road alignment dissects existing PRoW as well as a number of rural roads. The severance effects of the new roads crossing the existing public rights of way are summarised in Volume 1, Chapter 2 of the ES Addendum [AS-181]. In order to mitigate these effects, a new non-motorised user bridge is proposed over the two village bypass as well as over the Sizewell link road at Pretty Road. In addition, junctions have been provided along Sizewell link road to provide access to the existing network of rural roads.</p> <p>It is considered that the new roads themselves provide mitigation of severance effects within communities that would have been experienced if the roads were not provided. Furthermore, the new roads have been designed to provide connectivity across the roads both for non-motorised users and vehicles.</p> <p>The Equality Statement [APP-158] paragraphs 1.6.28-1.6.31 notes that severance, delay, amenity, or fear/intimidation effect from traffic has the potential to differentially</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>affect people with particular protected characteristics, where that characteristic affects their mobility. It goes on to note that any effects on transport may potentially disproportionately affect older people but that due to the mitigation set out above, no equality effects are expected to arise.</p> <p><u>Response to (ii) and (iii)</u></p> <p>No response from SZC Co. is required.</p>
HW.1.3	Relevant local authorities, CCG	<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>
	Response	No response from SZC Co. is required.
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>The expressed concern relates to proposals presented at Stage 3 consultation where there was an option for the temporary removal, and provision elsewhere, of on-street parking places on the B1078 between Border Cot Lane and River Deben bridge to create a more continuous two-way road in order to minimise potential delays. This has not been taken forward to the application for development consent and has not been considered.</p> <p>Sizewell C has been working with representatives from the local parish council to agree a mitigation scheme for Wickham Market to be provided for within the Deed of Obligation (Doc Ref 8.17(C)). The development of this scheme is focussed on improving the safety and amenity for pedestrians and road users within the village and incorporates:</p> <ul style="list-style-type: none"> • Village gateways consisting of a lane width build-out, designed to reduce the speed of vehicles.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> • Carriageway narrowing to remove opportunities for misjudgement by creating a space that is clearly single file, with a distinct start and end to each section. The design includes wider footpaths where they are most needed. • Clear convenient places to cross the road utilising pedestrian build-outs. Where possible, these crossings have been positioned adjacent to footways that lead to adjacent streets, providing greater visibility for users whilst also highlighting their location. <p>Any loss of on street parking in order to deliver this scheme will be very limited.</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	<p>Details of the construction works to be undertaken, including the anticipated construction duration, construction phasing, activities and methodology that are anticipated for construction of the Sizewell C Project, assumed in the Environmental Impact Assessment (EIA), are provided in the following locations:</p> <ul style="list-style-type: none"> • Description of construction of the main development site - Volume 3, Appendix 2.2.B of the ES Addendum (Doc Ref. 6.14(A)); • Description of development at the northern park and ride - Volume 3, Appendix 3.2.A of the ES Addendum [AS-240]; • Description of development at the southern park and ride - Volume 3, Appendix 4.2.A of the ES Addendum [AS-242]; • Description of development at two village bypass - Volume 3, Appendix 5.2.A of the ES Addendum [PDB-003]; • Description of development at Sizewell link road - Volume 3, Appendix 6.2.A of the ES Addendum [AS-248]; • Description of development at Yoxford roundabout and other highways improvements - Volume 7, Chapter 2 of the ES [APP-480]; • Description of development at the freight management facility - Volume 8, Chapter 2 of the ES [APP-511];

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<ul style="list-style-type: none">• Description of development in respect of the proposals relating to rail – Volume 3, Appendix 7.2.A of the ES Addendum [AS-256]. <p>The EIA has considered the reasonable worst-case of the anticipated construction durations reported, for example the anticipated construction programme for the main development site is approximately nine to twelve years, and the assessments have considered a twelve year construction programme, to provide a worst-case assessment. This complies with the requirement in the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 to assess likely significant effects and does so on a robust basis.</p> <p>Measures proposed to mitigate the effects of the construction works are summarised within the Mitigation Route Map (Doc Ref. 8.12(B)). Mitigation measures would remain in place, where relevant, throughout the duration of construction. This includes provision of measures to minimise impacts on local communities, as required. This is made explicit in the Draft Deed of Obligation (Doc Ref. 8.17(C)).</p> <p>The Implementation Plan (Doc Ref. 8.4I(A)) provides an indicative phasing schedule for the construction stage of the Sizewell C Project and the anticipated duration of works to construct and start bringing into use the primary mitigation measures embedded within the proposals, such as the accommodation campus, the permanent beach landing facility, the temporary beach landing facility, the green rail route, the freight management facility, the park and rides, the Sizewell link road, the two village bypass, the Yoxford roundabout and other highway improvements. Control is provided through the Draft Deed of Obligation, Schedule 9 (Doc Ref. 8.17(C)), which requires SZC Co. to use reasonable endeavours to deliver the mitigation identified above (referred to as “Key Environmental Mitigation”) in accordance with the Implementation Plan (Doc Ref. 8.4I(A)), and imposes further obligations on SZC Co. in respect of reporting performance to the Councils and addressing any timetabling issues which arise.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:																																															
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</td> <td>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</td> <td>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</td> <td>14.2%</td> <td>1126</td> <td>58.9%</td> <td>514</td> <td>26.9%</td> </tr> <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> </tbody> </table> <p>Have the apparent errors affected any of the subsequent conclusions?</p>	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%	514	26.9%	Yoxford	1901	215	11.3%	1022	53.8%	664	34.9%	Aldeburgh	3225	329	10.2%	1519	47.1%	1377	42.7%
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	Response	<p>Thank you for identifying the error. We agree with the amended figures suggested, and have checked that the rest of the table is correct. This was a transcription error in drafting the text of the table and the incorrect figures have not affected any of the conclusions.</p>																																															
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	<p><u>Response to (i)</u></p> <p>The Equality Statement, paragraph 1.6.26 [APP-158] states that changes to recreational PROW are less likely to have differential effects on travel by people with particular protected characteristics, compared to changes to the road network. The distinction being drawn here relates not to the characteristics of the users, but to the discretionary nature of recreational use, which may be more easily substituted by other</p>																																															

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>recreational activities or routes, compared to a trip with the purpose of accessing a fixed destination or service.</p> <p><u>Response to (ii)</u></p> <p>The age profile of users of the PROW network was collected in the 2014 Sizewell C Visitor Surveys (Volume 2 Appendix 15A) of the ES [APP-268]), and the 2016-2018 Sizewell C Visitor Surveys (Volume 2 Appendix 15C) of the ES [APP-269]). Records were collected through two methods – observation survey and questionnaire survey and the results presented at the following locations of each report:</p> <p>2014 Sizewell C Visitor Surveys (Volume 2 Appendix 15A) of the ES [APP-268]</p> <ul style="list-style-type: none"> • Observation survey results – Table 3 • Questionnaire survey results – page 55 <p>2016-2018 Sizewell C Visitor Surveys (Volume 2 Appendix 15C) of the ES [APP-269]</p> <ul style="list-style-type: none"> • Observation survey results – Table 4 • Questionnaire survey results – paragraph 4.1.3
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	<p><u>Response to (i)</u></p> <p>Paragraph 1.6.31 of the Equality Statement [APP-158] refers to potential cumulative effects of Sizewell C and the EAN1 and EAN2 projects on fear and intimidation on pedestrians in Little Glemham and Marlesford during the peak construction. Since the submission of the Application, SZC Co. has had ongoing discussions with SCC, ESC and local parish councils with regards to transport mitigation. Based on these discussions, SZC Co. is to fund a highway improvement scheme in Little Glemham and Marlesford, which would be implemented by SCC and secured via an obligation in the Deed of Obligation (Doc Ref 8.17(C)).</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p><u>Response to (ii)</u> As set out in the response to (i), the position with regards to mitigation of cumulative effects in Little Glemham and Marlesford has changed since the DCO submission and preparation of the Equality Statement [APP-158]. This question is therefore no longer relevant.</p>
HW.1.9	SCC, ESC	<p>Equality Statement 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] (i) Do you agree that the mitigation identified would overcome any significant adverse effects? (ii) Do you consider the mitigation is adequately secured?</p>
	Response	No response from SZC Co. is required.
HW.1.10	The Applicant, SCC, ESC, CCG	<p>Equality Statement 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] (i) Please provide an update on the progress of the S106 (ii) Do the Councils and CCG regard this as an appropriate method of mitigation?</p>
	Response	<p><u>Response to (i)</u> Schedule 5 of the Draft Deed of Obligation (Doc Ref. 8.17(C)) sets out the progress on development of the Public Services Resilience Fund (renamed from Contingency at SCC's request). This includes within its scope '<i>Social Care Resilience Measures... including: (a) measures to provide resilience to workforce planning within Suffolk County Council's Adult Social Care and Children's Services including support for recruitment, training, and retention of staff</i>'</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p><u>Response to (ii)</u> No response from SZC Co. is required.</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> <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	No response from SZC Co. is required.
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	<p><u>Response to (i) and (ii)</u></p> <p>Volatility in the housing market has been raised as a concern, in that it can result in social churn and increase uncertainty when planning and delivering appropriate health care for a rapidly changing population. The core issue centres upon the potential impact on health care capacity from the introduction of a non-home-based workforce.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>SZC Co.'s approach to addressing any such volatility, is firstly the provision of project accommodation (LEEIE caravan park and accommodation campus). These mean that the majority of non-home-based workers (at the peak, when socio-economic effects are greatest) are accommodated outside of the housing market and contribute less to household turnover.</p> <p>Those workers that choose to relocate to the area for longer periods or permanently do not present the same degree of housing market volatility, nor do they present a significant impact to local health care, as they and their dependants would typically offset the previous residents already allocated in the local NHS budget (e.g. by moving into owner-occupied accommodation that another family moves out of).</p> <p>The potential health care impact that forms the centre of this concern is also addressed through comprehensive occupational health care provision for the entire workforce - see Volume 2, Appendix 28A of the ES [APP-347] for scope.</p> <p>The provision has proven successful at Hinkley Point C, with minimal residual impact to local health care, and offers complimentary health care provision benefiting home-based staff, with access to additional health screening, GP, nursing, pharmacy and physiotherapy provision. The residual impact from non-home-based staff would be addressed through a residual healthcare contribution, which would include an amount to address the uncertainty from dependants that move into existing accommodation (albeit that they would be offsetting demand from previous residents to a certain extent).</p> <p>As detailed in Volume 2, Chapter 28 paragraph 28.6.94 of the ES [APP-346], following mitigation proven effective at Hinkley Point C, the residual impact upon local health care from the non-home-based workforce and their dependants is predicted to be not significant.</p> <p><u>Response to (iii)</u></p> <p>Mitigation will be secured in the Deed of Obligation - see Draft Deed of Obligation (Doc Ref. 8.17(C)), Schedule 3 (Accommodation and Housing) and Schedule 6 (Health) as well as Schedule 9 (Implementation Plan).</p>
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</p>

ExQ1	Question to:	Question:
	Response	<p>concern and highlight how you have assessed any likely effects on this potentially vulnerable group.</p> <p>Volume 2, Chapter 28, paragraph 28.6.80 (Health and Wellbeing) of the ES [APP-346] refers to potential noise impacts from the construction and operation of the Yoxford roundabout and other highway improvements.</p> <p>As set out in Volume 7, Chapter 4 (Noise and Vibration) of the ES [APP-484] and summarised in paragraph 28.6.80 of the ES [APP-346], the relative change in noise at any receptor is predicted to be below what is considered perceptible, with no significant residual noise effect identified at any receptor group, including any care homes, during the construction of the Yoxford roundabout.</p> <p>As detailed in Volume 1, Chapter 7 of the ES Addendum [AS-186], and Volume 3, Appendices 7.3.A-C of the ES Addendum [AS-251], prior to mitigation, once the Yoxford roundabout comes online, only one receptor will experience a perceptible change in noise (Old Barn), which is not a care home.</p> <p>With broader reference to care homes, elderly individuals and heightened sensitivity to noise; Volume 2, Chapter 28, paragraph 28.3.16 (Health and Wellbeing) of the ES [APP-346] sets out how sensitivity can vary by individual health pathway within a community, but also at the individual level, and even vary for an individual depending on what stage of life they are in.</p> <p>The rationale is then provided as to why a consistently precautionary approach has been applied, where every resident is considered highly sensitive to every health pathway. In this context, the assessment is working on the basis that every resident is sensitive to changes in noise, and means any impact other than minor would be considered significant. This addresses the relative sensitivity to noise for a wide age demographic (children in schools through to senior residents at home and in care homes).</p> <p>On the above basis, no perceptible change in noise is identified at any care home in proximity to the Yoxford roundabout.</p>
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>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	<p>Response</p>	<p>Please respond to this specific concern and advise how the information provided meets the tests set out in the NPS EN-1.</p> <p>SZC Co. has worked closely with SCC, ESC, Suffolk Constabulary, health stakeholders and individual service providers to identify concerns relevant to the impact of the Sizewell C Project on vulnerable groups. These primarily relate to changes in the population profile – particularly in Leiston – due to the number and demographic of construction workers and include:</p> <ul style="list-style-type: none"> • potential risks to vulnerable young people and care leavers, particularly in Leiston, and particularly those who are in housing need or vulnerable to homelessness; • potential risks related to cultural differences between NHB construction workers and residents; • potential risks related to drugs, alcohol and prostitution including exploitation of young girls by a predominantly male workforce, and potential for related increase in trafficking; • potential risks related to access to and delivery of sexual health services and increase in youth pregnancy; • potential risks on the delivery of services, particularly to vulnerable older people who wish to remain in their homes but require care; • potential demand for social services and mental wellbeing services from construction workers and their families, and welfare in schools such as English as an Additional Language; and • potential economic-based risks to service provision as an indirect result of job creation on the Sizewell C Project, which may lead to workforce churn that means some positions in care roles become harder to fill. <p>These risks have been considered as part of the assessment of the likely significant effects of the Sizewell C Project in the ES; relevant assessments are listed below:</p> <ul style="list-style-type: none"> • Volume 2, Chapter 9 (Socio-Economics) of the ES [APP-195] sets out impact assessments on matters raised in [RR-1179], namely community cohesion and population change as a result of the Sizewell C Project. Population change, community cohesion and integration have been assessed qualitatively using national government definitions of community cohesion, integration and sustainability, and

ExQ1	Question to:	Question:
		<p>considering the annual rate of additional residents as a result of the NHB portion of the operational workforce.</p> <ul style="list-style-type: none"> The effects on community cohesion and integration during the construction phase are set out in Volume 2, Chapter 9 (Socio-Economics), paragraphs 9.7.241-9.7.246 of the ES [APP-195]. The effects on community cohesion and integration during the operational phase are set out in paragraphs 9.7.282-9.7.284 [APP-195]. The effect on social services for construction workers is set out in paragraphs 9.7.191-9.7.195 [APP-195]. Volume 2, Chapter 9 (Socio-Economics) of the ES [APP-195] sets out an assessment of crime, anti-social behaviour and policing at paragraphs 9.7.211-9.7.231. This section explains the potential impacts of an increase in population arising from the NHB workforce on crime and anti-social behaviour, and the consequent impacts on the requirement for policing services. See also Volume 1, Chapter 2, Section 2.4 of the ES Addendum [AS-181]. Volume 2, Chapter 28 (Health and Wellbeing) of the ES [APP-346] assesses the potential health and wellbeing effects associated with the introduction of a temporary non-home-based construction workforce (paragraphs 28.6.84 - 28.6.103). This section is focused on the demand for healthcare provision from temporary workers and their families. <p><u>Mitigation</u></p> <p>SZC Co. has worked with regional stakeholders to develop direct mitigation for potential risks. It comprises:</p> <ul style="list-style-type: none"> The mitigation proposed for the effects on community cohesion and integration is set out in Volume 2, Chapter 9 (Socio-Economics), paragraphs 9.8.58-9.8.69 of the ES [APP-195]. Mitigation relating to the delivery of social services is set out in paragraphs 9.8.37- 9.8.41 [APP-195], including reference to managing safeguarding concerns through the measures described in the Community Safety Management Plan [APP-635]. The approach to monitoring of community safety and community cohesion effects is set out in paragraphs 9.8.86-9.8.88 [APP-195].

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> <p>A Community Safety Management Plan [APP-635] has been developed in collaboration with the Councils, emergency services and health stakeholders and includes appropriate means of monitoring and mitigating potential impacts to protect all members of the community. Table 5.1 [APP-635] sets out project mitigation measures contributing to community safety, while the Draft Deed of Obligation (Doc Ref. 8.17(C)) sets out financial contributions that will be made to community safety stakeholders, including the emergency services (Schedule 4) and the Councils under the Public Services Resilience Fund (Schedule 5).</p> <p><u>National Policy Statement EN-1 - Socio-economics</u></p> <p>The National Policy Statement EN-1⁷ provides at paragraph 4.2.2 states:</p> <p><i>"to consider the potential effects, including benefits, of a proposal for a project, the IPC will find it helpful if the applicant sets out information on the likely significant social and economic effects of the development, and shows how any likely significant negative effects would be avoided or mitigated. This information could include matters such as employment, equality, community cohesion and well-being."</i></p> <p>Policy on the Applicant's assessment of socio-economic effects is set out in section 5.12 of EN-1. Paragraph 5.12.3 provides that the assessment may include (inter alia):</p> <p><i>"the impact of a changing influx of workers, during the different construction, operation and decommissioning phases of the energy infrastructure. This could change the local population dynamics and could alter the demand for services and facilities in the settlements nearest to the construction work...There could also be effects on social cohesion depending on how populations and service provision change as a result of the development"</i>.</p> <p>With regard to the assessment of socio-economic effects required by EN-1, Volume 2, Chapter 9 (Socio-economics) of the ES [APP-195] considers and sets out the relevant effects as directed by EN-1 (Section 5.12) with specific consideration of the potential for effects to be exacerbated on vulnerable groups – for example in terms of assessments on vulnerability to housing need and homelessness, and with regard to community safety and social services. This refers not only to those with Protected Characteristics, but also where socio-economic factors may increase vulnerability to change (for example where</p>

⁷ Department of Energy and Climate Change, Overarching National Policy Statement for Energy (EN-1). (London: The Stationary Office, 2011).

ExQ1	Question to:	Question:
		<p>households in receipt of housing benefits to supplement rent may be at higher risk). While seeking to meet the test of Paragraph 5.12.7 of EN-1 (limited weight to be given to assertion of impacts not supported by evidence), SZC Co. has taken a precautionary approach to developing mitigation through engagement with statutory services supporting vulnerable people (e.g. SCC's social care service and school place planning teams), developing precautionary and resilience-based mitigation strategies for these areas of potential risk. In designing mitigation, SZC Co. recognises that the Public sector Equality Duty (PSED) sits with the Councils where mitigation will support existing services provided by the Councils or other public bodies, and has ensured that those bodies will have requisite control over the delivery of mitigation (within the bounds of mitigating the effects of the Sizewell C Project).</p> <p><u>National Policy Statement EN-1 - Health</u></p> <p>Policy on the Applicant's assessment of health effects is set out in section 4.13 of EN-1. Paragraph 4.13.2 provides that:</p> <p><i>"where the proposed project has an effect on human beings, the ES should assess these effects for each element of the project, identifying any adverse health impacts, and identifying measures to avoid, reduce or compensate for these impacts as appropriate."</i></p> <p>In addition, paragraph 4.13.4 notes that <i>"New energy infrastructure may also affect the composition, size and proximity of the local population, and in doing so have indirect health impacts, for example if it in some way affects access to key public services, transport or the use of open space for recreation and physical activity."</i></p> <p>With regard to meeting the health assessment requirements of EN1, as set out in Volume 2, Chapter 28 (Health and Wellbeing) of the ES [APP-346], the Health and Wellbeing assessment has considered all activities with the potential to influence local and regional health and wellbeing (both adverse and beneficial). This has been explored from the outset of the Sizewell C Project, to facilitate health conscious design and embedded mitigation tailored to local health circumstance, priorities and need. The final Health and Wellbeing assessment has drawn from and built upon all pertinent overlapping technical disciplines (including socio-economics, transport, noise and vibration, air quality, radiological assessment), to assess each element of the Sizewell C Project upon health, and reinforcing measures to avoid, reduce or mitigate for these impacts as appropriate, while further enhancing potential community support initiatives.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>During the course of the Health and Wellbeing assessment, vulnerability has been considered for each of the individual health pathways. The assessment recognises that the health evidence base would indicate varying sensitivity to each individual health pathway. Equally, vulnerability varies within communities, within households, and can further vary depending on what stage of life an individual is in.</p> <p>As explained in question HW.1.1, a consistently precautionary approach has been applied to address this issue, which assumes that all residents are vulnerable to every health pathway. This ensures that the both the Health and Wellbeing assessment and the mitigation (set out above) fully addresses varying vulnerability. This should address existing barriers to the uptake of local health and wellbeing opportunities, particularly within vulnerable groups (as per the encouragement of EN1 to protect and support the more vulnerable).</p>
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>
	Response	<p><u>Response to (i)</u></p> <p>Please refer to the response to question HW.1.14 regarding mitigation for vulnerable groups.</p> <p>SZC Co. has been working closely with SCC and Suffolk Constabulary to appropriately consider the potential for effects on vulnerable groups – for example where there may be a greater risk of existing statutory service delivery, or where vulnerable people may be more at risk of experiencing effects (or experiencing effects in a different way) as a result of the Sizewell C Project.</p> <p>Key elements of the socio-economic mitigation package include measures to be secured through the DCO (such as the project accommodation) and through the Deed of Obligation (see Draft Deed of Obligation (Doc Ref. 8.17(C)). The latter includes:</p> <ul style="list-style-type: none"> • a Housing Fund (supported by an Accommodation Management System) that supports the lower 30th percentile of the housing market in particular and provides safeguarding support (Schedule 3);

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> • funding for Suffolk Constabulary to be able to appropriately respond to the additional effects on terms of crime and non-crime incidents related to the Sizewell C Project (Schedule 4); • a Public Service Resilience Fund, which focuses on the delivery of social care services and community safety activity (Schedule 5); • a contribution to school and early years capacity (Schedule 5); and • a Community Fund to be administered on behalf of the community to provide schemes, measures and projects which promote the economic, social or environmental well-being of communities and enhance their quality of life (Schedule 14). <p><u>Response to (ii)</u> Please see response to question CI.1.15 (in Part 3, Chapter 12) with regard to how measures will be secured.</p>
HW.1.16	The Applicant	<p>Vulnerable Groups 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>
	Response	<p>The Equality Statement [APP-158], Table 1.1 sets out a summary of potential equality effects, including regarding age and the older community. Volume 2, Chapter 28 (Health and Wellbeing), paragraph 28.3.16 of the ES [APP-346] sets out that community sensitivity and vulnerability can vary for a wide range of individual health determinants (due to varying demographic composition including age, existing burden of poor health, genetic predisposition and socio economic structure). A precautionary approach to the assessment has been undertaken as explained in question HW.1.1. This inherently addresses varying community sensitivity and vulnerability to every health pathway assessed, including for the older community in the locality.</p> <p>The mitigation proposed continues on this premise, such that it is inclusive of all community sensitivities and vulnerabilities. See response to question H.W.14 for detail on mitigation proposed.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
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>
	Response	No response from SZC Co. is required.
HW.1.18	The Applicant, Suffolk Constabulary	<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>
	Response	<p>SZC Co. is working towards agreeing Strategic Relationship Protocols (SRPs) with Suffolk Constabulary, Suffolk Fire and Rescue Service and the East of England Ambulance Service Trust.</p> <p>The SRPs will set out the roles and responsibilities of SZC Co. and each emergency service provider. These SRPs will be private agreements between SZC Co. and the emergency services.</p> <p>Where the roles and responsibilities in the SRPs require a financial contribution to be provided by SZC Co. to an emergency service provider, the scope and level of the financial contributions will be secured through Schedule 4 of the Deed of Obligation (Doc Ref. 8.17(C)) and so the Deed of Obligation will summarise, where relevant and applicable, the content of those SRPs. The Deed of Obligation will equally secure, and in doing so summarise where relevant and applicable, the commitments of SZC Co. set out in the SRPs which are considered necessary.</p>
HW.1.19	The Applicant, Network Rail	<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>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>(ii) If this were appropriate, how would it be delivered through the DCO?</p>
	Response	<p>SZC Co. and Network Rail are working together to identify level crossings on the East Suffolk line where there may be an increase in risk. If mitigations are required, these will be pursued by Network Rail as the asset owner and organisation with responsibility for the management of safety risks at the level crossings.</p>
HW.1.20	The Applicant	<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>
	Response	<p>The location of the Sizewell C nominated site within the Suffolk Coast and Heaths AONB and Suffolk Heritage Coast has been an important consideration throughout the design of the main development site. SZC Co. has sought to minimise and mitigate amenity and recreation effects on the natural beauty and special qualities of the AONB through an iterative design process, application of agreed design principles and mitigation proposed. SZC Co. notes that a range of effects will be felt by recreational receptors within the Suffolk Coast and Heaths AONB, including effects on the perception of tranquillity, of which noise is an important factor. Effects on users of recreational resources (including tranquillity) are assessed in Volume 2, Chapter 15 of the ES [APP-267]. Mitigation measures are summarised at section 15.5 of Volume 2, Chapter 15 of the ES.</p> <p>While significant adverse effects on recreational receptors are predicted within the AONB during the construction phase - in part due to construction noise - relative tranquillity, a natural beauty indicator (see section 2.0 in Appendix 13C of Volume 2, Chapter 13 (Landscape and Visual) of the ES [APP-217]), is a long-term resource and construction-related significant adverse effects will not be permanent. A number of the mitigation measures set out in Table 3.1 of Part B of the Code of Construction Practice (Doc Ref 8.11(B)) will reduce noise at source. These measures will help to minimise effects on</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>tranquillity and have been taken into account in the assessment of effects in in Volume 2, Chapter 15 of the ES [APP-267]. No further mitigation measures are proposed.</p> <p>For information on loss of public access during the construction phase, please see response to question AR.1.8. This sets out that how loss of access during the construction phase has been minimised and alternative and additional routes and areas provided.</p> <p>With regard to knock on effects on health and wellbeing, by nature, environmental mitigation and monitoring is inherently geared to preclude any manifest adverse health outcome. This means the planning system not only proactively prevents any material impact upon health, but also enables intervention through environmental thresholds.</p> <p>As an example, and as detailed above, the Code of Construction Practice (CoCP) (Doc Ref 8.11(B)) seeks to manage noise at source to prevent exposure magnitudes sufficient to constitute any material health impact. Wellbeing is a broader concept influenced by a mix of tangible and subjective values at the individual level, and in this context the potential effects on users of recreational resources (including tranquillity) are assessed in Volume 2, Chapter 15 (Amenity and Recreation) of the ES [APP-267]. Mitigation measures are then further applied to minimise potential impacts on relative tranquillity that have the potential to impact on wellbeing.</p> <p>With regard to the change in access and accessibility to the AONB, this does not constitute a material health impact, as sufficient alternatives are available. This includes additional provision of linear and area access within, on the edge of, or immediately adjacent to the AONB by SZC Co. during the construction phase and permanently. Change will not be of a level sufficient to result in a material physical, mental or social health outcome.</p> <p>The Environmental Impact Assessment (EIA) has considered both the direct environmental change, and the consequence to health and wellbeing, providing sufficient mitigation to removal all material health impacts and manage potential impacts on wellbeing.</p>
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	<p>A Health Impact Assessment has been carried out and this is set out in Volume 2, Chapter 28 (Health and Wellbeing) of the ES [APP-346]. As set out in section 28.2, the</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>transposition of the amended EU EIA Directive into UK legislation resulted in the voluntary process of Health Impact Assessment (HIA) being integrated within the EIA assessment process in 2017.</p> <p>The scope, focus, process, approach and methods remain the same regardless of whether the assessment sits in a stand-alone HIA or is integrated into the ES. The core difference is that the health and wellbeing assessment must now meet the requirements of the EIA Regulations, and the dedicated health and wellbeing chapter within the ES [APP-346] affords greater weight within the planning and decision-making process than its voluntary counterpart.</p>
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	<p>Ozone is not emitted from any activity during the construction or operation of the proposed development. Nitrogen oxides are emitted from construction traffic, mobile plant and diesel generators and these are precursors to the formation of ozone in the atmosphere. However, the reaction to form ozone takes several days and takes place gradually over long distances from the emission sources. Elevated ozone concentrations in south England are formed primarily as a result of emissions of precursors in France. Locally to an emission source of nitrogen oxides, ozone concentrations are actually reduced, since the ozone reacts with nitric oxide (NO). This is why ozone concentrations are lower in urban areas.</p>
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>No response from SZC Co. is required.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
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	No response from SZC Co. is required.
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	No response from SZC Co. is required.
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	<p><u>Response to part (i)</u></p> <p>Enhanced permanent BLF</p> <p>Increased activity on the beach and increased number of deliveries due to the enhanced permanent BLF have been accounted for in the assessment of effects on recreational receptors described in paragraphs 2.10.42 to 2.10.45 (construction phase) and 2.10.46 to 2.10.48 (operational phase) of Volume 1, Chapter 2 of the ES Addendum [AS-181].</p>

ExQ1	Question to:	Question:
		<p>The assessment of effects of the enhanced permanent BLF accounts for the activity and proposals described in paragraphs 2.2.55 to 2.2.67 of Volume 1, Chapter 2 of the ES Addendum [AS-181].</p> <p>As noted in paragraphs 2.10.42 and 2.10.43 of Volume 1, Chapter 2 of the ES Addendum [AS-181], during construction the assessment of effects on recreational users of the beach has accounted for changes to views and noise associated with the construction works and increased number of deliveries. This includes activity on the beach and offshore. It has also accounted for the fact that the Coast Path (comprising PROW E-363/021/0, the Suffolk Coast Path, the future England Coast Path and Sandlings Walk) and beach would now be assumed to remain open for substantially more of the construction period than in the submitted Application (paragraphs 2.2.67 and 2.10.43).</p> <p>As noted in paragraphs 2.10.46 and 2.10.47 of Volume 1, Chapter 2 of the ES Addendum [AS-181], during operation the assessment of effects on recreational users of the beach has accounted for changes to views associated with the changes to the permanent BLF, and that the Coast Path would now not be closed during AIL deliveries.</p> <p>Additional temporary BLF</p> <p>Increased activity on the beach and deliveries due to the additional temporary BLF are accounted for in the assessment of effects on recreational receptors described in paragraphs 2.10.51 to 2.10.57 (construction phase) of Volume 1, Chapter 2 of the ES Addendum [AS-181]. The temporary BLF would not be present during the operational phase (paragraph 2.10.58). The assessment of effects of the temporary BLF accounts for the activity and proposals described in paragraphs 2.2.68 to 2.2.86 of Volume 1, Chapter 2 of the ES Addendum [AS-181].</p> <p>As noted in paragraphs 2.10.51 to 2.10.54 of Volume 1, Chapter 2 of the ES Addendum [AS-181], during construction the assessment of effects on recreational users of the beach has accounted for changes to views and noise associated with the construction and operation works, and potential temporary access restrictions to areas of the beach This includes activity on the beach and offshore. It has accounted for the fact that the Coast Path (comprising PROW E-363/021/0, the Suffolk Coast Path, the future England Coast Path and Sandlings Walk) is expected to remain open at virtually all times, but may need to be temporarily closed in rare circumstances when it is unsafe for it to be kept open during construction of the temporary BLF (paragraph 2.2.72 and 2.10.54).</p>

ExQ1	Question to:	Question:
		<p>Assessment due to BLF changes</p> <p>The assessment of effects on recreational users of the beach during construction, accounting for the changes (changes to the permanent BLF and additional temporary BLF), would be the same as reported in Volume 2, Chapter 15 of the ES [APP-267], as follows:</p> <ul style="list-style-type: none"> • Receptor group 12 (Minsmere to Sizewell Coast) - Effects would be large scale, long term duration, wide extent and high magnitude, and result in a major adverse effect (significant) (the same as assessed in paragraph 15.6.121 of Volume 2, Chapter 15 of the ES [APP-267]). <ul style="list-style-type: none"> • Users of the Suffolk Coast Path and the future England Coast Path - Effects would be large scale, long term duration, localised extent and high magnitude, and result in a major adverse effect (significant) (the same as assessed in paragraph 15.6.193 of Volume 2, Chapter 15 of the ES [APP-267]). (Note, paragraph 15.6.193 lies under a sub-heading 'Impact assessment: Suffolk Coast Path'. The assessment includes the future England Coast Path as noted in paragraph 15.4.48). • Users of the Sandlings Walk - Effects would be large scale, long term duration, localised extent and high magnitude, and result in a major adverse effect (significant) (the same as assessed in paragraph 15.6.214 of Volume 2, Chapter 15 of the ES [APP-267]). <p>The assessments of effects on recreational users of the beach during operation, accounting for the changes to the temporary BLF, would be the same as reported in Volume 2, Chapter 15 of the ES [APP-267] as follows:</p> <ul style="list-style-type: none"> • Receptor group 12 (Minsmere to Sizewell Coast) - Effects would be small scale, permanent duration (i.e. more than 25 years as defined at paragraph 15.3.27 of Volume 2, Chapter 15 of the ES [APP-267]), intermediate extent and low magnitude, and result in a moderate adverse effect (significant) (the same as assessed in paragraph 15.6.241 of Volume 2, Chapter 15 of the ES [APP-267]). • Users of the Suffolk Coast Path and the future England Coast Path - Effects would be small scale, permanent duration, limited extent and very low magnitude, and result in a minor adverse effect (not significant) (the same as assessed in paragraph 1.2.159

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>of Volume 2, Appendix 15G (Amenity and Recreation, Description of Non-Significant Effects) of the ES [APP-270].</p> <ul style="list-style-type: none"> Users of the Sandlings Walk - Effects would be small scale, permanent duration, limited extent and very low magnitude, and result in a minor adverse effect (not significant) (the same as assessed in paragraph 1.2.169 of Volume 2, Appendix 15G (Amenity and Recreation, Description of Non-Significant Effects) of the ES [APP-270]. <p><u>Response to part (ii)</u></p> <p>The assessment of effects on recreational users of the beach during construction and operation, accounting for the changes (changes to the permanent BLF and additional temporary BLF), would be the same as reported in Volume 2, Chapter 15 of the ES [APP-267].</p> <p>Given the fact that the ES Addendum has confirmed that the Coast Path would now only be closed for temporary periods in rare circumstances during the construction phase, and never during the operational phase, fewer users are now likely to be displaced due to Coast Path closures.</p> <p>As a result of these assessments confirming no change in significance of effects, there is not considered to be any consequent change in the assessment of significant effects on tourism.</p>
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	<p>Risk assessments have been completed on the level crossings on the Sizewell branch line which have identified that major interventions are not necessary from a risk perspective. Upgrades will however be made to level crossings to enhance the operational capability of the line, and avoiding the current requirement for trains to stop while the gates are manually operated. This will have the effect of also further reducing the already low risk at level crossings on the Saxmundham to Leiston branch line.</p> <p>SZC Co. and Network Rail are working together to identify level crossings on the East Suffolk line where there may be an increase in risk. If mitigations are required, these will</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		be pursued by Network Rail as the asset owner and organisation with responsibility for the management of safety risk at the level crossings.
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	On the Ipswich to Lowestoft line and Sizewell branch the level crossing barriers would be down for approximately two to three minutes for the passage of each train, seven out of eight of which will operate overnight. This has been assessed in the ES [APP-198] to have a minor adverse effect on driver delay, which would not be significant.
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> <p>(ii) Has this model been agreed as an appropriate method to assess effects with the applicant or any other party?</p>
	Response	No response from SZC Co. is required.
Chapter 17 - HE.1 Historic environment (terrestrial and marine)		
General		
HE.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	The ES methodology noted that additional period-based summaries were anticipated to be released 'in due course' (Volume 1, Chapter 6, Appendix 6L, paragraph 1.2.36 [APP-171]). There is no published timetable for the release of the updated regional research

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>agenda and no additional material for the East of England Regional Research Agendas has been released since the submission of the DCO. Therefore, the 2011 Frameworks and the 2018 draft resource assessments consulted and referenced in the application documents remain the current versions of these documents.</p>
HE.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	<p>Additional intrusive archaeological surveys (trial trenching) have been undertaken on parts of the main development site and the Sizewell link road. The current status of fieldwork on these sites are shown on Figure 17.1 (main development site) and Figure 17.2 (Sizewell link road) of this chapter.</p> <p>In all cases where fieldwork surveys could not be completed in advance of the assessment, the relevant chapters (Volume 2, Chapter 16 [APP-272] and Volume 6, Chapter 9 [APP-467] (Terrestrial Historic Environment) of the ES), set out a reasonable worst-case assessment of the potential effects on previously unrecorded archaeological remains. This assessment has been based on professional judgement informed by relevant guidance, an understanding of the recorded archaeological remains in the area identified in the Suffolk HER, National Heritage List for England and National Monuments Record, and contextual information from cartographic, documentary and archival sources. Where further intrusive surveys have been undertaken subsequent to the application, these have identified effects that would be equivalent to or lesser than those predicted in the ES chapters, as demonstrated in Volume 1, Chapters 5, 7, 8 and 9 of the ES Addendum [AS 184, AS-186, AS-187 and AS-185] which reviewed the updated archaeological evaluation information.</p> <p>SZC Co. intend to submit additional available fieldwork reporting at Deadline 3.</p>
HE.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>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	An updated version of Overarching WSI has been produced which addresses comments received from SCCAS since January 2021. This is being finalised and will be submitted at Deadline 3.
Main Development Site (MDS)		
HE.1.3	The Applicant	Public Outreach 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.
	Response	The approach to public outreach has been agreed with SCCAS and is set out in the updated version of the Overarching WSI, which will be submitted at Deadline 3. Section 8 of the Overarching WSI (the current version of which is provided in Volume 3, Appendix 2.11.A of the ES Addendum [AS-210]) stipulates that a detailed scope for outreach will be agreed with SCCAS in advance of the commencement of the archaeological mitigation works. Examples of what this may include are provided. This will be secured through site-specific WSIs which will be in general accordance with the Overarching WSI and the reporting methods in section 5.6 of the Overarching WSI . This is secured by Requirement 3 "Project Wide: Archaeology and Peat" in the Draft DCO (Doc Ref. 3.1(C)).
HE.1.4	The Applicant	Built Heritage Repair 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.
	Response	Mitigation for the historic environment should be considered in totality: built heritage repair is only one part of this and there is a substantial commitment to mitigating effects on below ground archaeology both on and offshore. Mitigation is proposed for Upper Abbey Farm and the Leiston Abbey first and second sites so there will also be a substantial commitment to built heritage. SZC Co. considers that as all other effects on designated heritage assets would arise through change to setting, that the assessed effects do not require or justify proposals for further built heritage repair. SZC Co. further notes that primary and tertiary mitigation measures which address issues such as change to historic landscape character, visibility of

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>the proposed development and noise effects, which interact with those proposed for other topic areas, such as noise and landscape and visual impacts would also reduce effects on the setting of heritage assets.</p> <p>More generally, the scope and scale of mitigation proposed in the DCO is determined from the assessment of effects so will not necessarily be equal across topic areas.</p>
HE.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	No response from SZC Co. is required.
HE.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	<p>Evaluation trenching was conducted at this area (MDS4) between 5 February and 24 March 2020. The fieldwork was monitored by SCCAS and reporting is in progress. Site specific mitigation proposals will be agreed with SCCAS.</p> <p>As noted in the response to Question HE 1.1 of this chapter, results of evaluation of this area have confirmed the ES assessment of potential at Volume 2, Chapter 16, paragraph 16.4.31 (Terrestrial Historic Environment) [APP-272], that remains of later prehistoric date which are of medium significance for archaeological interest are present in this area. Medieval remains of consistent character and significance to those identified elsewhere on the main development site were also identified, consistent with the assessment of potential at paragraph 16.4.57 [APP-272].</p> <p>Disturbance of these remains during construction would result in an effect that would be considered significant and adverse in the absence of mitigation (paragraph 16.4.42 [APP-272]), but could be appropriately mitigated through an agreed scheme of archaeological investigation. This is consistent with the assessment of effects on remains associated with Prehistoric occupation of the Sandlings and wetland edge (Table 16.7,</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>row 7 [APP-272]), and remains of medieval agricultural activity and medieval settlement (Table 16.7, rows 9 and 11 [APP-272]).</p>
HE.1.7	ESC, SCCAS, Historic England	<p>Summary of Survey Status 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	No response from SZC Co. is required.
HE.1.8	The Applicant	<p>Summary of Survey Status 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	The field name listed in row 20 of Table 16.5 and row 19 of Table 16.6 (Volume 2, Chapter 16 (Terrestrial Historic Environment) of the ES [APP-272]), is 'Lover's' - this is the complete field name.
HE.1.9	The Applicant	<p>Summary of Survey Status 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?</p>
	Response	As set in the response to Question HE.1.6 in this chapter above, evaluation trenching has been completed at the main development site 'MDS Area 4' and reporting is in progress. The results are consistent with those predicted in Volume 2, Chapter 16 (Terrestrial Historic Environment) of the ES [APP-272].
HE.1.10	The Applicant	<p>Unrecorded Heritage Assets 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	Neither the SSSI crossing nor Borrow Pit Field 2 have been subject to survey.

ExQ1	Question to:	Question:
		<p>As set out in Volume 2, Chapter 16, paragraph 16.4.69 (Terrestrial Historic Environment) of the ES [APP-272], environmental effects at the SSSI crossing were assessed to be minimal. This conclusion was based on the observed depth of modern made-ground within the former Sizewell B compound area, and areas of dense planting to the north. It is concluded that any near-surface archaeological remains would have been exposed to significant disturbance during the construction of Sizewell B. Given the significant biodiversity sensitivity of this site, it was not considered appropriate to carry out intrusive archaeological works as part of the wider evaluation programme.</p> <p>Access was not possible to Borrow Pit Field 2 without causing disturbance to livestock and crops that would have been unacceptable to the landowner. The results of evaluation from adjacent fields highlight the potential presence of archaeological remains in this area which are assessed at paragraph 16.6.42 [APP-272].</p> <p>Appropriate provision will be made for archaeological investigation of this area prior to construction.</p>
HE.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	<p>The archaeological interest of the Aldeburgh and Southwold Conservation Areas derives from the potential for the structures and below ground features within the Conservation Areas to inform an understanding of the structural development and use of those areas, primarily from the medieval period onwards.</p> <p>Similarly, the archaeological interest of the Slaughden Martello Tower and Orford Castle lies in the potential for investigation to inform an understanding of their construction and use. These interests are intrinsic to the designated area and structure and derive from material remains contained within the designated areas.</p> <p>It is not anticipated that the predicted change within the setting of these assets would have any influence on the archaeological values of these heritage assets, and would not contribute to any potential effect.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
HE.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	No response from SZC Co. is required.
HE.1.13	ESC, SCCAS, Historic England	<p>Peat Strategy</p> <p>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	No response from SZC Co. is required.
HE.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	Question to:	Question:
	<p>Response</p>	<p>The retention of the arable land between the designated heritage assets at Leiston Abbey (second site) and the B1122 Abbey Road would retain a strong perceptual buffer between these assets and the site for a number of reasons:</p> <ul style="list-style-type: none"> • This area would provide a clear buffer between the asset group and the proposed development. • The retention of this area between the asset group and Abbey Road would preserve the contribution of the immediate surroundings of the Abbey to significance, and retaining a regionally distinctive rural context for the site. • The proposed development would be confined to the east of the existing B1122 Abbey Road, which already forms a strong perceptual division within the landscape, and would not introduce elements of the proposed development into the views of the asset group in which it is most frequently perceived. • The Leiston Abbey second site would appear in a discernibly separate landscape area to the proposed development rather than being directly juxtaposed, particularly in the approach to the asset from the B1122 Abbey road from the north and east, when the viewer would be looking directly away from the proposed development, and would retain a clear separation between the proposed development and the asset in views in the approach from the south and south-east. • The separation afforded by this landscape buffer, would provide the necessary distance for the proposed screening planting to the side of the B1122 and within the site on the east side of this road to screen low-level development ‘clutter’ in views from the asset without becoming an intrusive feature of itself. <p>It is important not to conflate efforts made to separate the asset group from the proposed development with screening of views. While the retention of this landscape buffer reflects the efforts that have been taken in design to minimise effects on the Leiston Abbey asset group where possible, it is acknowledged that the proposed development would remain clearly discernible from the Abbey ruins, particularly during at height construction works, hence the findings of a significant adverse effect on the Abbey ruins (LB 1215753/SM 1014520) in the absence of mitigation as presented at Volume 2, Chapter 16, paragraph 16.6.57 (Terrestrial Historic Environment) of the ES [APP-272].</p>
HE.1.15	The Applicant, English Heritage	<p>Leiston Abbey Second Site – Sustainable Conservation and Management Plan</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<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	<p>English Heritage has provided SZC Co. with a copy of their draft 'Sustainable Conservation, Vision and Stewardship Management Plan' (SCVSMP) to help inform discussions on the heritage contribution for Leiston Abbey (second site).</p> <p>The contribution will be secured in the Deed of Obligation (Doc Ref. 8.17(C)) and be used towards the carrying out of what is currently described in Schedule 8 as the 'Second Leiston Abbey Site Enhancement Scheme', the details of which will be annexed to the Deed of Obligation. This wording may be amended to directly refer to identified measures set out within the SCVSMP as discussions progress.</p>
HE.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	<p>The coastguard cottages at Dunwich Heath are non-designated heritage assets and have been assessed as of medium significance, reflecting their significance on a local and regional level.</p> <p>The observation tower was built at this prominent location to afford long ranging views out to sea and along the coast, so that vessels and distress signals might be observed and acted upon. The cottages were built to provide accommodation for those working at the observation tower. Thus, the heritage significance of the two parts of this group of buildings is different. Whilst both have architectural interest as a recognised style of</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>buildings along the eastern English coast, the observation tower has additional interest deriving from the architectural features which allow the function of the building, such as the bank of windows looking out across the North Sea, to be discerned.</p> <p>The historic interest of the observation tower is drawn from its prominent location and its views out to sea, which provide a clear link to the historic use of the building. In contrast, the historic interest of the cottages is primarily drawn from its relationship with the observation tower. The cottages are in this setting purely because of the observation tower.</p> <p>The principal elevation of the terraced cottages is to the north, with backyards and outshots on the southern side of the cottages. Views along the coast to the north include Cliff House and the caravan park at Dunwich. Views along the coast to the south include Sizewell A and B and would include the proposed Sizewell C power station. Significantly, in contrast, the principal elevation of the observation tower is to the east, out to sea. The observation tower's observation room has a large bank of windows on its eastern façade and smaller sets on its southern and northern. These permit uninterrupted views across the North Sea. They also allow views along the shoreline in either direction. It is this visual relationship with the North Sea that contributes most to the historic interest of this group of buildings.</p> <p>Architectural interest of both the cottages and the observation tower is experienced primarily in close proximity, allowing architectural details, such as the arrangement of windows, to be appreciated. However, the general form of the building group, which does contribute some architectural interest can be seen from further afield. The proposed development will not affect architectural interest.</p> <p>The important views from the observation tower to the North Sea and along the shoreline will be unaffected by the proposed development. Views to the east and north will experience no change. Views to the south will experience a magnitude of change, with the proposed development appearing closer and larger than the existing Sizewell power station complex. However, the existing and proposed power stations, due to a slight westward curve in the coastline, appear a little inland in views from the observation tower. Thus, their visibility does not affect the ability to have clear views along the coast to the south. Whilst there will be a low magnitude of change to this view, it will not prevent the appreciation of the historic interest of the observation tower.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>Views south from the cottages do not contribute as much to their historic interest, which is instead focussed on the relationship with the observation tower. There will be no effect to this relationship from the proposed development.</p> <p>The undeveloped nature of this part of the coastline contributes to the heritage significance of these buildings, not only by allowing architectural interest to be experienced, but also contributing to historic interest through foregrounding the important visual relationship with the North Sea. The area of the setting in which the proposed development would appear can, however, not be considered to be undeveloped, and the distance at which the proposed development would be seen would allow the remoteness and open nature of Dunwich Heath to remain, preserving this aspect of the setting's contribution to heritage significance.</p> <p>The assessment in Volume 2, Chapter 16 (Terrestrial Historic Environment) of the ES [APP-272], of a low magnitude of change to a non-designated heritage asset of medium significance resulting in a minor adverse effect, remains appropriate.</p>
HE.1.17	ESC	<p>Abbey Cottage (LB 1216395)</p> <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>
	Response	No response from SZC Co. is required.
HE.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> <p>The proposed location of the landscaping scheme in regard of the location of archaeologically sensitive areas; and</p> <p>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>

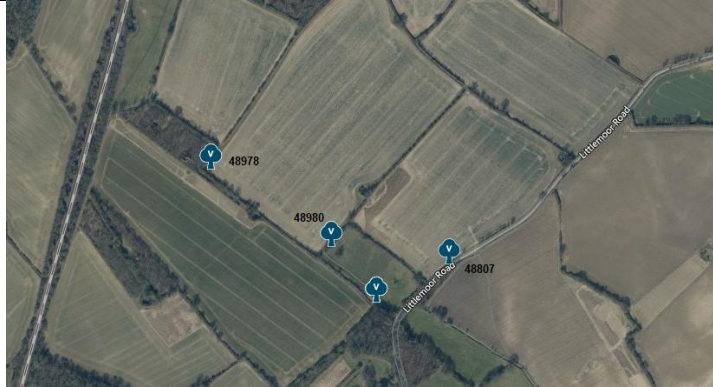
ExQ1: 21 April 2021**Responses due by Deadline 2: 2 June 2021**

ExQ1	Question to:	Question:
		If further measures are considered necessary, please detail.
	Response	No response from SZC Co. is required.
HE.1.19	ESC, SCCAS, Historic England, National Trust	Enhancement of the Permanent Beach Landing Facility (BLF) (Change 2) 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?
	Response	No response from SZC Co. is required.
HE.1.20	ESC, SCCAS, Historic England, National Trust	Temporary Beach Landing Facility (BLF) (Change 2) 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]?
	Response	No response from SZC Co. is required.
HE.1.21	The Applicant	Additional Fen Meadow Habitat at Pakenham (Change 11) Please confirm what survey work has been undertaken at Pakenham to date.
	Response	SZC Co. has not undertaken any archaeological fieldwork on the Pakenham site. It is considered that the effects of the proposed scheme would be limited and localised in any

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		case, and that archaeological investigation targeted on discrete areas of disturbance secured by requirement would be the most appropriate response.
HE.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	As noted in the response to Question HE 1.10 in this chapter environmental effects at the SSSI crossing were assessed to be minimal (Volume 2, Chapter 16, paragraph 16.4.69 (Terrestrial Historic Environment) of the ES) [APP-272], as near-surface archaeological remains would have been exposed to significant disturbance during the construction of Sizewell B. The changes proposed present an equivalent degree of intrusion such that it is anticipated that any effects would be of equivalent magnitude to the proposals assessed in the ES.
HE.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	No response from SZC Co. is required.
Sizewell Link Road (SLR)		
HE.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	<p>The Applicant has prepared the following image in Plate 17.1 (from the Ancient Woodland Inventory) to identify the three veteran trees identified within the Sizewell link road site. Two of these, 48978 and 48807 are located within the vegetation removal zone shown in Figures 6.2.9 to 6.2.12 of the ES Addendum [AS-198] and so will be removed. The third veteran tree, 48980, will be retained.</p> <p>Plate Error! No text of specified style in document..1 Location of three veteran trees identified within the Sizewell link road site</p>

ExQ1	Question to:	Question:
		
HE.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	<p>The trees to be removed are shown on the vegetation removal plans. For Sizewell link road these are included at Figures 6.2.9 to 6.2.12 of the ES Addendum [AS-198].</p> <p>When any tree is to be retained, the measures defined in Part C of the Code of Construction Practice (CoCP) (Doc Ref. 8.11(B)) would be employed to protect the tree, as follows:</p> <p><i>"Trees within or adjacent to the site boundary, which are to be retained, will be protected in line with the recommendations in BS 5837: Trees in relation to design, demolition and construction – Recommendations.</i></p> <p><i>The following measures will be implemented, as appropriate [edited for relevance]:</i></p> <ul style="list-style-type: none"> • <i>provision of appropriate protective fencing to reduce the risks associated with vehicles trafficking over root systems or beneath canopies;</i> • <i>measures to prevent compaction of soils;</i> • <i>maintenance of vegetation buffer strips, where practicable;</i> • <i>standard guidance for working within root protection zones including procedures to follow in the event that significant roots are uncovered during work".</i>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>There are currently no measures in the CoCP specifically for retained veteran trees. Natural England's standing advice is that a buffer zone around an ancient or veteran tree should be at least 15 times larger than the diameter of the tree. The buffer zone should be 5m from the edge of the tree's canopy if that area is larger than 15 times the tree's diameter.</p> <p>SZC Co. commits to reviewing the location of all retained veteran trees in close proximity to the associated development sites and determining whether Natural England's standing advice can be included with an updated version of the CoCP to further protected these trees.</p>
HE.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	No response from SZC Co. is required.
HE.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	<p>Further intrusive archaeological fieldwork has been undertaken on the Sizewell link road as shown on Figure 17.2 of this chapter. As of 28 April 2021, 54% (54.8ha) of the site had been subject to intrusive investigation and 44% (44.5ha) of the site had been subject to magnetometry survey, with 64.5% (65.1ha) of the site has been investigated by at least one of these techniques.</p> <p>Where further intrusive surveys have been undertaken subsequent to the application, these have identified effects that would be equivalent to or lesser than those predicted in Volume 6, Chapter 9 (Terrestrial Historic Environment) [APP-467] of the ES, that in the absence of mitigation, effects would be significant and adverse, but could be appropriately mitigated through an agreed programme of investigation.</p>
HE.1.28	The Applicant	<p>Archaeological and Historical Background - Theberton Hall and Theberton House</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<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>
HE.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>
		<p>Response</p> <p>No response from SZC Co. is required.</p>
HE.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>
		<p>Response</p> <p>The characterisation of the duration of noise effects at Volume 6, Chapter 9, paragraph 9.4.62 [APP-467] (Terrestrial Historic Environment) of the ES should read 'long-term' rather than 'short-term', referring to the total duration in which these additional noise events may be experienced.</p>

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

ExQ1	Question to:	Question:
HE.1.31	ESC, SCCAS, Historic England	<p>Historic Landscape Character - Construction</p> <p>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])?</p>
	Response	No response from SZC Co. is required.
HE.1.32	ESC	<p>Historic Road Pattern – Yoxford to Leiston</p> <p>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]).</p>
	Response	No response from SZC Co. is required.
HE.1.33	The Applicant and ESC	<p>Moat Farmhouse (LB 1228246)</p> <p>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?</p> <p>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.</p>
	Response	<p>Pre-18th century enclosure, as identified north of Moat Farm, has been characterised across various parts of the Sizewell link road study area and indeed other parts of Suffolk. These fields preserve the legibility of some of the oldest surviving farming landscapes in the county and therefore have heritage significance, but they are neither rare, either in Suffolk or nationally, nor unchanged, having experienced varying degrees of alteration over the 19th and 20th centuries.</p> <p>The assessment of low heritage significance is drawn primarily from the survival of a coherent, albeit altered, pre-18th century field boundaries and wooded copses and acknowledges that these field systems have significance as heritage assets within a locally important historic landscape.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>The proposed development would traverse this pre-18th century landscape in the area around Moat Farm and Anneson's Corner and would involve the removal of sections of historic hedgerows. Direct impacts to copses would be largely avoided. This would reduce the legibility of the form and character of these fields, but would not prevent that character and historic development from being read.</p> <p>The form of the proposed development, however, being sinuous with long, shallow curves would reduce the impact to the landscape as a whole, and while individual fields would be affected, the legibility of this pre-18th century enclosed landscape would still remain. The assessment of a medium magnitude of change remains valid.</p>
HE.1.34	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 SLR? If necessary, how do you consider such measures should be secured?</p>
	Response	No response from SZC Co. is required.
HE.1.35	ESC, SCCAS, Historic England	<p>Outline Landscape and Ecological Management Plan (oLEMP)</p> <p>Would the proposed landscape measures within the oLEMP [AS-264] minimise impacts on cultural heritage resources? If not, please detail why.</p>
	Response	No response from SZC Co. is required.
Freight Management Facility (FMF)		
HE.1.36	The Applicant	<p>Site Size</p> <p>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	The correct site size is 11 hectares, as set out at Volume 8, Chapter 2 paragraph 2.2.1 of the ES (Description of the Freight Management Facility) [APP-511].
HE.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>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	No response from SZC Co. is required.
HE.1.38	ESC, SCCAS Historic England	Historic Landscape Character - Operation 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])?
	Response	No response from SZC Co. is required.
HE.1.39	ESC, SCCAS, Historic England	Effect on Setting of Heritage Effects - Operation 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])?
	Response	No response from SZC Co. is required.
HE.1.40	ESC, SCCAS, Historic England	Secondary Mitigation Measures 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	No response from SZC Co. is required.
HE.1.41	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 FMF? If necessary, how do you consider such measures should be secured?
	Response	No response from SZC Co. is required.
Southern Park and Ride (SPR)		

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
HE.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	No response from SZC Co. is required.
HE.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	No response from SZC Co. is required.
HE.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	No response from SZC Co. is required.
Marine Historic Environment		
HE.1.45	The Applicant	<p>Figures 23.1.-23.3 - Update</p> <p>Please can Figures 23.-23.3 [APP-336] be updated to reflect Change 2.</p>
	Response	These have been updated to reflect Change 2 and are provided in Figures 17.3-17.5 in this chapter (and are an update of Volume 2, Chapter 23, Figures 23.1-23.3 of the ES , respectively (Marine Historic Environment) [APP-336]).
HE.1.46	ESC, SCCAS, Historic England	<p>Enhancement of the Permanent BLF and Construction of Temporary BLF (Change 2)</p> <p>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	No response from SZC Co. is required.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
HE.1.47	The Applicant	<p>Enhancement of the Permanent BLF and Construction of Temporary BLF (Change 2) – Wreck Sites</p> <p>Please confirm the distance of both the permanent BLF and temporary BLF sites from wreck sites MSF20289 and MSF11344?</p>
	Response	MSF20289 is 990m from the permanent BLF and 595m from the temporary BLF. MSF11344 is 960m from the permanent BLF and 690m from the temporary BLF.
Two Village Bypass (TVB)		
HE.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	No response from SZC Co. is required.
HE.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	The change in the order limits and configuration of the Two Villages Bypass in the Accepted Changes are very limited and, as such, it is not considered that effects would be materially different from those assessed in Volume 5, Chapter 9, section 9.6 (Terrestrial Historic Environment) of the ES [APP-432] with regards to the disturbance of archaeological remains and change to setting of heritage assets.
HE.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	No response from SZC Co. is required.
Northern Park and Ride (NPR)		
HE.1.51	ESC, SCCAS, Historic England	Oak Hall (LB 1030664) – Operational Effect on Setting

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		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	No response from SZC Co. is required.
HE.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	No response from SZC Co. is required.
HE.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	No response from SZC Co. is required.
Rail		
HE.1.54	The Applicant	Post-Medieval and Modern – Heritage Significance What is the level of heritage significance for archaeological interest for post-modern and medieval periods within the study area?
	Response	As noted at Volume 9, Chapter 9, paragraph 9.4.36 (Terrestrial Historic Environment) of the ES [APP-560], the principal heritage assets of this date are remains of agricultural activity (e.g. marl pits and hedgerows) that are of limited value individually but are assessed at paragraph 9.4.23 [APP-560], as components of a historic landscape of low heritage significance. Other potential remains of this date are identified as possible elements of WWII defensive structures associated with the anti-invasion defences of the Suffolk coast or defences of the former RAF Leiston. In the absence of any above-ground survival of structures, any such remains are likely to be of at most low significance.
HE.1.55	The Applicant	Change to the Setting of Archaeological Heritage Assets – Abbey Complex

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>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.</p>
	Response	<p>As noted at Volume 9, Chapter 9, paragraph 9.6.15 (Terrestrial Historic Environment) of the ES [APP-560], the loss of historic interest resulting from the perception of construction works would result in an effect on the Abbey ruins that would, in the absence of mitigation, be considered moderate adverse and significant (SM 1014520 / LB 1215753), but (as per paragraph 9.1.16 [APP-560]) would not present any discernible loss of historic interest to other structures within the asset group.</p>
HE.1.56	The Applicant	<p>Increased Frequency of Freight Train Movements (Change 1) – Abbey Ruins</p> <p>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.</p>
	Response	<p>As set out in the ES Addendum, Volume 1, Chapter 9 [AS-188], additional assessment of the noise and vibration effects of the proposed additional rail movements was undertaken, rather than assessment of the effects of the change on the historic environment. This assessment noted no change to airborne noise (paragraph 9.3.122) and slight reductions in ground-borne noise (paragraph 9.3.123) deriving from more accurate baseline data rather than the change to development proposals. It is considered that the increase in the number and frequency of rail movements would remain characterised as intermittent and infrequent. This change would not give rise to an increased magnitude of adverse effect as a result of change to the setting of Leiston Abbey, which was assessed at Volume 9, Chapter 9, paragraph 9.6.36 (Terrestrial Historic Environment) of the ES [APP-560], as a significant adverse effect in the absence of mitigation.</p>
HE.1.57	ESC, SCCAS, Historic England, English Heritage, Pro Corda Trust/Leiston Abbey	<p>Mitigation</p> <p>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?</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	No response from SZC Co. is required.
Yoxford Roundabout and Other Highway Improvements (YROHI)		
HE.1.58	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 YROHI? If necessary, how do you consider such measures should be secured?
	Response	No response from SZC Co. is required.
Chapter 18 - LI.1 Landscape impact, visual effects and design		
General		
LI.1.0	The Applicant	Design Approach 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. 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.
	Response	Please refer to Appendix 18A of the written responses.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
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> <p>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</p> <p>A 'design review panel' to provide a 'critical friend' role. Such a role would provide comment on the development of sustainable design proposals</p> <p>The production of an approved 'design code' or 'design approach document' which would establish the approach to delivering the detailed design specifications to ensure 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>
	Response	Please refer to Appendix 18B of the written responses.
LI.1.2	ESC, SCC, Historic England, Natural England, Suffolk Coast & Heaths AONB Partnership, Parish and Town Councils, Together Against Sizewell C, Stop Sizewell C	<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>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	<p>Response</p>	<p>SZC Co. has given substantial weight to the conservation of the natural beauty of the landscape and countryside in the Suffolk Coast and Heaths AONB in accordance with paragraphs 5.9.9 and 5.9.12 of the NPS EN-1⁸. SZC Co. has:</p> <ul style="list-style-type: none"> • Consulted the Suffolk Coast and Heaths AONB (in its role as a consultee on the landscape and visual impact assessment, along with East Suffolk Council, Suffolk County Council and Natural England) on the approach to assessing the landscape and visual effects, and effects on the agreed natural beauty and special qualities of the AONB. • Engaged with the Suffolk Coast and Heaths AONB on matters related to the design of the proposed development, including the estate-wide landscape masterplan, design of the turbine halls and other embedded mitigation. • Sought to avoid or mitigate adverse impacts on the natural beauty and special qualities of the AONB wherever practicable through the design of the proposed development (see below for more details). • Assessed and documented the potential impacts of the proposed development on the natural beauty and special qualities of the AONB. This is set out in Tables 13.14 and 13.17 within Volume 2, Chapter 13 of the ES [APP-216], and updated by the ES Addendum in Volume 1, Chapter 2 [AS-181] and Volume 3, Appendix 2.8.A [AS-206]. • Agreed an appropriately defined fund in the Draft Deed of Obligation (Doc Ref. 8.17(C)) to mitigate the residual landscape and visual effects of the proposed development on the AONB and its setting, and the wider landscape beyond the area designated. <p>Measures to avoid or mitigate adverse impacts of development within the main development site on the natural beauty and special qualities of the AONB include:</p> <ul style="list-style-type: none"> • A considered site selection process, as set out in Section 3 of the Site Selection report, Appendix A of the Planning Statement [APP-591].

⁸ DECC (2011) Overarching National Policy Statement (NPS) for Energy (NPS EN-1) https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/47854/1938-overarching-nps-for-energy-en1.pdf [Accessed May 2021]

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> Reducing as much as reasonably practicable the extent of physical disturbance to the landscape and the visual prominence of development within and in the setting of the AONB, as set out in Paragraphs 13.5.9 and 13.5.12 in Volume 2, Chapter 13 of the ES [APP-216]. This includes lighting, which is controlled through the Lighting Management Plan included in Volume 2, Appendix 2B of the ES [APP-182]. <p>SZC Co. recognises that an AONB can also be affected by non-visual factors, such as noise. A Tranquillity Assessment, which considers the effect that noise associated with construction work on the main development site would have on the tranquillity of the surrounding area (including the AONB) has been undertaken and is set out at Volume 2, Appendix 15E of the ES [APP-270].</p> <p>SZC Co. is not proposing development within the AONB beyond the main development site. There would also be no views of that proposed development from within the AONB and, therefore, no potential for visual effects on the AONB. This is shown by the Zones of Visual Influence in Figure 6.4 of Chapter 6 of Volumes 3 to 9 of the ES relating to the associated development sites [APP-362], [APP-392], [APP-423], [APP-459], [APP-492], [APP-522], [APP-553].</p> <p>Tranquillity Assessments have also been undertaken for the two village bypass and Sizewell link road, which identify that the AONB is too distant from the proposed roads to have any material effect on tranquillity through increased noise levels, provided in Appendix 8A in Volumes 5 and 6 of the ES [APP-430 and APP-465].</p> <p>SZC Co. has sought to minimise and mitigate effects on the natural beauty and special qualities of the AONB through an extensive iterative assessment and design process. Indeed, to ensure that a comprehensive assessment and design process would be possible, SZC Co. worked with the Suffolk Coast and Heaths AONB Partnership, Suffolk County Council and East Suffolk Council to identify and agree the AONB's natural beauty and special qualities. The final and agreed version of the Suffolk Coast and Heaths AONB Natural Beauty and Special Qualities Indicators document is presented at Volume 2, Appendix 13C of the ES [APP-217].</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</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>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>
	<p>Response</p>	<p>The final and agreed version of the Suffolk Coast and Heaths AONB Natural Beauty and Special Qualities Indicators document (Volume 2, Appendix 13C of the ES [APP-217]) includes characteristics of coastal and offshore areas with reference to the Seascape Character Assessment and comments from LVIA consultees, as requested by LVIA consultees and recorded in the LVIA Consultation Report (Volume 2, Appendix 13H of the ES [APP-217]).</p> <p>The purposes of the Heritage Coast definition are presented in paragraph 13.6.151 in Volume 2, Chapter 13 (Landscape and Visual) of the ES [APP-216].</p> <p>The main development site LVIA in Volume 2, Chapter 13 (Landscape and Visual) of the ES [APP-216] presents an assessment of the effects on the Suffolk Heritage Coast during construction and operation separately to the assessment of effects on the Suffolk Coast and Heaths AONB. Construction phase effects on the Suffolk Heritage Coast are presented in paragraphs 13.6.152-13.6.159. Operation phase effects on the Suffolk Heritage Coast are presented in paragraphs 13.6.322-13.6.326.</p> <p>SZC Co. considers that the approach taken to the assessment of effects on the Suffolk Coast and Heaths AONB and Suffolk Heritage Coast is appropriate and not misleading.</p>
<p>LI.1.4</p>	<p>ESC, SCC, Natural England and AONB Partnership</p>	<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>
	<p>Response</p>	<p>No response from SZC Co. is required.</p>
<p>LI.1.5</p>	<p>ESC, SCC, Natural England and AONB Partnership</p>	<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>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	No response from SZC Co. is required.
LI.1.6	<p data-bbox="315 320 517 352">The Applicant</p> <p data-bbox="315 491 472 523">Response</p>	<p data-bbox="768 320 1576 352">Landscape and Visual Impact Assessment (LVIA)</p> <p data-bbox="768 363 2092 467">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> <p data-bbox="768 491 2092 986">The landscape and visual impact assessment of the main development site (Volume 2, Chapter 13 (Landscape and Visual) of the ES [APP-216]) and associated developments (Volume 3, Chapter 6 [APP-360], Volume 4, Chapter 6 [APP-390], Volume 5, Chapter 6 [APP-421], Volume 6, Chapter 6 [APP-457], Volume 7, Chapter 6 [APP-490], Volume 8, Chapter 6 [APP-520], and Volume 9, Chapter 6 [APP-551]) assesses the effects on visual receptors as part of visual receptor groups that are discrete geographic areas based on broadly similar characteristics (such as topography and land cover) and predicted visibility of the proposed development. Receptor groups can include visual receptors using public rights of way, areas of open access land and other publicly accessible areas, for example close to residences. The sequential nature of views along specific public rights of way has not been assessed overtly in all cases, but consideration has been given to the changing nature of views within the receptor groups where appropriate, for example where views changed with distance from the site or due to notable areas of vegetation or built development.</p> <p data-bbox="768 1002 2092 1321">Visual receptors using key transport and recreational routes (such as the Suffolk Coast Path and Sandlings Walk) are assessed separately, and the changing nature of visual effects on receptors using these routes is described in the assessment of effects to come to a judgement of the magnitude and significance of effects on visual receptors for discreet route sections. The text describes how views would change between each section of the route and when travelling in different directions. With reference to agreed Representative Viewpoints along the coastline, and visualisations, the changing nature of sequential views during the construction and operation phases is included in the main development site landscape and visual impact assessment.</p> <p data-bbox="768 1337 2092 1431">Representative viewpoint photographs at the main development site included in Volume 2, Chapter 13 Figures 13.9.01 to 13.9.32 of the ES [APP-221] and illustrative viewpoint photographs (Volume 2, Chapter 13, Appendix 13A of the ES [APP-217])</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>illustrate the character of existing views towards the main development site, including from rights of way and recreational routes.</p> <p>Representative viewpoint photographs and illustrative viewpoint photographs in each of the associated development site landscape and visual impact assessment illustrate the character of existing views towards the sites, including from rights of way and recreational routes. These can be found at the following locations:</p> <ul style="list-style-type: none"> • Northern park and ride – Figures to Volume 3, Chapter 6 [APP-362] and Volume 3, Appendix 6A [APP-361]. • Southern park and ride – Figures to Volume 4, Chapter 6 [APP-392] and Volume 4, Appendix 6A [APP-391]. • Two village bypass – Figures to Volume 5, Chapter 6 [APP-423] and Volume 5, Appendix 6A [APP-422]. • Sizewell link road – Figures to Volume 6, Chapter 6 [APP-459] and Volume 6, Appendix 6A [APP-458]. • Yoxford roundabout – Figures to Volume 7, Chapter 6 [APP-492] and Volume 7, Appendix 6A [APP-491]. • Freight management facility– Figures to Volume 8, Chapter 6 [APP-522] and Volume 8, Appendix 6A [APP-521]. • Rail – Figures to Volume 9, Chapter 6 [APP-553] and Volume 9, Appendix 6A [APP-552].
LI.1.7	SCC	<p>Mitigation and Offsetting</p> <p>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.</p>
	Response	No response from SZC Co. is required.
LI.1.8	The Applicant	<p>Outline Landscape and Ecological Management Plans – Ecological Steering Group</p> <p>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</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>why not? How are management measures within the two additional LEMPs to be advised upon?</p>
	<p>Response</p>	<p>SZC Co. propose that East Suffolk Council, Suffolk County Council and Natural England form part of the Ecology Working Group. The Ecology Working Group shall comprise:</p> <ul style="list-style-type: none"> • one ecologist to be nominated by the East Suffolk Council; • one ecologist to be nominated by Suffolk County Council; • one ecologist to be nominated by Natural England; • or such alternates as may be nominated by those representatives from time to time as agreed by the members of the Ecology Working Group. <p>The Ecology Working Group shall also encourage participation at its meetings by representatives of the Royal Society for the Protection of Birds and Suffolk Wildlife Trust from time to time.</p> <p>SZC Co. do not propose to establish a further steering group for each LEMP, the establishment and aftercare works will be carried out by an approved landscape sub-contractor in accordance with good horticultural practice and the relevant British standards at the time of implementation. Management and mitigation measures will be reported to the same Ecology Working Group as the main development site OLEMP. This will be reflected in the submission of the updated draft DCO at Deadline 3.</p>
<p>LI.1.9</p>	<p>The Applicant</p>	<p>Associated Development Design Principles Please confirm how the Associated Development Design Principles are to be secured in the DCO?</p>
	<p>Response</p>	<p>Requirement 20, Schedule 2 of the Draft DCO (Doc Ref 3.1(C)) restricts commencement of Work No. 9 (northern park and ride), Work No. 10 (southern park and ride) and Work No. 13 (freight management facility) until a Statement of Compliance has been submitted to and approved by ESC. This Statement of Compliance is required to demonstrate compliance with the Associated Development Design Principles (Doc Ref. 8.3(A)) and how those principles have been incorporated into the design proposals.</p> <p>Requirement 22 then secures the Associated Development Design Principles (Doc Ref. 8.3(A)) in the same way for the highway works, comprising Work Nos. 10(b) (highway works related to southern park and ride), 11 (two village bypass), 12 (Sizewell link road),</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		13(f) (highway works related to freight management facility), 14, 15, 16 and 17 (Yoxford roundabout and other highway improvements).
LI.1.10	The Applicant	<p>Associated Development Design Principles – Gas Mitigation Measures</p> <p>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].</p>
	Response	<p>No gas testing has been carried out on any of the sites yet. Therefore, testing has been included in the ground investigation specification for each site.</p> <p>If ground gas is present, the mitigation measures that could be deployed are dependent on the building construction and foundations, which has not been considered in detail as yet. The two basic methods of dealing with ground gas are to allow ventilation below the building by way of an air gap or venting layer, or to seal the building by way of a gas impermeable membrane. Utility connections into buildings can provide pathways for gas, so need to be designed or placed to prevent creating a pathway into the building.</p>
LI.1.11	The Applicant	<p>Sizewell B Infall and Outfall Structures</p> <p>Please confirm the distance of the Sizewell B infall and outfall structures from MHWM.</p>
	Response	The distance of the Sizewell B Inlet structure from Mean High Water Mark is 715m and the distance of the Sizewell B Outfall structure from MHWM is 239m.
LI.1.12	SCC	<p>Detailed Design</p> <p>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?</p>
	Response	No response from SZC Co. is required.
Main Development Site (MDS)		
LI.1.13	The Applicant	<p>Landscape and Visual Impact Assessment (LVIA)</p> <p>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.</p>
	Response	Noise and vibration do not form part of the agreed landscape and visual impact assessment methodology and are not material to the judgements presented in the main

ExQ1	Question to:	Question:
		<p>development site landscape and visual impact assessment (Volume 2, Chapter 13 (Landscape and Visual) of the ES [APP-216]) and landscape and visual impact assessment for the associated developments (Volume 3, Chapter 6 [APP-360], Volume 4, Chapter 6 [APP-390], Volume 5, Chapter 6 [APP-421], Volume 6, Chapter 6 [APP-457], Volume 7, Chapter 6 [APP-490], Volume 8, Chapter 6 [APP-520], and Volume 9, Chapter 6 [APP-551]).</p> <p>As indicated in section 1 of the Guidelines for Landscape and Visual Impact Assessment, 3rd edition⁹, noise is considered a topic area where there can be interrelationship of effects with landscape and visual effects.</p> <p>Noise is considered as part of the effects on amenity and recreation within the ES (Volume 2, Chapter 15 [APP-267], Volume 3, Chapter 8 [APP-366], Volume 4, Chapter 8 [APP-397], Volume 5, Chapter 8 [APP-429], Volume 6, Chapter 8 [APP-464], Volume 7, Chapter 8 [APP-497], Volume 8, Chapter 8 [APP-526], and Volume 9, Chapter 8 [APP-558]) which considers this in conjunction with other effects on amenity and recreation, as well as tranquillity.</p> <p>Inter-relationship effects are specifically covered in Volume 10, Chapter 2 (Inter-relationship effects) of the ES [APP-575].</p>
LI.1.14	The Applicant	<p>Proposed Landscape Masterplan</p> <p>Please confirm how the proposed Landscape Masterplan [AS-117] is to be secured?</p>
	Response	<p>The proposed Landscape Masterplan [AS-117] is provided for illustrative purposes. The landscape works will come forward through the submission of details for approval by East Suffolk Council and will be secured through Requirement 14 'Main development site: Landscape works' of the draft DCO (Doc Ref. 3.1(C)).</p>
LI.1.15	ESC, SCC, Natural England, AONB Partnership	<p>Outline Landscape and Ecological Management Plan (oLEMP)</p> <p>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</p>

⁹ Landscape Institute and Institute of Environmental Management and Assessment (2013). Guidelines for Landscape and Visual Impact Assessment, 3rd Edition.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>would enhance the landscape character of the Estate Sandlands LCT. Are you satisfied, once established, that the LCT would be enhanced?</p>
LI.1.16	<p>ESC, SCC, Natural England, AONB Partnership</p>	<p>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?</p>
LI.1.17	<p>The Applicant</p>	<p>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.</p>
	<p>Response</p>	<p>SZC Co. discussed and agreed the approach to planting trees within Pillbox Field with East Suffolk Council to discharge condition 12 of the 2019 Town and Country Planning Act consent (Planning reference DC/19/1673/FUL). Full details of the agreed landscape proposals are provided in the condition discharge documents submitted to the council which comprised a Landscape Management Plan (LMP) and Landscape Plan (drawing number SZC-RF0000-XX-000-DRW-100089), which are provided in Appendix 18.C of this chapter. The landscape proposals provided within these documents respond to the specific environmental conditions of Pillbox Field and are informed by the knowledge and understanding of the EDF Energy estate management team.</p> <p>A summary of the agreed approach to planting trees on light sandy soils is provided as follows:</p> <ul style="list-style-type: none"> • specification of species that are found within equivalent areas of the EDF Energy estate and surrounding hinterland;

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> • specification of younger stock (whips and transplants) which are able to adapt to the dry and sandy conditions and are known to have a higher survival rate at Sizewell; • deliberately dense planting to encourage quicker, taller growth and allow for a high degree of losses; tree and shrub guards only where required for specific species; • regular monitoring and management to ensure successful establishment of new planting, targeting 90-95% uptake.
LI.1.18	The Applicant	<p>Sizewell B Relocated Facilities - Planting</p> <p>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.</p>
	Response	<p>Design development within the Coronation Wood area has sought to minimise the landscape and visual effects of the proposed development through the mitigation measures identified in Volume 2, Chapter 13 (Landscape and Visual) of the ES [APP-216].</p> <p>As far as practicable the layout of the development area has sought to minimise the footprint of the built development and minimise the loss of existing vegetation. Blocks of existing woodland would be retained to the west and south of the car park and supplemented with additional planting at the edges of the development boundary along the Western Access Road where it would be most effective for screening. A boundary fence would also be provided along the western edge of the Western Access Road to screen views to vehicles from locations to the west and south.</p> <p>SZC Co. consider the planting proposals are appropriate in this location and no further planting is deemed necessary.</p>
LI.1.19	The Applicant	<p>Sizewell B Relocated Facilities – Coronation Wood</p> <p>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.</p>
	Response	<p>The landscape and visual effects of the Sizewell B relocated facilities are considered in Volume 1, Chapter 2 of the ES Addendum [AS-181]. Two options for the Sizewell B relocated facilities are identified, Option 1 and Option 2, both of which required the</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>removal of Coronation Wood. The felling of Coronation Wood was completed in January 2021 and resulted in the loss of 246 individual trees and 24 tree groups (346 trees in total), this was carried out under the permitted Sizewell B relocated facilities permission (DC/19/1637/FUL). Measures to mitigate the Sizewell B relocated facilities are identified in Volume 2, Chapter 13 (Landscape and Visual) of the ES [APP-216]. No additional mitigation has been identified within the ES Addendum to that embedded in the changed design.</p> <p>Option 1 would remove the Sizewell B outage car park from Pillbox Field so that the field would be used only for landscaping development and provide mitigation planting for Coronation Wood and ecological enhancements. The proposed planting scheme would provide approximately 6,000 new juvenile woodland trees including a mix of broadleaf and coniferous species. The majority of tree planting would be distributed along the eastern edge of the field where it would form an extension to the existing woodland habitat to the east.</p> <p>Option 2 provides an alternative scenario, where SZC Co. would require the Sizewell B outage car park to be located in Pillbox Field. The field would be reprofiled to screen views of the car park and supplemented by new woodland and boundary planting to provide additional screening and mitigate the loss of Coronation Wood. The proposed planting scheme would provide approximately 6,000 new juvenile woodland trees including a mix of broadleaf and coniferous species.</p> <p>SZC Co. considers the planting proposals for both options provides sufficient mitigation of the Sizewell B relocated facilities and the loss of Coronation Wood.</p>
LI.1.20	<p>The Applicant</p>	<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
	<p>Response</p>	<p>The maximum heights sought through the DCO for the Sizewell B buildings are as follows:</p> <ul style="list-style-type: none"> i) Outage Store – 29.6 Above Ordnance Datum (AOD) (building submitted in detail)

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		ii) Training Centre – Top of parapet 18.4m AOD and top of plant screen 19.5m AOD (building submitted in detail) iii) Visitor Centre – 18.6m AOD (building submitted in outline) iv) Administrative Building – 28.6m AOD (building submitted in outline)
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	<p>The proposed design of the main development site is substantially different to Hinkley Point C. The differences are a direct response to Sizewell C’s location within a nationally designated landscape. A table setting out a comparison between Hinkley Point C and the proposals at Sizewell C can be seen at Appendix 18D of this chapter.</p> <p>Whilst technical and functional replication are important for operation and safety (including Office for Nuclear Regulation (ONR) and General Design Assessment (GDA) requirements), and to manage build cost in line with Government targets, replication has not been applied in a blanket manner.</p> <p>Site plan</p> <p>The site layout is more compact than Hinkley Point C to minimise impact. The 33ha Sizewell C main development site design is 30% smaller by area than the Hinkley Point C main development site.</p> <p>Significance of context</p> <p>Landscape and architectural design has been informed following thorough analysis of the existing AONB landscape, and using key viewpoints within it to support modelling. Extensive use of 3D modelling, view analysis and option evaluation were used to determine optimum design responses. This work was more extensive than that done for Hinkley Point C in recognition of the unique character of the AONB.</p> <p>The ‘behaviour’ of the Sizewell C proposals in the landscape is considered an important design consideration respecting the behaviour of Sizewell A and Sizewell B reflecting a simplicity of profile and the screening of low level clutter at distance. This is reflected in three of the Overarching Design Principles (refer to Doc Ref. 8.1Ad2(A)):</p>

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> - 18: Sizewell C structures will complement the existing structures within the landscape, most notably Sizewell A and B, as far as reasonably practicable - which includes consideration of composition and hierarchy of built forms - 19: Design will be a planned composition with Sizewell A and B, balancing proportions and impacts across the sites, as far as reasonably practicable - 20: The power station will be a masterplanned composition as far as reasonably practicable, and not an unplanned series of individual buildings and structures <p>At a more specific level the design, form and detail of Sizewell B, which many consultees thought sat comfortably in its AONB context, have been a key influence on the architectural philosophy for the Sizewell C proposals and this is reflected in Overarching Design Principle making specific reference to Sizewell B.</p> <ul style="list-style-type: none"> - 21: Design will utilise techniques to reduce the perceived scale of buildings from a distance by manipulating the size and arrangement of visible components and façade detail, subject to operational requirements. <p>Assessment of the visibility of Sizewell C structures, and the extent to which they may be screened by existing and proposed landscape features was a key part of the design development process. Inland, the surrounding land form and existing landscape screens long distance views from many directions. Along the coastline the extent of visibility has informed the design approach especially in relation to screening of low level buildings through existing and proposed landscape features but also the behaviour of the main buildings when viewed a varying distances.</p> <p>Major structures</p> <p>The landscape and visual impact assessment highlighted the importance of longer distance views along the coast, especially from the north, and closer views of the site from the coastal path. In these views the turbine halls are the most prominent elements: Sizewell C's equivalent to the Sizewell B dome. Taken together with the Operations Services Centre (OSC), they have a major role in defining the appearance and character of the Sizewell C main development site.</p> <p>The Sizewell C turbine halls are a substantial redesign of the Hinkley Point C facilities. The overall form is simplified, removing the large scale dark grey clad 'frame', provides a more restrained approach to cladding design and proposes the removal of the large glazed elevation of the original HPC design which has been subsequently altered having secured</p>

ExQ1	Question to:	Question:
		<p>this change at Sizewell C to provide a simpler form that follows the pattern of the Sizewell B. The Sizewell C turbine halls have their own unique cladding, designed in response the location and conditions of the AONB site (refer to section 7:B Conventional Island (pg.116-129) of the Design and Access Statement [APP-586] avoiding the 'striped' cladding patterns at Hinkley Point C which seek to extend the striations of the coastal rock shelf the power station overlooks.</p> <p>The Sizewell C OSC is also a substantial redesign of the Hinkley Point C facility. It incorporates additional functions alongside a reduction in overall height and an external appearance specific to the AONB site (refer to section 7:C Operations (pg.130-139) of the Design and Access Statement [APP-586]).</p> <p>Concrete structures</p> <p>The concrete structures of the nuclear island are set back from the coast behind the turbine halls. They are most clearly seen in longer distance views from the north. These are safety critical structures and their design, including the exposed concrete form, is fixed by the GDA for this type of nuclear plant. Through discussion with the Local Planning Authorities and other consultees the Sizewell C design team were asked to explore other options with the ONR and EDF Energy experts in the use of concrete. Options explored included adding cladding to the structure and pigments to the concrete. The conclusion was that it is not feasible to amend the external appearance of these nuclear safety structures. The purpose of the external concrete is to protect the plant, as it would be necessary to inspect the concrete on a regular basis to ensure its integrity is maintained and they must replicate the Hinkley Point C structures.</p> <p>Secondary structures</p> <p>The smaller ancillary buildings throughout the site will have a consistent, recessive and simple appearance. This is a similar strategy to Sizewell B and contrasts with the more expressive cladding of the equivalent buildings at Hinkley Point C which was not considered to be appropriate.</p> <p>The proposed sea defences have been designed to replicate the dune features that already characterise the sea defences at Sizewell B, and establish a screening height that screens lower lying structures from the coastal views This dune feature contributes to the replication of a relatively simple, enigmatic and scale-less appearance similar to Sizewell B contributing to reducing the effect on local views in the AONB.</p>

ExQ1	Question to:	Question:
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	<p>A suite of operational phase daytime photowire and photomontage visualisations and night-time photomontages have been provided in the DCO submission. Daytime parameters based construction phase photowire visualisations, from six representative viewpoint locations, were also submitted as figures appended to the main development site landscape and visual impact assessment (Volume 2, Chapter 13 of the ES [APP-222] and [APP-223]).</p> <p>The approach to the production of construction and operation phase visualisations presented in the Sizewell C main development site landscape and visual impact assessment was agreed by consultees including the Suffolk Coast & Heaths AONB. Details of consultation are presented in Volume 2, Appendix 13H of the ES [APP-217].</p> <p>In response to comments from the Suffolk Coast and Heaths AONB [RR-1170], SZC Co. has undertaken a review of the visual material provided for the Wylfa Newydd Project DCO.</p> <p>Appendix D10-8 of the Wylfa Newydd Project DCO Environmental Statement presents 26 no. photomontage views of the power station during operation. No construction phase visualisations were prepared for the Environmental Statement.</p> <p>Illustrative construction phase visualisations were prepared and submitted for examination Deadline 6 to address comments received from the Isle of Anglesey County Council (IACC) through the statement of common ground process as well as in IACC's Local Impact Report and responses to the Examining Authority's First Round of Written Questions. Wylfa Newydd Project, Illustrative Construction Visualisations document, 19 February 2019 (PINS Reference Number EN010007) records that the visualisations prepared illustrate <i>'...an indication of how the Wylfa Newydd Development Area may appear during Main Construction of the Power Station'</i>.</p> <p>The report adds:</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p><i>"As the positions of plant, cranes, temporary buildings and structures will vary throughout the period, the illustrative visualisations can only be indicative; however, maximum parameter envelopes have been used to indicate worst case envelopes within which key construction activities could be visible, as well as views of tall plant seen above parameter envelopes such as cranes".</i></p> <p>The limitations of the visual material submitted are acknowledged as follows:</p> <p><i>"It should also be noted that the illustrative construction visualisations are indicative only and intended to illustrate examples of typical cranes, plant and other main construction features likely to be present during Main Construction. The illustrative construction visualisations are provided for information only."</i></p> <p>The Wylfa Newydd Project visualisations differ to the SZC Co. construction phase visualisations. The SZC Co. visualisations illustrate the 'normal' and 'exceptional' height parameters to the heights specified in the Description of Construction (refer to Volume 3, Appendix 2.2.B of the ES Addendum (Doc Ref. 6.14(A) for the latest version) and not the actual plant and buildings that would fall within these parameters, as illustrated in the Wylfa visualisations.</p> <p>Acknowledging the limitations identified in the Wylfa construction phase visualisations, and provision of parameters based construction phase visualisations in the DCO application, SZC Co. does not consider that preparation of additional construction phase visualisations is necessary to illustrate effects and inform judgements.</p> <p>SZC Co. has undertaken day time and night time photography of the Hinkley Point C construction site (at or near peak construction activity) to act as suitable proxy to illustrate the visual characteristics of activity and plant that can reasonably be expected to be seen at the Sizewell C main development site during day time and night time conditions at a similar point in the construction phasing from locations at various distances from the construction site and representing the approximate peak of construction activity - the worst case.</p> <p>The photographs were presented to Suffolk County Council, East Suffolk Council and the Suffolk Coast and Heaths AONB on 26 March 2021, followed by the circulation of the Hinkley Point C Construction Visuals report on 09 April 2021. The presentation was well received and reported by meeting attendees as helpful to informing their understanding of construction phase effects, including at night. This report can be seen at Appendix 18E of this chapter and should be read alongside the parameters based construction phase</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		visualisations to assist the Examining Authority in its understanding of the visual effects arising from the construction phase at Sizewell C, including at night.
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? Are you satisfied in respect of operational visualisations?</p>
	Response	No response from SZC Co. is required.
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	<p>Operational phase photowire visualisations illustrating the proposed development incorporating the proposed changes at year 1 and year 15 have been prepared for the following representative viewpoints:</p> <ul style="list-style-type: none"> • Viewpoint 10: Suffolk Coast Path and Sandlings Walk east of Hill Wood (Please refer to Figures 18.8, 18.9 and 18.10 of the written responses). • Viewpoint 26: 1800m directly east of Sizewell power stations (Please refer to Figures 18.13, 18.14 and 18.15 of the written responses).

ExQ1	Question to:	Question:
		<p>SZC Co. has undertaken modelling of the proposed changes for all of the representative viewpoints listed in question LI.1.24 of this chapter and identified where the proposed changes would appear in the view illustrated.</p> <p>The proposed changes are visible from the following representative viewpoints (for which figures are provided)</p> <ul style="list-style-type: none"> • From representative viewpoint 5: Footpath south of Leiston Abbey the reduction in the height of pylon P5 is visible (Please refer to Figure 18.2). • From representative viewpoint 6: Suffolk Coast Path east of Goose Hill, the change to coastal defence is visible (Please refer to Figure 18.3). • From representative viewpoint 8: Footpath north of Leiston Abbey the reduction in the height of pylon P5 is visible, along with the movement of pylon parameter P3 southwards (Please refer to Figure 18.4). • From representative viewpoint 9: Sizewell Gap south of Greater Gabbard sub-station the reduction in the height of pylon P5 is visible, along with the movement of pylon parameter P3 southwards (Please refer to Figures 18.5, 18.6 and 18.7). • From representative viewpoint 14: Suffolk Coast Path at Minsmere Sluice the changes to the permanent beach landing facility and coastal defences are visible. Pylon P5 is no longer visible as a result of its reduction in height. (Please refer to Figure 18.11). • From representative Viewpoint 17: National Trust Dunwich Coastguard Cottages car park the changes to the permanent beach landing facility and coastal defences are visible. Pylon P5 is no longer visible as a result of its reduction in height. (Please refer to Figure 18.12). <p>A key providing details of the Operational Phase Parameters illustrated in the above figures is presented at Figure 18.1 of the written responses.</p>
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

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

ExQ1	Question to:	Question:
	Response	<ul style="list-style-type: none">• 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• Viewpoint 26: 1800m directly east of Sizewell power stations <p>As noted in the response to question LI.1.22 of this chapter, SZC Co. has undertaken day time and night time photography of the Hinkley Point C construction site (at or near peak construction activity) to act as suitable proxy to illustrate the visual characteristics of activity and plant that can reasonably be expected to be seen at the Sizewell C main development site during day time and night time conditions at a similar point in the construction phasing from locations at various distances from the construction site.</p> <p>The photographs were presented to Suffolk County Council, East Suffolk Council and the Suffolk Coast and Heaths AONB on 26 March 2021, followed by the circulation of the Hinkley Point C Construction Visuals report on 09 April 2021, provided in Appendix 18E of this chapter. In the analysis presented for each of the photographs of Hinkley Point C, the report highlights which of the Sizewell C Representative Viewpoints are located at a similar distance from the nearest reactor dome (i.e. +/- 0.5km) which are fixed elements common to the Hinkley Point C and Sizewell C proposals.</p> <p>All of the Representative Viewpoints listed by the Examining Authority in question LI.1.25 of this chapter, with the exception of Representative Viewpoint 6: Suffolk Coast Path East of Goose Hill, are located +/- 0.5km from a Hinkley Point C viewpoint that is assessed in the report.</p> <p>Representative Viewpoint 6 is 0.5km from the nearest reactor dome and the closest equivalent Hinkley Point C viewpoint location is VP15: PRoW No. WL 23/61 (1.3km from the nearest reactor dome).</p> <p>This Hinkley Point C Construction Visuals report can be seen at Appendix 18E of this chapter and should be read alongside the parameters based construction phase visualisations to assist the Examining Authority in its understanding of the visual effects arising from the construction phase at Sizewell C, including at night.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
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	<p>The assessment of night time effects arising from the construction and operation of Sizewell C is presented in Appendix 13B of the main development site landscape and visual impact assessment, Volume 2, Chapter 13 [APP-218] and [APP-219]. The night time appraisal includes an assessment of the effects of artificial lighting on the natural beauty and special quality indicators of the Suffolk Coast and Heaths AONB that relate to its character and qualities at night.</p> <p>SZC Co. does not consider it is necessary to amend the night-time assessment.</p>
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	<p>No response from SZC Co. is required.</p>
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	<p>The building numbering on Figure 2.2, Volume 2, Chapter 2 of the ES [APP-183] is based on the engineering site layout and consistent with the responsible designers referencing of the buildings proposed. However, due to the evolution of the design over time buildings/structure were inserted into the layout at various times and the referencing did not always following a consistent numeric order for buildings/structure in a certain group.</p> <p>Within the Main Site Development Design and Access Statement [APP-586], the architect took the approach that numbering the buildings in sequence within each of their specified sub groups was presentationally a better approach.</p>

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

ExQ1	Question to:	Question:
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	<p>The Design and Access Statement [APP-586] describes the plinth material as Glass Fibre reinforced concrete (GFRC) or similar approved finish, refer to page 126 of the Design and Access Statement [APP-586].</p> <p>The finish and appearance of the plinth at SZC is anticipated to be similar to the apron of SZC Co's architect Terminal 2B (T2B) building at Heathrow airport; photographs of this can be seen in Figure 18.16. The T2B apron is constructed of precast concrete panels formed of a special mix of dark crushed stone aggregate and grey cement. Images and a description of this can be found on Evans Concrete website¹⁰.</p> <p>The plinth for Sizewell C could equally be formed of GFRC which would provide a very similar robust surface finish and texture to the examples provided of T2B.</p>
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	<p>SZC Co. recognise the point raised regarding consideration of a more innovative design and are discussing the matter with the project engineers and architects. Whilst the building (Building no. 30 plan ref Design and Access Statement section 7.20.2 – 3) [APP-586] should generally retain the 'lower tier' character and finishes described in the Design and Access Statement and in line with Detailed Built Design Principles 58, 59 and 60 in the Design and Access Statement, consideration is being given to whether a more agreeable design can be achieved.</p>
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</p>

¹⁰ Evans Concrete (2010) Heathrow Terminal 2B Case Study (Online) <https://evansconcrete.co.uk/case-study/heathrow-terminal-2b/> [Accessed May 2021]

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

ExQ1	Question to:	Question:
	Response	<p>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> <p>SZC Co. believes that the OSC design represents an entirely appropriate balance between consideration of the AONB and the building users.</p> <p>AONB</p> <p>Consultation with the AONB, Natural England, Suffolk County Council and East Suffolk Council clearly emphasised the important 'wilderness quality' of the landscape around the Sizewell power stations. This led to the following design decisions:</p> <ul style="list-style-type: none">• avoiding night-time light spill on the eastern (coastal) elevation to maintain, as much as possible, dark skies in the AONB;• ensuring that staff would not be visible to anyone walking along the coast;• maintaining the deliberately 'scale-less' appearance adopted from Sizewell B by eliminating any obviously visual human-scaled elements (e.g. doors and windows) in elevations easily visible from the AONB coastline; and• a reduction in overall height of the OSC compared to the equivalent Hinkley Point C structure. <p>OSC users</p> <p>The OSC design will be fully compliant with all relevant workplace regulations (e.g. under the Health and Safety at Work Act and where applicable British Council of Offices (BCO) guidance).</p> <p>The OSC has several functions with differing requirements, for example the lower levels contain storage and workshops whilst upper levels include office space. A number of the facilities require entirely windowless environments, for example, training facilities. These facilities have been grouped on the eastern elevation of the OSC, so that there are no windows that would contribute direct light spill or visibility of staff from the coast.</p> <p>More open parts of the floorplates, used for conventional office and meeting spaces have generous natural daylight through perimeter windows to the south, west and north and a large central atrium with a glazed roof. The nearest walls facing these windows are the turbine halls between 48-51m away, considerably wider than a typical city centre street (e.g. Regent Street in London is approximately 24m wide). The restaurant, in the heart of</p>

ExQ1	Question to:	Question:
		<p>the building at the base of the atrium is a focal point for all staff in a large generous daylight space.</p> <p>The only downside to this plan is that staff at the upper levels within the building do not benefit from views out towards the sea over the sea defences whilst at their desks, but we believe this is the best balance with the needs of the AONB.</p>
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	<p>Design and consultation process</p> <p>A range of highly durable cladding materials, finishes types and colours were assessed for the turbine hall and OSC cladding, including assessment of the local AONB landscape colour palette (also see answer to question LI.1.33 in this chapter). The cladding details and colour have been selected to respond to the landscape and light qualities of the AONB coastline.</p> <p>During pre-application consultation, the colour of the prominent structures was considered, and visualisation studies were carried out to study colour options. These were presented in discussions with key stakeholders. Initial samples and mock-ups of selected colour range were provided, and a full-scale panel was provided at the time of the Design Council meeting to illustrate the proposed size and form of the panels.</p> <p>Cladding material</p> <p>The marine environment of the Sizewell site and the operational needs and design life of the new power station require highly durable cladding materials. Self-coloured metals such as zinc and stainless steel were considered, but aluminium offered the potential for a range of colour as well as a durable, economical material with a very high recycled content.</p>

ExQ1	Question to:	Question:
		<p>Whilst aluminium provides an appropriate design life, coating systems can deteriorate quite rapidly in marine conditions exposing the metal itself to further corrosion risk. This is evidenced in the Sizewell B cladding where the 'solid' blue finish (likely to be powder coat or PVDF) has faded and, in areas, is losing adhesion allowing oxidisation of the aluminium below.</p> <p>The Sizewell C cladding system also has to resist unusually high wind loads to protect the function of the building during extreme weather events and to stop storm damage to components creating debris that could damage other nuclear structures on the site.</p> <p>Cladding finish</p> <p>The most durable finish for aluminium is anodising, which chemically alters the surface of the aluminium. Anodising can be chemically and durably coloured in a small range of colours or 'clear' anodising can be dyed in a broader range of colours. All anodising colours have a distinct 'metallic' appearance where the reflection and diffusion of incident light varies significantly with viewing angles. The dyed colours are vulnerable to fading of the organic dyes so were eliminated from consideration.</p> <p>Cladding colour</p> <p>The most durable, chemically coloured, anodising can be carried out in three ranges of colour:</p> <ul style="list-style-type: none"> • Silver (or 'clear') • Straw, through to gold, bronze and ultimately black (depending on length of chemical treatment) • Pale through to dark blue-grey (again depending on length of chemical treatment) <p>All of these potential colours were considered initially, and then narrowed down to the bronze range of 'earth' colours. SZC Co. considered the silver and blue-grey ranges to be too stark in test images, standing out prominently in views, drawing too much attention to the structures and in the blue range competing with Sizewell B. In contrast, it is considered that the pale to middle range of the bronze colours to be much more sympathetic to the site, responding well to varying sunlight and daylight conditions without competing with the stark white of the Sizewell B dome which stands out in almost all sky and weather conditions.</p> <p>SZC Co. are aware of a number of large warehouse structures that have employed a scale of pale blue and grey colours, adopting a 'sky' palette of finishes for metal cladding. SZC</p>

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

ExQ1	Question to:	Question:
		<p>Co. do not consider these to be successful precedents to follow. If there is a suggestion that considering sky tones may help large structures to even partially 'disappear', SZC Co. and their consultants do not think this would be successful in this case. SZC Co's architects have previously explored this approach in a completed project in Suffolk (the Suez energy from waste plant in the Gipping Valley), but the design life of that project and the materials used (polycarbonate) would not suit the more durability demands of Sizewell C.</p> <p>Detailed design</p> <p>The precise colour for the anodised finish is not yet chosen, there remains a range of options that can be considered. Design Principle 56 in the Design and Access Statement [REP1-005] has been amended following further discussions with the East Suffolk Council so that the colour palette can be agreed with the council. The amended Design Principle was submitted as part of Deadline 1 [REP1-005] (also refer to the updated version submitted at Deadline 2, Doc Ref. 8.1Ad2 (A)).</p> <p>Mock-up</p> <p>Large-scale mock-ups have been considered and two types are feasible or likely during detailed design, for two different purposes.</p> <p>Visual mock-up: This would represent, as closely as possible, the proposed appearance of the cladding at full size to test the appearance of the proposal before committing to manufacturing. This may not use the same manufacturing techniques, finishes and materials for every component because investment in specialist production tooling (e.g. dies for extrusions or press tools for panels) can only go ahead once the design is fixed. This could be assembled on the Sizewell C main development site so that it can be seen in context.</p> <p>Technical prototype: This would use all materials and components in their proposed final form using the correct manufacturing and finishing processes and would typically be used to check assembly and installation methods and to test weatherproofing performance (rain and wind pressure). It also provides a final opportunity to check that the detailed appearance of all visible elements is as planned before full manufacturing proceeds. If weather testing is required, this type of prototype is usually built at test facility.</p>
LI.1.33	The Applicant	Cladding Colour Assessment

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

ExQ1	Question to:	Question:
	Response	<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> <p>The colour assessment was carried out in two stages: a landscape colour assessment followed by assessment of potential cladding colours. A limited palette of cladding colours was assessed and complementary responses on cladding colour are provided in our answer to question LI.1.32 in this chapter.</p> <p>The initial landscape colour assessment was carried out by LDA Design in 2015 [APP-586], this was a desktop study based on site photography taken during different weather conditions, for example on both sunny and cloudy day conditions and also at dusk, colour swatches within views were used to illustrate, assess and describe colour behaviour during these different conditions,</p> <p>Following feedback from the Local Authority and the 2018 publication of the AONB <i>'Guidance on the use of colour in development'</i>¹¹, SZC Co. commissioned a further colour study which was carried out in conjunction with Jem Waygood of Waygood colour; author of the aforementioned AONB colour guidance document. This study analysed the performance of cladding colour and finishes on-site under Sizewell specific light and day conditions.</p> <p>The assessment was undertaken on-site over 2 days in mid-October 2019 with weather and lighting conditions specific to those two days only. During the two days the weather varied from bright low angle sun, high angle sun, mixed cloud, flat light with clouded skies, rain and intermittent showers/sun. Cladding sample panels were rotated around a horizontal pivot to explore the effect of sun light striking the panel surface from different angles, from direct sunlight to oblique angle sun.</p> <p>Fourteen possible colour variants for the cladding panels were tested, with an on-site definition of seven shortlisted options to be taken forward for more detailed assessment using the Natural Colour System (NCS) colour analysis method.</p> <p>Further detail on the cladding colour assessment can be found in Section 6.17 (page 98 of the Design and Access Statement [APP-586]).</p>

¹¹ Suffolk Coast and Heaths AONB Partnership (2018) <https://www.suffolkcoastandheaths.org/wp-content/uploads/2021/01/SCH-Use-of-Colour-Guidance-v7.pdf> [Accessed May 2021]

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
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	<p>No, a final design decision on the pressed panel profile has not been made at this point. From the design work carried out to date, there is an initial preference for panel type 2 (see Design and Access statement page 122, Figure 7.28) [APP-586]. As this was seen to be the best option explored so far, this is the panel profile used for illustrations and Computer Generated Images in the DCO submission. It is the profile which we believe will best exploit the varied reflection and diffusion of incident light that is characteristic of anodised aluminium surfaces.</p> <p>We would expect the panel profile to be explored further during detailed design. There may be differences in manufacturing techniques and costs between different profiles, as well as different visual impacts, so final refinement and choice of form would likely be done working with a preferred specialist contractor/supplier.</p> <p>There is potential to trial different panel profiles during detailed design and any mock-up (see response to question LI.1.32) could include more than one panel type to assist visual assessment.</p>
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	<p>No response from SZC Co. is required.</p>
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</p>

ExQ1	Question to:	Question:
		<p>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>
	<p>Response</p>	<p>Careful consideration has been given in the proposals for the accommodation campus to all of the points raised by the Design Council prior to the draft DCO submission. The response below sets out how matters made in the statement above have been addressed in the proposals set out in the Design and Access Statement [APP-587], including an explanation of the design, and provides further information to clarify matters. An update to the Design Access and Statement is also provided within Doc Ref. 8.1Ad2 (A).</p> <p>It should be noted that the accommodation campus is secured within the DCO through the provision of parameter plans, which fix the maximum extent of the building envelope and are based on extensive testing of the layout, massing and landscape strategy for the campus. It will also be delivered in general accordance with the design principles set out in Table A.1 of the Design and Access Statement [APP-587], which form the basis of design concept.</p> <p>The additional material provided in Appendix A of the Design and Access Statement [APP-587], including the illustrative figures, demonstrates how the accommodation campus could come forward in accordance with the parameter plans and design principles, but it is important to note that these allow flexibility for the proposals to evolve.</p> <p>Sense of place/quality of life</p> <p>A strong sense of place and the well-being of workers both living and working on the accommodation campus will be ensured through the following measures:</p> <ul style="list-style-type: none"> • Provision of a well-defined, south-facing 'main square' marking the entrance to the accommodation campus and providing a focal/gathering point for workers adjacent to the main recreation building (see section A.29 and Figure A.35 of the Design and Access Statement [APP-587]). • Provision of green streets (see section A.27 and Figures A.21 to A.24 of the Design and Access Statement [APP-587]) between, and directly accessible from, the accommodation blocks. The green streets provide workers with an attractive, informal recreational space to enjoy between shifts, incorporating lawns, tree planting, seating and opportunities for informal recreation. The east to west

ExQ1	Question to:	Question:
		<p>orientation of these streets will allow the maximum possible solar penetration and, in combination with the street width to building height proportions (17m wide and enclosed by accommodation blocks of a maximum of 4 storeys) will ensure that they benefit from good levels of daylight throughout the day.</p> <ul style="list-style-type: none"> • Provision of access streets (see section A.28 and Figures A.28 to A.31 of the Design and Access Statement [APP-587]), which provide disabled parking spaces as well as drop-off bays for convenience, but limit the main parking provision to other areas of the site in order to minimise noise disturbance to the workers. It is important to note that most of the workers will work in shift patterns and also that they will not require regular access to their vehicles whilst they are living on the campus. The parking bays provided are set within grass verges including tree planting in order to help establish an attractive and positive street setting for residents. The proportions of the access streets (20m wide and enclosed by accommodation blocks of a maximum of 4 storeys) will ensure that they benefit from good levels of daylight throughout the day. • Retention of the majority of the vegetation within and around the periphery of the site and provision of new strategic planting (see Figure A.18 of the Design and Access Statement [APP-587]), helping to retain the existing mature landscape character and establish an attractive setting for workers. • Provision of an attractive, convenient and legible pedestrian and cycle path network throughout the accommodation campus, integrating the routes running through access streets and green streets (see section A.28 and Figure A.26 of the Design and Access Statement [APP-587]). This network includes a strategic recreational route around the periphery of the accommodation campus, incorporating the original Bridleway 19 alignment. It also incorporates a key north-south loop through the accommodation area, linking the car park in the north with the amenity hub in the south. Good access to the wider Public Right of Way network and key destinations such Leiston (including the Leisure Centre/sports facilities) are provided via the re-aligned Bridleway 19, which is connected with the main campus entrance via a short footpath. • As shown in Figures A.32 and A33 of the Design and Access Statement [APP-587], the accommodation blocks on the eastern edge of the accommodation campus 'side' on to the adjacent construction stock piles, minimising their impact

ExQ1	Question to:	Question:
		<p>on views from within the accommodation blocks (as shown in Figures A.39 and A.42 of the Design and Access Statement [APP-587], there will be no fenestration on the gable ends). Providing the lower 3 storey accommodation blocks along the western edge of the accommodation area also maximises the levels of afternoon sun reaching the green streets and access streets.</p> <ul style="list-style-type: none"> • Provision of modern, well-proportioned and practical accommodation and amenity hub buildings, which benefit from a strong relationship with their immediate surroundings e.g. the recreation building restaurant spills out onto the main campus square and the accommodation buildings provide direct access from the entrance hallways onto the green streets and access streets on either side, both of which will benefit from good levels of daylight throughout the day. • The materials palette considered provides interest and variation and responds to the local vernacular, while the colour palette identified responds to the Suffolk Coast and Heaths AONB Guidance on the selection and use of colour in development document (see section A.31 of the Design and Access Statement [APP-587]), helping to establish a strong sense of place. • Provision of a security fence around the perimeter of the accommodation campus to ensure the safety of workers. This is bordered by planting on either side of the fence to provide screening and a natural boundary to the campus. • Detailed modelling of construction noise was carried out during the design development to determine the potential effect on the quality of life and well-being of workers at the accommodation campus. The modelling shows that the noise levels within the accommodation area are likely to be between 50 and 56 db LAeq, T on the eastern side of the campus and between 44 and 50 dB LAeq, T on the western side of the campus. On the basis of these values, it is considered that an acceptable standard of external and internal acoustic amenity can be achieved, in accordance with BS 8233: 2014¹², through appropriate acoustic design and specification of the building envelope. • Noise was given careful consideration throughout the accommodation campus design process. This included exploring the option of orientating the accommodation

12

BSI (2014) British Standard BS 8233:2014 – Guidance on sound insulation and noise reduction for buildings

ExQ1	Question to:	Question:
		<p>blocks located along the eastern edge of the site on a north to south (rather than east to west) alignment to assess the impact on noise levels from the adjacent stockpiles. It was shown that this would have minimal impact on noise levels due to the height of the stockpiles and other considerations were therefore given priority e.g. maximising daylight within the access and green streets and minimising the visual impact of the accommodation blocks. Noise was also given careful consideration in the location and configuration of the amenity buildings at the southern end of the site, which help provide a buffer to the accommodation from the campus square and main construction access.</p> <p>Layout</p> <p>As set out in section A.21 of the Design and Access Statement [APP-587] on design process, careful consideration was given to three principal accommodation campus arrangements following the Stage 2 consultation (options 3, 4 and 5, which are shown in Figures A.11, A.12 and A.13 of the Design and Access Statement [APP-587]). Although option 5 had the advantage that the location of the amenity hub was more central to the accommodation campus site, it was considered that, on balance, option 4 (which was taken forward) was preferable for the following reasons:</p> <ul style="list-style-type: none"> • The consolidation of the amenity hub facilities at the main entrance to the site (the main vehicular access point being fixed in the south west corner to tie in with the new roundabout for the wider site) creates a clearly defined, attractive gateway into the accommodation campus. • The visual impact of the accommodation campus for option 4 was significantly lower than for option 5 from the Public Right of Way viewpoint located to the west of the site and similar or lower for the other two viewpoints assessed. • Locating the amenity hub at the entrance to the site provides the most practical location for the reception building and avoids the need for vehicles servicing the recreation building to travel past the accommodation areas. • Consolidating the amenity hub utilities adjacent to the Combined Heat and Power (CHP) generator and emergency equipment store at Upper Abbey Farm is the most practical / efficient arrangement and ensures that they are largely screened by the recreation building in views from within the campus and from the sensitive visual receptors to the west of the site.

ExQ1	Question to:	Question:
		<p>As set out above, there is a strong rationale for locating the amenity hub at the entrance to the accommodation campus and therefore consolidating the accommodation blocks in a single area to the north of this.</p> <p>The rectilinear / grid layout applied to the accommodation block area is a well-established and robust urban structure that is well-suited to a flat site such as this and makes efficient use of the available land (allowing building heights to be limited to a maximum of 4 storeys). The east to west orientation of the accommodation blocks minimises the visual impact of development on the sensitive visual receptors to the west of the site by siding buildings on to the western edge. The orientation of the accommodation blocks will also ensure that views from the buildings towards the construction logistics areas including material stockpiles to the east of the site are minimised (there will be no fenestration on the gable ends).</p> <p>Car movements and parking</p> <p>As set out in section A.28 and shown in Figure A.26 of the Design and Access Statement [APP-587], the access and movement strategy for the accommodation campus provides a safe, convenient and legible network of routes for pedestrians and cyclists. With parking within the access streets limited to disabled parking and drop-off spaces, the proposals will essentially create a car-free environment within the accommodation area, helping to enhance the quality of life for workers. Footpaths within the access streets and green streets and between the accommodation blocks will ensure high levels of permeability and a key north-south loop provided to allow direct movement between the main car park, the accommodation area and the amenity hub. An additional footpath running around the periphery of the accommodation campus, incorporating the original Bridleway 19 and Upper Abbey Farm is also included within the movement strategy to provide workers with an exercise / recreation option within the boundaries of the site.</p> <p>The vehicle parking strategy for the accommodation campus has been designed to minimise the disturbance to workers caused by parking within the access streets. The access streets do provide drop-off points, as well as parking for the 60 accessible bed spaces. However, the majority of the parking (1,278 spaces) is provided within a two-level car park located at the northern end of the site (within 5 minutes walk of all accommodation blocks). The location of the car park ensures that walking distances within the accommodation and amenity areas are minimised and that a buffer is provided</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>between the accommodation and the stock piles located to the north of the accommodation campus. An additional 305 parking spaces are provided within the amenity hub at the southern end of the site.</p> <p>It is important to note that most of the workers will not require regular access to their vehicles whilst they are living on the campus. The main car park has therefore been located at the northern end of the site which, while still within 5 minutes walk of all accommodation blocks, allows the rest of the campus to be more compact and located closer to the main site entrance. The visual impact assessment work carried also showed it to be beneficial in terms of the impact from Whin Hill (the car park being lower than the accommodation blocks).</p> <p>The need for an access road to serve the accommodation and northern car park is inevitable given the requirement to locate the main access in the south west corner of the site (where it links to the main roundabout for the wider site), the need for a security fence around the accommodation campus and the need to retain the rural character of Eastbridge Road. The route provided is the most efficient alignment possible and incorporates a footpath should workers prefer to use this route rather the alternatives through the accommodation area.</p>
LI.1.37	<p>The Applicant</p> <p>Response</p>	<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> <p>The delivery of the accommodation campus will be in general accordance with the design principles set out in Table A.1 of the Design and Access Statement (Doc Ref. 8.1Ad2 (A)), and in accordance with the Parameter Plans set out in Schedule 6 of the draft DCO (Doc Ref. 3.1(C)). All of the drawings shown in the Accommodation Campus Appendix of the Design and Access Statement (Doc Ref. 8.1Ad2 (A)) are for illustrative purposes only and neither the materials palette nor the colour palette for the accommodation campus buildings will be fixed.</p> <p>The illustrative elevations and perspectives shown in Figures A.39-A.44 of the Design and Access Statement (Doc Ref. 8.1Ad2(A)) have been provided to give an indication of the appearance of the accommodation blocks based on a possible approach to massing</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		and the use of materials and colours. These details will be determined at the next design stage.
LI.1.38	The Applicant	<p>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.</p>
	Response	<p>It is acknowledged that some of the materials evident in the local vernacular will not be appropriate for construction of the accommodation blocks if a modular approach is taken forward. However, there are a number of prevalent materials/treatments that could be considered, including timber, painted timber and corrugated metal cladding, all of which are evident within the adjacent Upper Abbey Farm buildings. Where appropriate, alternative materials that achieve a similar appearance but have construction and/or maintenance benefits, e.g. modified woods, may also be considered for cladding treatments. The accommodation blocks for the two campuses at Hinkley Point C demonstrate how the same modular unit was used to achieve varying external treatments in response to different contexts.</p> <p>The colour palette being considered has also been developed with reference to the local vernacular (including Upper Abbey Farm) and the guidance set out in the Suffolk Coast and Heaths AONB Guidance on the selection and use of colour in development document. This colour palette would help to ensure that the modular buildings relate to the local vernacular even where it may not be appropriate to use the same materials (e.g. the red of the local brick could be applied to a render or timber cladding).</p>
LI.1.39	The Applicant	<p>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.</p>
	Response	<p>The final finished appearance of the accommodation blocks is a detailed design issue that will be determined at the next design stage.</p> <p>A commitment to delivering on design quality will form an important part of the business strategy to attract workers to stay at the accommodation campus. If modular construction is used for the accommodation blocks careful consideration will be given to their design and the latest construction methods to avoid the appearance of stacked portacabins. This will include consideration of the following measures:</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> • The use of vertical fenestration elements to be provide visual continuity across building storeys. • The design of an interface between the units that subtly articulates the different building storeys but avoids creating a clear separation or join. • The provision of a varied (e.g. higher) modular unit for the top or bottom floor of the accommodation blocks.
LI.1.40	ESC, SCC, AONB Partnership, Natural England	<p>Accommodation Campus – Massing Model and Photomontage/Wireframe Visualisations</p> <p>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.</p>
	Response	No response from SZC Co. is required.
LI.1.41	ESC, SCC, Natural England, AONB Partnership	<p>Accommodation Campus – Key Design Principles</p> <p>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?</p>
	Response	No response from SZC Co. is required.
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	No response from SZC Co. is required.
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	No response from SZC Co. is required.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
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	<p>Figure A.17 of the Design and Access Statement (Doc Ref. 8.1Ad2 (A)) shows the illustrative layout for the accommodation campus, including the refuse stores, which are located on one of the gable ends of each accommodation block.</p> <p>It is acknowledged that a reference to the illustrative landscape detail plan (Figure A.25 of the Design and Access Statement (Doc Ref. 8.1Ad2 (A))), which identifies the refuse stores in the key, would be more helpful. Figures A.21 and A.28 of the Design and Access Statement (Doc Ref. 8.1Ad2 (A)), which show illustrative layouts for the green streets and access streets, are also helpful in understanding the location of the refuse stores. Paragraph A.33.1 (Doc Ref. 8.1Ad2 (A)) has been updated to state '<i>As shown in the illustrative landscape detail plan (Figure A.25) and also Figures A.21 and A.28, dedicated refuse stores are...</i>'</p> <p>The large refuse store will be located within the plant area to the rear of the recreation building. This is labelled as item 8 in Figure A.17 of the Design and Access Statement (Doc Ref. 8.1Ad2 (A)).</p>
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>
	Response	<p>The outage car park is part of the critical infrastructure required to operate and maintain the power station. By extension, the adjacency of the outage facility to the Power Station is fundamental to delivering planned and unplanned maintenance without compromise to safety and efficiency of operation.</p> <p>If the facility were to be substantially detached from the main site (and by necessity associated with a park and ride facility) the operator would be severely restricted in terms</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>of maintaining responsiveness and flexibility for the workforce, particularly in the event of unplanned or emergency situations where time and cost are critical. Equally, there are significant logistical problems in ensuring a large workforce, often on different shift patterns, can be properly served by a P&R facility, which by necessity would be required to frequently run on a 24hour cycle.</p> <p>On grounds of practicality, flexibility and efficiency the Goose Hill site is considered to provide the optimal location and therefore no other sites outside of the AONB have been considered. This judgement is not blind to the impact on the AONB of the car park and the land take required to provide operational and outage parking in an area already generally impacted by the power station and access to it. However, as demonstrated within the submission, impacts can be appropriately mitigated by the approach to design and siting through the extension of existing woodland planting extending from existing perimeter planting and by breaking up the extent of hard standing with planting, different surface materials and walking routes.</p> <p>With regard to the potential to share an outage facility with Sizewell B the operational arguments against this approach are set out below:</p> <ul style="list-style-type: none">• A single station outage car park would require planned and coordinated outages avoiding overlap which is not possible to guarantee and could very quickly, be disrupted due to unforeseen circumstances:<ul style="list-style-type: none">○ An outage could overrun○ Forced/un-planned outage – these are unpredictable by their very nature and therefore you cannot anticipate when they will arise, resulting in potentially concurrent outages○ Delaying an outage in order to avoid a clash would be a huge commercial risk, with a significant cost to the operator if a restart was delayed○ Following a forced outage, this then results in the planned outages having to be changed to allow for the 18 month period between each outage (per unit), which will then lead to the gaps previously planned between outages to be altered and come closer together or overlapping.○ SZC Co. cannot be sure when Unit 1 Sizewell C will be operational and the refuelling cycle times in the early phases of the operation are variable in order to obtain the correct fuel mix in the core. It is therefore not economic

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:																																																																																																																																																																			
		<p>or environmentally responsible to forego months of operation to enable gaps in outages to remain spaced out.</p> <ul style="list-style-type: none"> Should one of the station's operating cycles change in the future (e.g. move to a two year cycle), then outages could clash and therefore the need for two separate car parks is essential. <p>To help illustrate the point, Plate 18.1 shows a schedule of outages for the 3 units once all in operation. There will typically be a 3 - 4 month gap between each outage (each Unit will have an 18-month gap between planned outages). This would mean that (if there was only one joint car park) either Goose Hill or the Sizewell B outage car park would potentially be permanent in use, which is not the intention.</p> <p>Plate 18.1: Illustration of schedule of proposed outages for all 3 Units</p> <table border="1" data-bbox="768 671 2051 866"> <thead> <tr> <th>Month</th> <th>1</th><th>2</th><th>3</th><th>4</th><th>5</th><th>6</th><th>7</th><th>8</th><th>9</th><th>10</th><th>11</th><th>12</th><th>13</th><th>14</th><th>15</th><th>16</th><th>17</th><th>18</th><th>19</th><th>20</th><th>21</th><th>22</th><th>23</th><th>24</th><th>25</th><th>26</th><th>27</th><th>28</th><th>29</th><th>30</th><th>31</th><th>32</th><th>33</th><th>34</th><th>35</th><th>36</th><th>37</th> </tr> </thead> <tbody> <tr> <td>SZB</td> <td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td> </tr> <tr> <td>SZC-1</td> <td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td> </tr> <tr> <td>SZC-2</td> <td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td> </tr> </tbody> </table> <p>It is operationally unacceptable to not hold safety related outages when they need to be held with restrictions arising from parking limits.</p> <p>The outage car park forms part of the operational functional, safety and security requirements and as such cannot be compromised. Under the terms of the Nuclear Safety License, there is a 'hard' safety limit within which the operator cannot operate the reactor resulting in plant shut down. A remote car park would pose a risk to this hard safety limit.</p>	Month	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	SZB																																									SZC-1																																										SZC-2																																									
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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>																																																																																																																																																																			

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	As stated in our answer to question G.1.33 , in response to feedback from stakeholders following our January 2021 change application, SZC Co. commissioned a design review to determine if the structure could be optimised to further reduce impacts on Sizewell Marshes SSSI. This has included consideration of the adaptive design. Whilst this work is still being finalised, SZC Co. is satisfied that we can reduce the width of the structure from 40m to approximately 15m at the end of the construction phase by removal of the eastern side of the bridge deck. Should the crossing need to be adapted in the future to reduce the risk of overtopping, we are satisfied that this could be carried out within the retained 15m operational deck of the bridge. The optimised adaptive approach is not expected to significantly affect established landscaping. SZC Co. intend to submit details of the optimised SSSI crossing at Deadline 4.
LI.1.47	ESC, SCC, AONB Partnership, Natural England	SSSI Crossing – Assessment (Change 6) 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]?
	Response	No response from SZC Co. is required.
LI.1.48	AONB Partnership	Alison Farmer Associates Report Please provide a copy of the Alison Farmer Associates report as referred to in your response to the proposed project changes [AS-307].
	Response	No response from SZC Co. is required.
LI.1.49	The Applicant	Independent Environmental Trust In respect of the proposed independent Environmental Trust, please provide further detail on the following areas: v) Governance and Implementation vi) Financing vii) Membership Would the Trust form part of any mitigation for the proposed development?

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	<p>As stated in response to question BIO.1.43, SZC Co. is seeking to explore additional legacy and enhancement measures beyond those to be secured in the draft DCO (Doc Ref. 3.1(C)) (through the measures embedded into the scheme and secured through the Deed of Obligation (Doc Ref. 8.17(C))) through an environment trust. SZC Co. has now established a working group of external stakeholders who met for the first time on 25 May 2021, with a focus on shaping the objectives of the trust. Meetings scheduled for later in 2021 will consider matters relating to financing, membership and other matters needing to be considered to enable a formal launch of the ambition in late 2021. The next meeting is scheduled for July, and SZC Co. will provide an update on the environment trust at Deadline 4.</p> <p>As confirmed in response to question BIO.1.43, the trust is not necessary to make the proposed development acceptable in planning terms, those measures are already secured through the measures described above. Therefore, it is not the intention for the Trust to form part of the mitigation.</p>
LI.1.50	SCC	<p>Pylons – Underground Cabling Options</p> <p>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.</p>
	Response	No response from SZC Co. is required.
LI.1.51	The Applicant	<p>Pylons – Alternatives and Impact</p> <p>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.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	<p>In order to present a robust planning case for the project, the scope of undergrounding the power export connections has been reviewed in detail. In carrying out this review, SZC Co. has drawn on the collective experience of the EDF Group’s global power transmission engineering centre in Paris, the fleet of operational nuclear power stations in the UK, and the organisations currently engaged in the construction of Hinkley Point C.</p> <p>The Power Export Connection Technical Recommendation Report (Appendix 5E of the written responses) comprehensively considers the potential options for the power export connection including:</p> <ul style="list-style-type: none"> • Underground cables • Gas insulated lines • Overhead lines <p>The evaluation has been guided by safety as the overriding priority for the project. Issues of constructability and schedule impact were brought out by detailed analysis of potential underground and overhead routes through the main development site. The impact of selecting a particular option on nuclear safety was assessed, recognising the significant role that the power export connection plays in ensuring power is always available to the plant from National Grid.</p> <p>Please refer to this report (at Appendix 5E of the written responses) for a detailed assessment of the options considered.</p>
LI.1.52	SCC	<p>Pylons – Mitigation</p> <p>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].</p>
	Response	No response from SZC Co. is required.
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>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	<p>The internal technical design of the Sizewell C ISFS will be based on the Hinkley Point C ISFS. Operationally, the ISFS is not required on site until 10 years post operation commences, around 2042.</p> <p>The Sizewell C ISFS is located to the western edge of the site and is largely screened from distant views so a parameters approach was felt to be reasonable and appropriate for the DCO submission.</p> <p>In light of the above the detailed design of the Sizewell ISFS is to be submitted to and approved by the relevant local planning authority before construction commences. Design Principle 57 identified in the Design and Access Statement, has been further amended following discussions with East Suffolk Council, so that the proposed colour choice can be agreed as part of the Requirement 12 discharge to be submitted. The amended wording of Design Principle 57 was submitted as part of Deadline 1 [REP1-005], also refer to the updated version in Doc Ref. 8.1Ad2 (A).</p>
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	<p>Volume 2, Chapter 13 (Landscape and Visual) of the ES [APP-216] fully acknowledges the nature, extent and significance of effects of the proposals during construction and operation on the Suffolk Coast and Heaths AONB, informed by a full appreciation of the AONB's natural beauty and special qualities.</p> <p>The statutory purpose of the AONB designation is to conserve and enhance the natural beauty of the area.</p> <p>It follows that the assessment of effects of the Sizewell C project on the Suffolk Coast and Heaths AONB should consider the characteristics, elements and features that contribute to its natural beauty.</p> <p>The landscape and visual impact assessment assesses and reports on the extent of impacts on the AONB's natural beauty and special qualities which underpin the assessment of the impact on the statutory purpose of the AONB.</p> <p>Section 2.8 of Volume 1, Chapter 2 of the ES Addendum [AS-181] presents an update to Volume 2, Chapter 13 (Landscape and Visual) of the ES [APP-216].</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>Relevant changes are considered in the revised assessment of effects on landscape and visual receptors, including the Suffolk Coast and Heaths AONB.</p>
LI.1.55	The Applicant	<p>Enhanced Beach Landing Facility (BLF) – Assessment (Change 2) Has the operational assessment considered the visual impact of additional moored and moving vessels due to the enhanced BLF?</p>
	Response	<p>Yes, SZC Co. confirms that the visual impact of the additional moored and moving vessels are assessed within the ES Addendum [AS-181]. Section 2.8 of Volume 1, Chapter 2 of the ES Addendum [AS-181] provides an addendum to the landscape and visual impact assessment at Volume 2, Chapter 13 of the ES [APP- 216]. The landscape and visual effects of the enhanced BLF are assessed within the ES addendum, and consideration is given to the effects of the increase in the number and frequency of barges/tugs visible in the offshore environment (both moored and moving) during the construction phase. The assessment of effects arising from the operational enhanced beach landing facility also considers the design changes that would alter the appearance of the facility when not in use. The beach landing facility would be used infrequently during the operation of the power station (i.e. post construction) approximately every 5-10 years for a few weeks at a time, similar to the scenario considered in the landscape and visual impact assessment of the main development site.</p>
LI.1.56	The Applicant	<p>Temporary Beach Landing Facility (BLF) – Visual Receptor Group 20 (Change 2) 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>
	Response	<p>The ZTV (Figure 2.8.2: Zone of Theoretical Visibility Model of Temporary Beach Landing Facility Parameters (Construction Zone C20)) presented in Volume 2 of the ES Addendum [AS-192] illustrates that south of the headland at Thorpeness theoretical visibility of the Temporary Beach Landing Facility would be reduced compared to locations to the north of Thorpeness within visual receptor group 20. Thorpeness, located approximately 3.7km south of the Temporary Beach Landing Facility, therefore marks the approximate location where visual effects would reduce from major-</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>moderate adverse (significant) to moderate adverse (not significant). Vessels moving to and from the permanent BLF and temporary BLF would be visible in the marine environment from the full extent of the beach within the receptor group area and views would also be possible to construction cranes in locations south of Thorpeness.</p>
LI.1.57	The Applicant	<p>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.</p>
	Response	<p>The permanent BLF is not generally proposed to support night-time use, as described in Volume 2, Chapter 3 of the ES, paragraph 3.4.58 [APP-184], which states '<i>Once operational, the BLF would typically receive deliveries by day and occasionally by night when sea conditions are suitable</i>'.</p> <p>The temporary BLF is proposed to allow regular night-time use, in order to benefit from both tides, as set out in Volume 1, Chapter 2 of the ES Addendum [AS-181]. The temporary BLF will be available for nocturnal use during the full season April - October and at a lower rate during the winter season. Volume 1, Chapter 2 of the ES Addendum paragraph 2.2.75 [AS-181] states up to 400 vessel deliveries during the April- October season and up to 200 visits during the November - March season. It is expected that up to 50% of vessel berthings (circa 200 in summer, up to circa 100 in winter) would occur during the night-time. The full cycle of approach - berth - offload - depart is expected to extend over several hours, so the overall cycle for vessels arriving in daylight may extend into night-time, and the cycle for vessels arriving during nocturnal hours would extend into daylight for offloading and departure.</p> <p>The required navigation lighting will be agreed in consultation with Trinity House and formalised in a Lighting and Marking plan. This is secured by Marine Licence Condition 38, as well as Conditions 40, 44 and 48 in the draft DCO (Doc Ref. 3.1(C)).</p> <p>Typical navigational light arrangements would comprise red/ green lights at the seaward face of the jetty head and mooring dolphins and on approach buoys. Navigational lighting is indicated on the Rule 17 drawings [PDA-004], SZC-SZ0100-XX-000-DRW-100203, although specific details will require agreement with Trinity House. Navigational lighting is not currently reflected in the lighting models.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
LI.1.58	ESC, SCC, MMO, Natural England and AONB Partnership	<p>Temporary Beach Landing Facility – Assessment (Change 2)</p> <p>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]?</p>
	Response	No response from SZC Co. is required.
LI.1.59	The Applicant	<p>Lighting Management Plan</p> <p>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.</p>
	Response	The Lighting Management Plan, which was provided in Volume 2, Appendix 2B of the ES [APP-182] is being updated to take account of relevant changes to the DCO application, especially in relation to marine transport, as well as to provide further evidence that the proposed mitigation measures to protect bats can be delivered. It is intended to submit an updated version at a suitable deadline.
LI.1.60	The Applicant	<p>Coastal Defences – Supporting Vegetation (Change 9)</p> <p>Please confirm what measures are proposed to ensure the safeguarding of the sand and shingle supporting coastal vegetation.</p>
	Response	<p>As explained in the response to question CG 1.23, the area within the order limits will be entirely removed during the establishment of the new defences with habitats re-established over the top of the defences once the defences are in place, as explained in the ES at paragraph 14.7.188 of Volume 2, Chapter 14 [AS-033], using similar approaches to those which were successfully used for the establishment of similar habitats on the Sizewell B frontage.</p> <p>The following measures are included within the proposals which will safeguard the sand and shingle supporting coastal vegetation, once the re-establishment of vegetation has commenced.</p> <p><u>Soft Coastal Defence Feature</u></p> <p>The soft coastal defence feature would include a 6m (approximate) high sacrificial shingle barrier with sandy cap, in front of the new main sea defence, to mitigate coastal erosion and maintain coastal geomorphological processes.</p>

ExQ1	Question to:	Question:
		<p>The role of the sacrificial dune would be to slow coastal erosion by releasing sediment to the beach face during storm events. It is likely that the dune would occasionally be eroded to the point where it would require repair in order to maintain its required volume. This is secured by Requirement 7A, 12B and Requirement 14 and Marine Licence Condition 17 of the draft DCO (Doc Ref. 3.1(C)).</p> <p><u>Construction management measures: Ecology - Preservation of coastal vegetation seedbank</u></p> <p>The front and rear slopes of the sea defences have been designed to ensure that habitat can be created on the designated gradient. Sand and shingle substrates from the existing surface layers of the Sizewell C frontage will be stockpiled to preserve the seedbank of the coastal vegetation, prior to the construction of the new coastal defences. Sand and shingle substrates from the existing surface layers of the frontage would be stockpiled to preserve the seedbank of the coastal vegetation and would be incorporated into the final landscaping of the new sea defence to enable reinstatement of the coastal vegetation. These works will be overseen by the ECoW, or a suitably qualified ecologist, to ensure appropriate layers, i.e. those likely to include seedbanks, are safeguarded. This is secured by Requirement 2 of the draft DCO (Doc Ref. 3.1(C)).</p> <p><u>Monitoring</u></p> <p>The TEMMP [REP1-016] submitted at Deadline 1 includes botanical monitoring of the re-establishment of the coastal vegetation. The botanical modelling will enable any localised establishment failures to be addressed through interventions which will be discussed with the Environment Review Group.</p> <p>A monitoring and mitigation plan for coastal processes effects would be developed to ensure, as far as possible, the maintenance of the extent of foreshore sediments covering the Hard Coastal Defence Feature (HCDF).</p>
LI.1.61	The Applicant	<p>Coastal Defences – Landscaping/Vegetation (Change 9)</p> <p>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]?</p>
	Response	<p>Assumptions and limitations on planting growth are provided in Volume 2, Chapter 13 (Landscape and Visual) of the ES [APP-216]. It includes estimated growth rates for coastal areas based on a detailed understanding of the environmental conditions at Sizewell and informed by the knowledge and understanding of the EDF Energy estate</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>management team.</p> <p>The proposed landscaping/vegetation within the illustrative operational visualisation (Figure 2.2.24 in Volume 2 of the ES Addendum) [AS-190], is indicative and shown at approximately 15 years post completion, once vegetation has become established.</p>
LI.1.62	The Applicant	<p>Coastal Defences – Northern Mound (Change 9)</p> <p>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?</p>
	Response	<p>It will take approximately 1 year for grasses and herbaceous plants to become established on the Northern Mound and 15 years for trees and shrubs to become established to the point that it resembles a young plantation woodland of approximately 6m high.</p> <p>Referring to Description of Construction, Plate 3.1 in Volume 3, Appendix 2.2.B of the ES Addendum (Doc Ref. 6.14(A)), restoration of the Northern Mound will take place in Phase 1. The introduction of the temporary coastal defence feature described in the Main Development Site Flood Risk Assessment Addendum - Section 4.2.5 and illustrated in Plate 4.1 [AS-157] has created valuable working space within the site boundary and it will remain in place to fulfil the site sea defence function for the majority of Phase 2 and Phase 3. The land which is temporarily released will be used as stock area and hardstanding for marine and tunnel works. When these activities are completed the area will be cleared to allow construction of the Permanent Sea Defences towards the end of construction Phase 3, and the ground profile will be raised to its final height between the existing Sizewell B sea defence and the restored Northern Mound as shown in Plate 4.3 in the Main Development Site Flood Risk Assessment Addendum [AS-157].</p>
LI.1.63	The Applicant	<p>Coastal Defences – Adaptive Design (Change 9)</p> <p>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?</p>
	Response	<p>The adaptive design would only be implemented if mean sea level is forecast to exceed the reasonably foreseeable design value (RCP8.5 95%ile) estimate to 2140. The trigger</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>level for implementing the adaptive design is therefore so far into the future that it is not considered credible to assess its effects at this time against such an uncertain future baseline.</p> <p>When the adaptive design is eventually implemented, it will be necessary for SZC Co. to have first satisfied Requirement 12B. At that stage, the potential for any materially new or different environmental effects would need to be identified through an updated assessment.</p>
LI.1.64	The Applicant	<p>Additional Fen Meadow Habitat at Pakenham (Change 11)</p> <p>Please confirm the following:</p> <p>(i) The distance of the residential dwellings off Fen Road and Thurston Road (Old Hall) from the Pakenham site?</p> <p>(ii) Is lighting required during the construction phase? If so, has this been included within the assessment?</p> <p>(iii) What is the proposed length of establishment works?</p>
	Response	<p>(i) The distance from the fen meadow habitat development site boundary (Works Plans 28) (Doc Ref. 2.3(C)) to residential dwellings off Fen Road ranges between approximately 42m (north end of site) and 458m (south end of site). The nearest dwelling is 42m from the site boundary. The distance from the Fen Meadow Habitat Development Site Boundary to residential dwellings off Thurston Road (Old Hall) ranges between approximately 187m and 322m. The nearest dwelling is 187m from the site boundary.</p> <p>(ii) There is no lighting proposed during the construction of the Pakenham Fen Meadow site. It is expected that working hours will be restricted to daylight.</p> <p>(iii) The Fen Meadow works will be split into two phases. The first phase would start at the outset of construction and focus on the initial creation of the Fen Meadow habitat. It is expected that this would be completed during the first year of construction. The second phase relates to the ongoing management of the habitat and would be undertaken over the construction period. Further information can be found in the Fen Meadow Strategy (refer to Volume 3, Appendix 2.9.D of the ES Addendum [AS-209]).</p>
LI.1.65	The Applicant	<p>New Bridleway Link between Aldhurst Farm and Kenton Hills (Change 15)</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>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.</p>
	<p>Response</p>	<p>It would be necessary to remove approximately 425 metres (m) of existing hedgerows to accommodate the bridleway link between Aldhurst Farm and Kenton Hills (Change 15) described in Volume 1, Chapter 2 of the ES Addendum [AS-181].</p> <p>On Lovers Lane, this would comprise the removal of approximately 145m of hedgerow to the north of the road and approximately 275m of hedgerow to the south, in order to accommodate the bridleway crossing and the required sightlines to either side of the crossing. Approximately 5m of hedgerow to the west of Bridleway 19 would be removed to allow for a connection onto the existing bridleway.</p> <p>Figures 18.17-18 of the written responses provide a comparison of DCO Revision 01 (without the new bridleway link) and DCO Revision 02 (with the new bridleway link). Figure 18.17 provides a comparison of vegetation to be retained and Figure 18.18 provides a comparison of vegetation to be cleared.</p> <p>Replacement hedgerows, set-back from the new bridleway crossing sightlines, would be planted on either side of Lover’s Lane at the earliest practicable opportunity. This would result in approximately 400m of new hedgerow planting as a direct replacement for the hedgerows lost as a result of the new bridleway link. Figure 18.90 of the written responses shows the proposed hedgerow planting along Lovers Lane.</p>
<p>LI.1.66</p>	<p>The Applicant</p>	<p>Change to Certain Parameter Heights and Activities – Pylon Parameter Zones (Change 4)</p> <p>Please confirm from which locations visibility of the southernmost pylon would be reduced? Please annotate on a plan.</p>
	<p>Response</p>	<p>As recorded in section g) ii) c) a) of Volume 1, Chapter 2 of the ES Addendum [AS-181] the proposed change to reduce the height of the southernmost pylon from 75m AOD to 59m AOD (the ES Addendum has an error of 79m AOD) would marginally reduce the visibility of the southernmost pylon from some locations, principally to the south and west of the proposed power station.</p> <p>The corrected paragraphs for Volume 1, Chapter 2 of the ES Addendum [AS-181] are as follows:</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<ul style="list-style-type: none">• 2.2.118 SZC Co. has continued to explore opportunities to reduce the visual impact of overhead power lines on the main platform. Through detailed discussions with stakeholders and further assessment, SZC Co. now intends to reduce the height of the southernmost pylon from 75m AOD to 59mAOD.• 2.8.74 The proposed change would reduce the height of the southernmost pylon from 75m AOD to 59m AOD and the relevant parameter height would be reduced accordingly.• 2.10.69 Whilst reduction in the maximum height of the southernmost pylon from 75m AOD to 59mAOD would provide improvements to views for some recreational receptors from the south-west, west and north, the change would be very minor in the context of views of the other power station infrastructure. <p>As illustrated on Figure 18.20, the representative viewpoint locations to the south and west of the proposed development from where this reduction in height would be visible are as follows:</p> <ul style="list-style-type: none">• Representative viewpoint 1: Sandlings Walk North of Upper Abbey Farm• Representative viewpoint 3: King Georges Avenue, Leiston• Representative viewpoint 4: Lover’s Lane South of Fiscal Policy• Representative viewpoint 5: Footpath South of Leiston Abbey• Representative viewpoint 9: Sizewell Gap South of Greater Gabbard Sub-Station• Representative viewpoint 11: Junction of Footpaths South West of Halfway Cottages• Representative viewpoint 12: Bridleway South East of Reckham Lodge• Representative viewpoint 13: Abbey Lane East of Cakes and Ale Caravan Park• Representative viewpoint 30: Junction of Footpaths, The Walks. <p>The reduction in height of the southernmost pylon would also be evident in views from representative viewpoint locations to the north and east of the proposed development, as follows:</p> <ul style="list-style-type: none">• Representative viewpoint 14: Suffolk Coast Path at Minsmere Sluice• Representative viewpoint 16: RSPB Minsmere (Whin Hill).• Representative viewpoint 17: National Trust Coastguard Cottages car park.

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> Representative viewpoint 26: 1800m Directly East of Sizewell Power Stations.
LI.1.67	The Applicant	<p>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.</p>
	Response	<p>The correct zone reference for the new operational bat barn is Zone 1K, so Figure 2.2.1 of Volume 2 of the ES Addendum [AS-190] is correct. Zone 1G relates to the National Grid substation parameter zone. The corrected paragraphs for Volume 1, Chapter 2 of the ES Addendum [AS-181] are as follows:</p> <ul style="list-style-type: none"> 2.2.114 A new parameter Zone 1K would be created accordingly for a structure approximately 6m above ground level (up to 8m AOD), as shown at Volume 2, Figure 2.2.1 of the ES Addendum. 2.11.26 With reference to Figures 2.8.20 and 2.8.22, the proposed changes would increase the normal (+25m AOD) and exceptional working heights (+60m AOD) for the enhanced permanent BLF and new temporary BLF (construction zones C16 and C20); changes to marine shafts and tunnelling parameters which would introduce a new working construction zone (C21) with a normal height parameter of +40m and exceptional height parameter of +70m AOD; an extension of the stockpile zone (5a); as well as the introduction of a bat barn with a new parameter zone 1K for a structure approximately 6m above ground level (up to 9m AOD), as shown at Volume 2, Figure 2.2.1 of the ES Addendum.
LI.1.68	ESC, SCC, Natural England, AONB Partnership	<p>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?</p>
	Response	No response from SZC Co. is required.
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>
	Response	<p>There is no ecological habitat proposed for the freight management facility. The draft DCO (Doc Ref. 3.1(C)) has been amended accordingly.</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>
	Response	<p>The heights for the buildings at the freight management facility are maximum parameters as stated in Table 2.1 of the Description of Development in Volume 8, Chapter 2 of the ES [APP-511] and the Proposed Parameter Plan (drawing number SZC-SZ0204-FP-000-DRW-100034 Rev 01) [APP-053]. The heights stated on each are correct and consistent with one another.</p> <p>However, the submitted General Arrangement plan (drawing number SZC-SZ0204-FP-000-DRW-100026 Rev 01) [APP-053] only shows the width and length of each building in the key. The dimensions for these are below the maximum parameters set in the Description of Development, representing what is shown on the plans rather than the maximum possible size for the buildings.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
LI.1.71	The Applicant	<p>Landscape Bund</p> <p>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> <p>(iii) Where necessary, please update all relevant documents to reflect any amendments made.</p>
	Response	<p>(i) Yes, SZC Co. confirm that the location of the swale has been specifically located where the best ground infiltration rates were found.</p> <p>(ii) In theory the swale could be realigned to accommodate an extended bund. The final size and location of the swale would be determined and designed accordingly under Requirement 5 of the draft DCO. Whilst this may allow for the bund to extend the full length of the eastern boundary, it is not considered necessary to make the development acceptable in terms of environmental impact. There would be no undue visual impacts in the vicinity as a consequence of the bund as currently proposed, particularly as additional native tree planting is proposed to the eastern boundary. The only views affected would be from the A14 and the adjacent PRowS (Receptor Group 6 in Volume 8, Chapter 6 (Landscape and Visual) of the ES [APP-520]), which are assessed as being subject to 'not significant' effects. This is demonstrated by the visualisations prepared in response to question LI.1.72 of this chapter. An extension to the length of the bund would not affect the assessment in the ES and thus, is not considered to be necessary by SZC Co. However, should a change to the bund be considered necessary by the ExA, it could be considered should the location of the final swale design allow.</p>
LI.1.72	The Applicant	<p>Representative Viewpoint 1: Junction of Bridleways E-365/007/0 and E-365/006/0</p> <p>Please provide a wireframe for Figure 6.5 [APP-522] with mature planting in-situ.</p>

ExQ1	Question to:	Question:
	Response	<p>See Figures 18.21 to 18.23 of this chapter. These present the existing view, and wireframes of the proposals at year 1 when the construction of the freight management facility is complete and year 10 when the proposed planting would be mature.</p> <p>At year 1, the proposed perimeter fences are shown outlined in black, the proposed mounds outlined in green and the proposed lighting columns outlined in blue. Proposed buildings are also outlined in blue.</p> <p>At year 10, proposed planting is shown as a block outlined in dark green and at an assumed height of 4.8m. The proposed lighting columns remain outlined in blue.</p>
LI.1.73	The Applicant, ESC, SCC	<p>Representative Viewpoint 3: Footpath E-169/017/0</p> <p>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.</p> <p>(i) Is the reduction in scale of effect solely due to the increased height of the planting?</p> <p>(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.</p> <p>Are the Councils satisfied that effects would reduce from medium scale to small scale as the proposed planting matures at this viewpoint?</p>
	Response	<p>(i) Paragraphs 6.6.64 and 6.6.65 of the landscape and visual impact assessment at Volume 8, Chapter 6 of the ES [APP-520] provide further explanation of the assessment of effects at Viewpoint 3 (as part of Receptor Group 6 – Users of footpath (E-169/017/0) and local roads (Tenth Road and Levington Lane) south of Bucklesham and north of the A14). Paragraph 6.6.65 sets out the assumed height of proposed vegetation along the northern boundary of the freight management facility by year 10 as around 4.8m, based on the assumptions of growth rates set out at paragraph 6.3.40. The screening effect that would be provided by the proposed vegetation by that time is the basis for the reduction in the scale of effect from medium (defined in</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>the landscape and visual methodology at Volume 1, Appendix 6I of the ES [APP-171] as 'Partial alteration to key elements, features, qualities or characteristics, such that post development the baseline will be noticeably changed') to small (defined in the landscape and visual methodology at Volume 1, Appendix 6I of the ES [APP-171] as 'Minor alteration to key elements, features, qualities or characteristics, such that post development the baseline will be largely unchanged despite discernible differences').</p> <p>(ii) As set out in paragraph 6.6.65 of the landscape and visual impact assessment at Volume 8, Chapter 6 of the ES [APP-520], by year 10 the proposed vegetation is assumed to have grown to a sufficient height to screen the majority of the proposed development '<i>with only taller elements such as lighting and the stop and search canopy likely to remain visible</i>'. Lighting columns would be a maximum of 8m high and the HGV screen and search area canopy up to 6m high with a relatively thin profile to the canopy. The lower buildings, at a maximum height of 4m as defined by the parameters shown on Volume 8, Figure 2.6 of the ES [APP-513], as well as the majority of vehicles and vehicle movements, would be screened by that time. This would be a reduction in the amount of development visible and would remain seen in the context of the foreground traffic on the A14.</p>
LI.1.74	The Applicant	<p>Lighting 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	To ensure efficiency in lighting design, back spill lighting filters would only be fitted on the perimeter, as the back spill of light is beneficial in the middle of the site but needs mitigating along the perimeter.
LI.1.75	The Applicant	<p>Lighting What, if any, is the predicted level of light spill anticipated to occur beyond the site boundary of the FMF?</p>
	Response	When the lighting modelling was carried out in 2019, limitations in the software available meant that backspill filters could not be modelled accurately, hence the worst case (i.e. no backspill filter) has been modelled.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		Given the worst case has been assessed in the ES and the lighting columns along the perimeter would use focus optics to reduce backward spill of light, it is anticipated that there would be no light spill beyond the site boundary.
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	No response from SZC Co. is required.
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> <p>(i) Proposed species</p> <p>(ii) Proposed height of planting at year 1 and year 10</p>
	Response	<p>(i) The exact mixes of proposed species for the landscape buffer zone would be determined at the detailed design stage. However, as set out at Volume 8, Chapter 2 of the ES, paragraph 2.2.16 of the Description of Development [APP-511], all proposed tree and shrub planting would use native species. Appropriate species, as recorded within the hedgerows currently surrounding the site as part of the Phase 1 Habitat Survey at Volume 8, Appendix 7A of the ES [APP-524], could include Hawthorn (<i>Crataegus monogyna</i>), Pedunculate Oak (<i>Quercus robur</i>), Blackthorn (<i>Prunus spinosa</i>), Field Maple (<i>Acer campestre</i>), Holly (<i>Ilex aquifolium</i>), Hazel (<i>Corylus avellana</i>), and Spindle (<i>Euonymus europaeus</i>).</p> <p>(ii) The assumed growth rates of planting at the freight management facility are set out at paragraph 6.3.40 of the landscape and visual impact assessment at Volume 8, Chapter 6 of the ES [APP-520]. For the landscape buffer zone, the following is assumed:</p> <ul style="list-style-type: none"> • proposed screen planting at year 1 is assumed to be 800mm high. • proposed screen planting by year 10 is assumed to be 4.8m, assuming approximate growth rates of approximately 400mm per annum.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		These growth rates are considered appropriate for the type of planting proposed, the location and the assumption that a suitable management regime would be followed, informed by experience on similar soils within the existing Sizewell estate.
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 Landscape Character Assessment (Paragraph 6.6.15 of [APP-520]). Please respond in respect of both the Estate Sandlands and Plateau Estate Farmlands LCT.</p>
	Response	<p>As set out in the baseline section of the landscape and visual impact assessment at Volume 8, Chapter 6 of the ES [APP-520], the freight management facility lies predominantly within the Estate Sandlands LCT, transitioning to Plateau Estate Farmlands LCT at Felixstowe Road in the south. The landscape management guidelines for the Estate Sandlands LCT are of most relevance to the proposals. Whilst the guidelines do not include a specific section on the type of development proposed freight management facility, in relation to the Estate Sandlands LCT development management guidelines¹³ for other types of development that have been applied include:</p> <ul style="list-style-type: none"> • development is located away from landscapes located on river valley sides, fen edges or coastal slopes which will avoid '<i>profound landscape impact</i>' on the character of these adjacent landscape types. • as indicated in the Description of Development at Volume 8, Chapter 2 of the ES [APP-511], buildings would be finished in natural colours where they are visible from public viewpoints, which the guidelines indicate '<i>can make a considerable contribution to mitigating their impact</i>'. • the proposed planting along the site boundaries would be in linear belts, as well as following existing field boundaries, which reinforces the historic pattern of regular boundaries, as well as reducing the visual impact.

¹³ Suffolk County Council (2008, revised 2011) Suffolk Landscape Character Assessment Guidance Note - Rolling Estate Sandlands (Online) <https://suffolklandscape.org.uk/wp-content/uploads/2020/07/16-Guidance-Note-Rolling-Estate-Sandlands.pdf> [Accessed May 2021]

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<ul style="list-style-type: none">• the proposed planting would also enhance the network of tree belts found across much of this landscape type, although would not in this case be a locally distinctive '<i>pine line</i>' due to the preference to provide greater visual screening at lower levels.• as indicated in the Description of Development at Volume 8, Chapter 2 of the ES [APP-511], existing boundary vegetation would be retained where possible, which can act as both a screen and a backdrop to the proposed development.• it is not possible to try to establish heathland within the site given the temporary nature of the proposals and the need to return the site to current uses at the end of its operational phase.• rare Breckland plants and distinctive geomorphology are not characteristic of the site and its immediate context and have not been included as part of the temporary landscape within the freight management facility. <p>In relation to the Plateau Estate Farmlands LCT development management guidelines¹⁴, those for other forms of development that have been applied to the freight management facility include:</p> <ul style="list-style-type: none">• development is located away from landscapes located on river valley sides or coastal slopes which will avoid '<i>profound landscape impact</i>' on the character of these adjacent landscape types.• as indicated in the Description of Development at Volume 8, Chapter 2 of the ES [APP-511], buildings would be finished in natural colours where they are visible from public viewpoints, which the guidelines indicate 'can make a considerable contribution to mitigating their impact'.• as indicated in the Description of Development at Volume 8, Chapter 2 of the ES [APP-511], existing boundary vegetation would be retained where possible, which can act as both a screen and a backdrop to the proposed development.• the proposals would reinforce the historic pattern of regular boundaries.

¹⁴ Suffolk County Council (2008, revised 2011) Suffolk Landscape Character Assessment Guidance Note - Plateau Estate Farmlands (Online) <https://suffolklandscape.org.uk/wp-content/uploads/2020/07/11-Guidance-Note-Plateau-Estate-Farmlands.pdf> [Accessed May 2021]

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> • hedgerows within and around the site are not considered suitable for coppicing as part of the proposals. • the proposals would enhance the network of tree belts found across much of this landscape type. • the proposals would not affect any areas of historic parkland.
LI.1.79	ESC, SCC	<p>Landscaping</p> <p>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.</p>
	Response	No response from SZC Co. is required.
LI.1.80	ESC, SCC, Natural England	<p>Mitigation</p> <p>What, if any, further mitigation is considered necessary in relation to the FMF? If necessary, how do you consider such measures should be secured?</p>
	Response	As detailed in Volume 8 of the ES [APP-509 to APP-537, and AS-187], no significant effects are anticipated during the construction, operation or removal and reinstatement phases for the majority of environmental disciplines. The landscape and visual impact assessment [APP-520] does predict significant adverse effects on Group 1 receptors (users of PRow, Registered Common Land/open access land and residents of Keepers Cottages to the east of the site) during the construction and removal and reinstatement phases, due to views of construction/demolition activity and plant. However, given the effects would be temporary and, for the removal and reinstatement phase, the proposed planting along the eastern boundary of the site would be mature and provide visual screening (assumed to be 4.8m high for woodland and shrub planting), the visual effects for this receptor group would be reduced. It is not considered that any additional mitigation is required.
Sizewell Link Road (SLR)		
LI.1.81	The Applicant	Description Figure

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		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	Figure 2.1 in the Sizewell link road Description of Development Figures [APP-449] comprised the key plan for the illustrative masterplan for the Sizewell link road. It was omitted from this document of the Environmental Statement in error in the May 2020 submission. However, this figure was updated and included in the January 2021 submission as Figure 6.2.2 , in the Volume 2 of ES Addendum [AS-198].
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	See Figures 18.24 to 18.30 of the written responses for Plates 4.1 to 4.7 provided as standalone A3 drawings.
LI.1.83	ESC, SCC, Natural England	Outline Landscape and Ecological Management Plan (oLEMP) In respect of the proposed oLEMP [AS-264], please comment on the following: (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 Ancient Estate Claylands and Rolling Estate Claylands LCT? (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?
	Response	No response from SZC Co. is required.
LI.1.84	The Applicant	Outline Landscape and Ecological Management Plan (oLEMP) Please provide a detailed plan to illustrate the extent of the proposed additional native woodland to be created east of the East Suffolk line.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	See Figure 18.31 of the written responses, which illustrates the extent of proposed native woodland to the east of the East Suffolk line. This shows a linear woodland belt to the south of the proposed Sizewell link road, linking retained vegetation along the railway line to retained/reinstated hedgerows and a reinstated pond. Additional woodland planting is proposed around an attenuation basin to the east of the woodland belt.
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>
	Response	<p>Sizewell link road is neither located within the AONB nor its setting, as set out in response to question LI.1.2 in this chapter. This is why paragraph 6.4.46 of Volume 6, Chapter 6 of the ES [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. It would also not be possible for the Sizewell link road to permanently split the AONB as it does not physically interact with it. It also cannot negatively impact the setting of the AONB as it is not located within it.</p> <p>Given the Sizewell link road is not in the AONB, SZC Co. assumes that Suffolk Coast and Heaths AONB Partnership's phrase 'bring development into the AONB' should be taken to mean that it is a form of development that would give rise to increased traffic flows to and from the AONB, which could be harmful to the AONB's statutory purpose.</p> <p>Sizewell link road does not give rise to increased traffic flows to and from the AONB. Sizewell link road is mitigation to help reduce the amount of traffic on the B1122 through Middleton Moor and Theberton during the peak construction phase of the Sizewell C Project, and beyond. It is the Sizewell C power station and associated construction activities that increase traffic flows. Details of how SZC Co. has given substantial weight to the conservation of the natural beauty of the landscape and countryside in the Suffolk Coast and Heaths AONB in developing its designs are set out in response to question LI.1.2.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>However, the reference to Sizewell link road under concern 2) of the RR from the Suffolk Coast and Heaths AONB Partnership [RR-1170] appears to relate more correctly to the proposed access road from the proposed B1122 roundabout to the operational power station, which would run through the AONB.</p> <p>In relation to the proposed access road, SZC Co. does not agree with the AONB Partnership's comment that the proposed access road would permanently split the AONB in two and negatively impact the setting of the AONB. The design of the operational road and surrounding landscape assimilates the proposed access into an enhanced Sandlings landscape across the restored construction area, as part of the wider estate masterplan and would be similar in appearance/character to existing roads extending throughout the AONB.</p> <p>Section 8.8.2 of the Design and Access Statement [APP-586] provides detail of how the proposed access road would be integrated into both the overall landscape masterplan and the AONB landscape.</p>
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	<p>(i) Rosetta Lodge is the same receptor as 'Rosetta' in the noise and vibration assessment, set out in Volume 6, Chapter 4 of the ES [APP-451] and Volume 1, Chapter 6 of the ES Addendum [AS-185].</p> <p>It is a residential dwelling.</p> <p>(ii) Rosetta is approximately 90m from the southern extent of the proposed three-arm roundabout that links the Sizewell link road and the A12.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>The southern extent of the proposed three-arm roundabout is where the 180m separation distance quoted for Red House Farm in Volume 3, Appendix 6.2.A of the ES Addendum [AS-248].</p> <p>The receptor named 'Rosetta Lodge' in the Community Impact Report [APP-156] was Receptor 30 and named 'Rosetta' in the noise assessment (Volume 6, Chapter 4 of the ES [APP-451] and Volume 1, Chapter 6 of the ES Addendum [AS-185]).</p> <p>Within the landscape and visual impact assessment at Volume 6, Chapter 6 [APP-457], updated by Volume 1, Chapter 6 of the ES Addendum [AS-185], Rosetta forms part of Receptor Group 1 - Users of public footpaths (E-344/013/0, E-344/014/0, E-584/016/A and E-584/019/0), local residents and motorists on local roads between the boundary of Rookery Park to the north, the East Suffolk Line to the east, Town Farm Lane to the south and the A12 to the west. Specifically it is located to the north of Town Farm Lane. Rosetta is also included within the assessment of Inter-relationship Effects at Volume 10, Appendix 2A of the ES [AS-016], alongside the assessment of effects on Red House Farm.</p>
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	<p>Additional tree and shrub planting was initially proposed around the roundabout. However, requirements for visibility splays for traffic approaching the roundabout and to allow for AILs using the roundabout necessitated removal of some areas of planting. The proposed hedgerows are intended to include hedgerow trees, but this level of detail would be provided at the detailed design stage. The proposed hedgerows with hedgerow trees would assist with replacing hedgerows lost along the A12 and along field boundaries within Area 1, reinstating structure to the landscape and links between retained hedgerows. They would also add further layers of vegetation between the proposed road and surrounding properties such as Red House Farm, Rosetta, Fir Tree Farm, Foxen and Lodge Cottage. SZC Co. do not consider it is necessary to update Figure 2.2.</p>
LI.1.88	ESC, SCC	<p>Lighting</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		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?
	Response	No response from SZC Co. is required.
LI.1.89	ESC, SCC, Natural England	Lighting and Special Landscape Area (SLA) 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.
	Response	No response from SZC Co. is required.
LI.1.90	ESC	Layout 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.
	Response	No response from SZC Co. is required.
LI.1.91	The Applicant	Photowire Visualisations Please provide additional photowire visualisations for the following: 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	See Figures 18.32 to 18.41 of the written responses. These present the existing view for each representative viewpoint, and wireframes of the proposals at year 1 when the construction of the Sizewell link road is complete. They do not show any proposed planting in order to illustrate the worst case scenario.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		At year 1, the proposed highway fences are shown outlined in black, proposed earthworks are outlined in green, proposed swales and attenuation basins are shown in light blue and the proposed lighting columns outlined in dark blue.
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	As shown on Figure 6.2.7 at Volume 2, Chapter 6 of the ES Addendum [AS-198], woodland planting is proposed to the east of the Pretty Road overbridge (please note that, as indicated by the north arrow, north is not straight up on this figure). The proposed woodland belt would replicate other woodland belts found in the immediate vicinity, creating new structural planting that would provide visual screening over time, as well as adding to the existing landscape structure. This would be in keeping with the local landscape character and reflective of the landscape management guidelines contained within the Guidance Note which supports the Suffolk Landscape Character Assessment (Ancient Estate Claylands LCT development management guidelines ¹⁵ and Rolling Estate Claylands LCT development management guidelines ¹⁶).
LI.1.93	The Applicant	<p>Pretty Road Overbridge</p> <p>Please provide an illustrative example of the proposed Pretty Road overbridge.</p>
	Response	See Figure 18.42 of the written responses.
LI.1.94	The Applicant	<p>Pretty Road Overbridge – Operation Effects</p> <p>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</p>

¹⁵ Suffolk County Council (2008, revised 2011) Suffolk Landscape Character Assessment Guidance Note - Ancient Estate Claylands (Online) <https://suffolklandscape.org.uk/wp-content/uploads/2020/06/1-Guidance-Note-Ancient-Estate-Claylands.pdf> [Accessed May 2021]

¹⁶ Suffolk County Council (2008, revised 2011) Suffolk Landscape Character Assessment Guidance Note - Rolling Estate Claylands (Online) <https://suffolklandscape.org.uk/wp-content/uploads/2020/07/15-Guidance-Note-Rolling-Estate-Farmlands.pdf> [Accessed May 2021]

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

ExQ1	Question to:	Question:
	Response	<p>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?</p> <p>As indicated in the description of development for the Sizewell link road at Volume 6, Chapter 2 of the ES [APP-446], updated by Volume 1, Chapter 6 of the ES Addendum [AS-185], the proposed Pretty Road overbridge would be 4m above existing ground level and the Sizewell link road would be in a 5m cutting. The height of the bridge from Sizewell link road level to the top of parapet would be approximately 9m. The proposed overbridge would carry non-motorised users only (pedestrians, cyclists, equestrians) over the Sizewell link road. An integral part of the design process for the overbridge has been minimising the height of the proposed overbridge above existing ground levels to reduce visibility from the surrounding area.</p> <p>SZC Co. does not consider that the proposed Pretty Road overbridge would be widely visible from Theberton and surrounding properties. Retained mature woodland vegetation to the south east of the proposed overbridge, south of Pretty Road, (see Figure 6.2.7 of Volume 2, Chapter 6 of the ES Addendum [AS-198]) combined with other intervening layers of vegetation along field boundaries and watercourses, would provide visual screening in views from Theberton. There would be localised visibility of the proposed Pretty Road overbridge from public rights of way in the vicinity.</p> <p>The Pretty Road overbridge as currently proposed was reviewed to ascertain whether alternative design approaches should be considered. The proposed overbridge has been designed to be as small as possible, but within DMRB guidelines, to limit its visual impact. Other design approaches are likely to result in a more substantial structure and a greater extent of vegetation removal.</p> <p>A green bridge has not been considered in detail to date as a design solution for the proposed Pretty Road overbridge. Given that the proposed overbridge is intended to be as small a structure as possible to minimise visibility and impacts on surrounding vegetation, the introduction of a green bridge would result in a much more substantial structure that would require greater removal of vegetation in the vicinity of Theberton Hall.</p> <p>Whilst a green bridge would be of some ecological benefit, the inclusion of a green bridge would not link or re-establish a linkage between two areas of existing high value, such as two areas of designated ancient woodland or a County Wildlife Site (CWS). Theberton</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>Woods to the west of the proposed bridge is a CWS and is of high value but the existing small areas of (non-ancient) woodland and mature trees along Pretty Road and around Theberton Hall to which it would become linked have no special designation, either nationally or locally.</p> <p>Given it would not re-establish existing links between two high value habitats, and the ES demonstrates a net gain in biodiversity overall, it was not considered that a green bridge is necessary in ecological terms.</p> <p>In terms of landscape and visual impacts of the proposed Pretty Road overbridge, whilst a green bridge may blend into the landscape sooner than the proposed planting will allow, the additional scale of such a structure would have its own impacts that would require additional EIA assessment and provide little overall benefit, given it would not reconnect two high value habitats.</p> <p>The Green Bridge Guidance published by the Landscape Institute in January 2016 following research commissioned by Natural England presents several types of wildlife bridges, which are significantly more substantial in size than the proposed Pretty Road overbridge. It states that green bridges aiming to achieve connections at a landscape / ecosystem level should be over 80m in width. Where the aim is to achieve connections for species at a population level, the bridge should be around 50m wide (published guidance recommendations range from 25m-80m, with an average of 50m). As a general rule, a width to length ratio over 0.8 is recommended.</p> <p>Given the Pretty Road overbridge has been designed to be as short a structure as possible to limit its impacts, the above 0.8 ratio would mean that the approximately 60m long footbridge would need to be 48m in width to be a viable green bridge in accordance with the guidance, which would make it a substantially larger structure.</p> <p>The additional scale of the structure would not appear to provide enough of a benefit to be a reasonable alternative to the proposed Pretty Road overbridge. It is also likely to take longer to construct (at much greater cost) which could have a negative impact on programme overall but also on the reopening of the existing footpath crossing the Sizewell link road, and other PRoW connections in the vicinity.</p>
LI.1.95	The Applicant	<p>Receptor Group 1 – Operation Effects</p> <p>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</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>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.</p>
	Response	<p>As with all landscape and visual chapters forming part of the ES, the assessment of the landscape and visual effects of Sizewell link road at night is covered by the night-time appraisal at Volume 6, Appendix 6A of the ES [APP-458], updated by Volume 1, Chapter 6 of the ES Addendum [AS-185]. This judgement is reported separately to the judgements within the main landscape and visual chapter, which relate to the assessment of effects during the daytime. The night-time appraisal concludes that the effects of lighting would remain significant in Receptor Group 1, as also reported at paragraph 6.6.78 of Volume 6, Chapter 6 of the ES [APP-457]. This remains unchanged by the Volume 1, Chapter 6 of the ES Addendum [AS-185].</p> <p>As set out at paragraph 6.6.64 of Volume 6, Chapter 6 of the ES, by year 15 of operation, the growth of proposed vegetation would have grown sufficiently to reduce the day time visibility of the proposed development to a limited extent of the Receptor Group, from the limited extent assessed at year 1. The limited extent, combined with a large-medium scale and permanent duration is judged to contribute to an effect of medium-low magnitude. This combines with the high-medium sensitivity of the Receptor Group to result in moderate adverse effects, which are considered to be not significant, as per the landscape and visual methodology at Volume 1, Appendix 6I of the ES [APP-171]. Effects remain not significant in the Volume 1, Chapter 6 of the ES Addendum [AS-185].</p>
LI.1.96	SCC	<p>Design and Mitigation</p> <p>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.</p>
	Response	No response from SZC Co. is required.

ExQ1	Question to:	Question:
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	<p>As set out in the baseline section of the landscape and visual impact assessment at Volume 6, Chapter 6 of the ES [APP-457], Sizewell link road lies predominantly within the Ancient Estate Claylands LCT, with some areas located in the Rolling Estate Claylands LCT (not the Estate Sandlands and Plateau Estate Farmlands LCT as referenced in the question). In relation to the Ancient Estate Claylands LCT development management guidelines¹⁷ the guidelines that have been applied include:</p> <ul style="list-style-type: none"> • as indicated in the Description of Development at Volume 6, Chapter 2 of the ES [APP-446], existing boundary vegetation would be retained where possible, which can act as both a screen and a backdrop to the proposed development. • sinuous field boundaries are not a prominent feature in the vicinity of the Sizewell link road. Consequently, proposed hedgerows either replicate hedgerow alignments lost during the construction phase or follow the alignment of the Sizewell link road. • 'important hedgerows' under the Hedgerow Regulations 1997 have been identified through consultation with both the ecology and heritage teams and are shown on both the Site Clearance Plans and the Proposed Landscape Masterplan And Finished Levels as updated in January 2021 [AS-138]. Whilst these do not solely identify areas of late enclosure hedges, they identify hedgerows with ecological or heritage interest, which would be retained where possible or reinstated to original alignments where removal is required for construction access. • there are no areas of greens or commons within the site boundary to be affected by the proposed development. • where possible, hedgerow trees are retained. Where new hedgerows are prepared, these would retain a proportion of hedgerow trees.

¹⁷ Suffolk County Council (2008, revised 2011) Suffolk Landscape Character Assessment Guidance Note - Ancient Estate Claylands (Online) <https://suffolklandscape.org.uk/wp-content/uploads/2020/06/1-Guidance-Note-Ancient-Estate-Claylands.pdf> [Accessed May 2021]

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> • the proposals would not affect any areas of historic parkland. • existing woodland cover is retained where possible, with alignments having adjusted to minimise woodland removal where appropriate, and additional woodland planting is proposed to increase woodland cover. • existing ponds are retained where possible and additional ponds (in addition to any attenuation basins) are also proposed. There are no moats that would be affected by the proposed development. <p>In relation to the Rolling Estate Claylands LCT development management guidelines¹⁸, the guidelines applied are largely the same as those for the Ancient Estate Claylands LCT.</p>
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	No response from SZC Co. is required.
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> <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 Rolling Estate Claylands, Rolling Estate Sandlands and Valley Meadowlands LCT?</p> <p>(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?</p>

¹⁸ Suffolk County Council (2008, revised 2011) Suffolk Landscape Character Assessment Guidance Note - Rolling Estate Claylands (Online) <https://suffolklandscape.org.uk/wp-content/uploads/2020/07/15-Guidance-Note-Rolling-Estate-Farmlands.pdf> [Accessed May 2021]

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	No response from SZC Co. is required.
LI.1.100	The Applicant	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].
	Response	As shown on Plate 4.1 of the oLEMP [AS-263] (provided separately as Figure 18.43 in response to question LI.1.103), new woodland planting is proposed both in a linear belt approximately 6m wide immediately adjacent to the western edge of Foxburrow Wood and in a small copse approximately 25m to the south west of Foxburrow Wood.
LI.1.101	The Applicant	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].
	Response	Figure 18.44 to the written responses illustrates the extent of the proposed reinforcement and expansion of existing linear wooded corridors and the locations of new corridors. It illustrates the proposed woodland belts to the north west of the bypass in particular providing new corridors between existing woodland belts and the proposed hedgerows, which would include hedgerow trees, creating new linkages elsewhere along the route.
LI.1.102	The Applicant	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].
	Response	Figure 18.44 as provided in response to question LI.1.101 demonstrates how the proposed woodland, combined with proposed hedgerows, provide linkages between existing areas of woodland. The key areas of existing woodland along the two village bypass are Foxburrow Wood immediately to the east of the site and other small, broadleaved copses present within the surrounding area including Whin Covert and Nuttery Belt. The proposed woodland would provide buffers to these existing woodlands,

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		with the hedgerows and proposed woodland planting belts shown on Figure 18.44 of the written responses creating links between them.
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	See Figure 18.43 of the written responses for Plate 4.1 provided as a standalone A3 drawing.
LI.1.104	The Applicant	<p>Foxburrow Footbridge Design 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	<p>SZC Co. has considered the design of the proposed Foxburrow Wood footbridge in light of discussions with and representations from the RSPB and Suffolk Wildlife Trust (SWT), and conversations with Natural England (NE). Details of these meetings are summarised in Volume 5, Chapter 7 of the ES [APP-425].</p> <p>The Foxburrow Wood footbridge as currently proposed was reviewed to ascertain whether the suggestions of a green bridge were founded.</p> <p>Whilst a green bridge would be of some ecological benefit, the inclusion of a green bridge would not link or re-establish a linkage between two areas of existing high value, such as two areas of designated ancient woodland or a County Wildlife Site (CWS). The ancient woodland of Foxburrow Wood is of high value but the existing small areas of (non-ancient) woodland and mature trees in the Farnham Hall area to which it would become linked has no special designation, either nationally or locally (it is not a County Wildlife Site (CWS)).</p> <p>As a result, a green bridge would not serve to lessen the significance of any of the adverse ecological effects identified in the ES. Given it would not re-establish existing links between two high value habitats, and the ES demonstrates a net gain in biodiversity overall, it was not considered that a green bridge is necessary in ecological terms.</p> <p>In terms of landscape and visual impacts of the proposed Foxburrow Wood footbridge, the landscape and visual impact assessment in the ES [APP-421] predicts significant landscape effects during construction and for the medium-long term once the two village bypass is operational. The planting mitigation proposed will, once matured, be sufficient</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>to screen the footbridge from the wider landscape. This is unlikely to be achieved until Year 15 but 15 years is relative to the fact that the bridge would be a permanent structure and a legacy benefit of the scheme.</p> <p>The propose footbridge has been designed to be as small as possible, but within DMRB guidelines, to limit its visual impact. Whilst a green bridge may blend into the landscape sooner than the proposed planting will allow, the additional scale of such a structure would have its own impacts that would require additional EIA assessment and provide little overall benefit, given it would not reconnect two high value habitats.</p> <p>The Green Bridge Guidance published by the Landscape Institute in January 2016 following research commissioned by Natural England presents several types of wildlife bridges, which are significantly more substantial in size than the proposed Foxburrow Wood footbridge. It states that green bridges aiming to achieve connections at a landscape / ecosystem level should be over 80m in width. Where the aim is to achieve connections for species at a population level, the bridge should be around 50m wide (published guidance recommendations range from 25m-80m, with an average of 50m). As a general rule, a width to length ratio over 0.8 is recommended.</p> <p>Given the Foxburrow Wood footbridge has been designed to be as short a structure as possible to limit its impacts, the above 0.8 ratio would mean that the 43m long footbridge would need to be 34.4m in width to be a viable green bridge in accordance with the guidance, which would make it a substantially larger structure.</p> <p>Given the visual impact of the proposed footbridge would be greatly reduced once the proposed mitigation planting has matured, and that this planting has been assessed to result in a net gain in biodiversity, the benefits of upgrading to a green bridge would be marginal.</p> <p>The additional scale of the structure would not appear to provide enough of a benefit to be a reasonable alternative to the proposed Foxburrow Wood footbridge. It is also likely to take longer to construct (at much greater cost) which could have a negative impact on programme overall but also on the reopening of the existing footpath crossing the two village bypass, and other PRow connections in the vicinity.</p> <p>There are, therefore, significant disbenefits to a green bridge to weigh against a marginal benefit.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
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	<p>As set out in the baseline section of the landscape and visual impact assessment at Volume 5, Chapter 6 of the ES [APP-421], the two village bypass lies predominantly within the Rolling Estate Sandlands LCT, transitioning to the Valley Meadowlands LCT at Whin Covert in the west, then Rolling Estate Claylands LCT at the north-western corner of the site around Parkgate Farm. In relation to the Rolling Estate Sandlands LCT development management guidelines¹⁹ the guidelines that have been applied include:</p> <ul style="list-style-type: none"> • Regular field boundaries are part of the historic field pattern. Proposed hedgerows either replicate regular field boundaries alignments lost during the construction phase or follow the alignment of the two village bypass. • Pines can be specified within the planting mixes at the detailed design stage. However, locally distinctive '<i>pine lines</i>' are not present in the woodlands immediately adjacent to the proposed road and woodland planting will be required to provide greater visual screening at lower levels. • The proposed planting would enhance the network of tree belts and small plantations found across much of this landscape type. • The proposals would not affect any areas of historic parkland. <p>In relation to the Valley Meadowlands LCT development management guidelines²⁰, the guidelines that have been applied include:</p> <ul style="list-style-type: none"> • Grazing by cattle would be reinstated within the fields along the River Alde following construction, to allow traditional economic activities to continue. Consideration has

¹⁹ Suffolk County Council (2008, revised 2011) Suffolk Landscape Character Assessment Guidance Note - Rolling Estate Sandlands (Online) <https://suffolklandscape.org.uk/wp-content/uploads/2020/07/16-Guidance-Note-Rolling-Estate-Sandlands.pdf> [Accessed May 2021]

²⁰ Suffolk County Council (2008, revised 2011) Suffolk Landscape Character Assessment Guidance Note - Valley Meadowlands (Online) <https://suffolklandscape.org.uk/wp-content/uploads/2020/07/26-Guidance-note-Valley-Meadowlands.pdf> [Accessed May 2021]

ExQ1	Question to:	Question:
		<p>been given to facilitating this through the design of cattle friendly routes under the proposed road.</p> <ul style="list-style-type: none"> • The revised illustrative masterplan of the two village bypass provided at Figure 5.2.2 in Volume 2, Chapter 5 of the ES Addendum [AS-197], alongside the revised project description text at Volume 1, Chapter 5 of the ES Addendum [AS-184], demonstrates the creation of replacement floodplain grassland incorporating additional drainage ditches along the River Alde. This would contribute to the pattern of drainage. • The proposed floodplain grassland would also maintain the levels of grassland and improve the connectivity and value of grassland habitats along the River Alde. • There is limited opportunity to create new areas of woodland within this LCT due to the importance of creating improved floodplain grassland. <p>In relation to the Rolling Estate Claylands LCT development management guidelines²¹, the following guidelines have been applied:</p> <ul style="list-style-type: none"> • Sinuous field boundaries are not a prominent feature in the vicinity of the two village bypass. Consequently, proposed hedgerows either replicate hedgerow alignments lost during the construction phase or follow the alignment of the two village bypass. • <i>'Important hedgerows'</i> under the Hedgerow Regulations 1997 have been identified through consultation with both the ecology and heritage teams and are shown on both the Site Clearance Plans and the Proposed Landscape Masterplan And Finished Levels at Book 2.8 [APP-038]. Whilst these do not solely identify areas of late enclosure hedges, they identify hedgerows with ecological or heritage interest, which would be retained where possible or reinstated to original alignments where removal is required for construction access. • Where possible, hedgerow trees are retained. Where new hedgerows are proposed, these would contain a proportion of hedgerow trees. • Existing woodland cover is retained where possible and additional woodland planting is proposed to increase woodland cover.

²¹ Suffolk County Council (2008, revised 2011) Suffolk Landscape Character Assessment Guidance Note - Rolling Estate Claylands (Online) <https://suffolklandscape.org.uk/wp-content/uploads/2020/07/15-Guidance-Note-Rolling-Estate-Farmlands.pdf> [Accessed May 2021]

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> The proposals would not affect any areas of historic parkland.
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>The two village bypass Landscape and Visual Impact Assessment identifies significant effects on three of the receptor groups identified (Groups 1, 2, and 4) during construction due to the views of construction activity and plant seen above existing vegetation, and significant adverse effects would remain to Groups 1 and 4 during operation due to visibility of the proposed lighting at night.</p> <p>The lighting design is dictated by highways requirements and measures are included to minimise lighting effects, but the lighting will remain visible. Bunds or acoustic barriers are unlikely to assist for these effects as they would need to be of a height that would cause landscape and visual intrusion in their own right. During construction, effects on those receptor groups are largely about the physical extent of construction activity and the direct impacts on rights of way users but these impacts would be temporary in nature.</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"> i) Representative Viewpoint 1: A12 north of junction with A1094 ii) Representative Viewpoint 6: Tinker Brook near access to Glemham Park iii) Representative Viewpoint 7: A12 north west of route
	Response	<p>See Figures 18.45 to 18.50.</p> <p>These present the existing view for each representative viewpoint, and wireframes of the proposals at year 1 when the construction of the Sizewell link road is complete. They do not show any proposed planting in order to illustrate the worst case scenario.</p> <p>At year 1, the proposed highway fences are shown outlined in black, proposed earthworks are outlined in green, proposed swales and attenuation basins are shown in light blue and the proposed lighting columns outlined in dark blue.</p>

ExQ1	Question to:	Question:
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	<p>SZC Co. has held discussions with DASH Astro and other local astronomical societies to present the lighting proposals for both the main development site and associated development sites, as well as receive feedback on ways to minimise lighting impacts. Members of these astronomical societies have been responsible for obtaining dark sky status for sites in Suffolk.</p> <p>SZC Co. has found no formal status covering the village of Darsham that denotes it as a dark sky village. The closest Dark Sky Discovery Site is located approximately 1.5km to the north of the village at Haw Wood Farm Caravan Park, as shown by Figure 6B.1 at Volume 3, Appendix 6B of the ES [APP-361]. A further Dark Sky Discovery Site is located approximately 2.4km to the south east of the village at Westleton Common, which members of DASH Astro have been responsible for obtaining. However, Figure 6B.1 does indicate relatively dark skies in the vicinity of Darsham.</p> <p>As indicated at paragraph 1.3.3 of Volume 3, Appendix 6B of the ES, the sensitivity of a landscape character type is based on the degree to which the character of the landscape is characterised by darkness, informed by satellite mapping of light distribution and site observations. Value is a component part of the sensitivity judgement and is as presented within the assessment of effects during the day, unless specific factors suggest otherwise, for example the identification of a dark sky discovery site which would increase value.</p> <p>In relation to the northern park and ride site, the main Landscape Character Type that would be affected by the proposals is the Ancient Estate Claylands LCT, as set out in Volume 3, Appendix 6B of the ES. The susceptibility of this LCT is considered to be high-medium due to the limited sources of artificial lighting. The LCT is considered to be of community value as it is located outside of any designated area and has limited features that would increase the value of the landscape. The Haw Wood Farm Caravan Park Dark</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>Sky Discovery Site is located within the LCT, but towards the periphery of the LCT within the study area and forming only a limited extent of the LCT. This is not considered sufficient to increase the value of the LCT to 'local'. The sensitivity and value of the LCT combined are judged to result in medium sensitivity to the proposed lighting.</p>
LI.1.109	The Applicant	<p>Lighting What, if any, is the predicted level of light spill anticipated to occur beyond the site boundary of the NPR?</p>
	Response	<p>When the lighting modelling was carried out in 2019, limitations in the software available meant that backspill filters could not be modelled accurately, hence the worst case (i.e. no backspill filter) has been modelled.</p> <p>Given the worst case has been assessed in the ES and the lighting columns along the perimeter would use focus optics to reduce backward spill of light, it is anticipated that there would be no light spill beyond the site boundary.</p>
LI.1.110	The Applicant	<p>Landscape Character Types 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	<p>As set out in the baseline section of the landscape and visual impact assessment at Volume 3, Chapter 6 of the ES [APP-360], the northern park and ride site lies within the Ancient Estate Claylands LCT. In relation to the Ancient Estate Claylands LCT development management guidelines²² the guidelines that have been applied include:</p> <ul style="list-style-type: none"> • Sinuous field boundaries are not a prominent feature in the vicinity of the northern park and ride. Consequently, proposed hedgerows have been designed to follow existing features such as roads, enhancing and/or replacing former roadside hedgerows. • 'Important hedgerows' under the Hedgerow Regulations 1997 have been identified through consultation with both the ecology and heritage teams and are shown on

²² Suffolk County Council (2008, revised 2011) Suffolk Landscape Character Assessment Guidance Note - Ancient Estate Claylands (Online) <https://suffolklandscape.org.uk/wp-content/uploads/2020/06/1-Guidance-Note-Ancient-Estate-Claylands.pdf> [Accessed May 2021]

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>both the Site Clearance Plans and the Proposed Landscape Masterplan And Finished Levels as updated in January 2021 [AS-124]. Whilst these do not solely identify areas of late enclosure hedges, they identify hedgerows with ecological or heritage interest, which would be retained where possible or reinstated to original alignments where removal is required for construction access.</p> <ul style="list-style-type: none"> • There are no areas of greens or commons within the site boundary to be affected by the proposed development. • Where possible, hedgerow trees are retained. Where new hedgerows are proposed, these would contain a proportion of hedgerow trees. • The proposals would not affect any areas of historic parkland. • existing woodland cover is retained and buffered during construction and operation. • existing ponds are retained and enhanced. There are no moats in the vicinity of the proposed development.
LI.1.111	ESC, SCC, Natural England	<p>Mitigation 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>
		No response from SZC Co. is required.
Southern Park and Ride (SPR)		
LI.1.112	The Applicant	<p>Landscape – Legacy 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	<p>Since the submission of the application, SZC Co. have engaged with Marlesford Parish Council and other interested parties to work together to reduce and/or avoid the impacts, where possible, associated with the construction, operation and removal and reinstatement of the of the southern park and ride at Wickham Market.</p> <p>SZC Co. has sought to reduce any impacts of the proposed development through a range of mitigation measures embedded through the Associated Development Design Principles (Doc Ref. 8.3(A)). Those of specific relevance to landscape and design are as follows:</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<ul style="list-style-type: none">• The creation of landscape bunds up to 3m high to the southern, eastern and northern boundaries of the site using on-site material removed due to earthworks associated with the levelling of the site and top soil storage.• The retention of existing woodland and hedgerows where appropriate, as well as additional temporary soft landscaping and suitably sited tree and shrub planting within the car parking areas.• Permanent supplementary hedgerow planting proposed along the southern and eastern boundaries of the site to screen views from Footpaths E-387/008/0 and E-288/007/0.• Temporary hedgerow planting would also be planted along the access road, whilst the park and ride is operational, to replace hedgerows lost during construction, and would be re-planted as close as possible to the original hedgerow line during the removal and reinstatement phase.• Lighting columns within the car parking areas and along the access road would be restricted to 6m in height to minimise visibility during day and night-time.• Lighting columns, to a maximum height of 10m including lanterns, would be provided from the roundabout with the B1078 and along the slip road leading to the site and the northbound A12.• Lighting columns would utilise LED base lights with zero-degree tilt to minimise light spill and along the perimeter would be fitted with demountable shield to reduce backward spill of light.• Use of a central management system for the lighting which would be capable of dimming of parts of the site independently from other parts.• A general design approach aiming to create an unimposing appearance, with the buildings screened as far as possible. The layout aims to maximise the benefit of existing screening provided by Whin Belt and the other blocks of woodland located to the north, west and east. Where visible the buildings would adopt natural colours to allow their appearance to harmonise with the surroundings. <p>In addition to the Associated Development Design Principles, the approved changes set out in Volume 1, Chapter 4 of the ES Addendum [AS-183] included moving the security fence along the western boundary of the site further east to allow for sufficient</p>

ExQ1	Question to:	Question:
		<p>space between the PRoW and the security fence for the proposed planting to establish and provide appropriate screening.</p> <p>The listed measures aim to control and limit views of the proposed development from neighbouring receptors, including local residential properties, the A12 and local PRoW. In addition, mitigation measures listed within the Code of Construction Practice (Doc Ref. 8.11(B)) will help to minimise landscape and visual effects during construction and the removal and reinstatement phases.</p> <p>SZC Co. note the following responses to each of the specific points raised.</p> <p><i>Provision of new hedgerows and/or woodland planting on all site boundaries (including the cross field northern boundary) where there is no existing vegetation</i></p> <p>As noted within the applicable design principles above, SZC Co. will provide permanent supplementary hedgerow planting proposed along the southern and eastern boundaries. In addition, temporary hedgerow planting would be implemented along the access road, whilst the park and ride is operational, to replace hedgerows lost during construction, and would be re-planted as close as possible to the original hedgerow line during the removal and reinstatement phase. Furthermore, provision of new hedgerow trees (to give height) where there are already hedgerows (as on the east boundaries) would help screen views into the site.</p> <p><i>Space provided for suitable landscape mitigation, as above and mounding on the west boundary where there are open views towards the site</i></p> <p>As noted within the applicable design principles above, SZC Co. will provide permanent supplementary mitigation.</p> <p>In addition, effects to the west of the site would reduce rapidly to small scale during construction due to existing vegetation (woodlands and hedges) which would soften and/or screen the presence of construction and the emerging security fencing and landscape bunds and restrict views to the roofs of taller construction vehicles and emerging buildings.</p> <p><i>We support the provision of soiled mounds to provide visual mitigation</i></p> <p>SZC Co. note the support.</p> <p><i>Wider landscape enhancement of the B1078 from the roundabout to the site</i></p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>The site is already well screened from views to the west but the extension of the landscape bund to the north-west of the site [AS-183] will help to provide some additional screening to views from the west. Hedgerow planting will also be provided along the access road whilst the park and ride is operational, as stated in the Associated Development Design Principles (Doc Ref. 8.3(A)) and retained important hedgerows along the B1078 slip road, accessing the site, will be augmented by additional hedgerow planting as shown on the proposed landscape masterplan [AS-125].</p> <p><i>The DCO proposals for the SP&R include surface water drainage and open swales. MPC has previously asked for further details and until these are received, it cannot make a judgement on the effectiveness of the drainage proposals.</i></p> <p>The final details of on-site drainage will be controlled by Requirement 5 of the draft DCO (Doc Ref. 3.1(C)). However, section 4 (Associated Development Sites) of the Outline Drainage Strategy (Doc Ref. 6.3 2A(A)) and the Associated Development Design Principles (Doc Ref. 8.3(A)) provide the further detail of the parameters which will inform the design of the final drainage strategy. This includes SuDS to attenuate surface water run-off and minimise sediment generation. SuDs measures, including swales, geo-cellular storage within the landscape bunds and infiltration basins, will be incorporated within the site to allow for surface water run-off to be returned to ground, ensuring there will be no changes to the local hydrology regimes. Permeable surfaces will be used where feasible in the main car parking area to minimise surface water run-off.</p>
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	<p>Representative Viewpoint 5: Footpath E-178/003/0 Near Bottle and Glass Cottages was produced as a photowire visualisation at Figure 6.16 of Volume 4, Chapter 6 of the ES [APP-393].</p>
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	<p>To address this question, SZC Co. has liaised with Anne Westover as the nominated representative of Wickham Market Parish Council. The Parish Council have identified two</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>additional locations with views towards the southern park and ride site. Photography has been taken from both of these locations on 4 May 2021 and Figures 18.51 and 18.52 to this chapter present the views, along with a description of the characteristics of the existing view and the likely effects of the proposed development. Given the timing of the Examining Authority’s Questions, the views are not truly winter views, however neither are trees and hedgerows fully in leaf. Where relevant, reference is made to any changes in the extent of visibility that would be possible in fully winter views.</p>
LI.1.115	The Applicant	<p>Dark Skies Area Both Hacheston 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	<p>SZC Co. has held discussions with DASH Astro and other local astronomical societies to present the lighting proposals for both the main development site and associated development sites, as well as receive feedback on ways to minimise lighting impacts. Members of these astronomical societies have been responsible for obtaining dark sky status in areas of Suffolk further to the north, but none have been applied for in the vicinity of Hacheston or Marlesford.</p> <p>SZC Co. have found no formal designation covering Hacheston or Marlesford Parishes that denotes it as a dark sky village. The closest Dark Sky Discovery Site is located approximately 16.5km to the north east of the village at Westleton Common as shown by Figure 6B.1 at Volume 4, Appendix 6B of the ES [APP-391]. Figure 6B.1 indicates that there is a low level of artificial light within much of the study area, including the site itself. To the south-west, the settlement of Wickham Market, creates a much higher degree of light pollution and there is a further area of higher light pollution around Campsea Ashe to the southeast of the site. Marlesford is indicated to have relatively dark skies and Hacheston slightly less dark skies. However, both settlements are located in areas that are less dark than the designated Dark Sky Discovery Sites.</p> <p>The night- time appraisal takes into account the existing lighting levels identified by the Light Pollution Map website²³, as recorded in March 2019. It considers the study area for</p>

²³ Juri Stare. Intensity of Artificial Lighting (Visible Infrared Imaging Radiometer Suite 2018). (Online) Available from: <https://www.lightpollutionmap.info/> [Accessed May 2021].

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		the southern park and ride site to be relatively dark, but not to contain any designated dark skies.
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> <p>Response</p> <p>When the lighting modelling was carried out in 2019, limitations in the software available meant that backspill filters could not be modelled accurately, hence the worst case (i.e. no backspill filter) has been modelled.</p> <p>Given the worst case has been assessed in the ES and the lighting columns along the perimeter would use focus optics to reduce backward spill of light, it is anticipated that there would be no light spill beyond the site boundary.</p>
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> <p>Response</p> <p>Pettistree Parish Council is located beyond the 2km study area for the southern park and ride, and as such is unlikely to experience any significant night-time effect as a result of the proposed development. The lighting for the southern park and ride has been designed to minimise light spill and sky glow as far as possible and the following measures:</p> <ul style="list-style-type: none"> • As set out in the description of development at Volume 4, Chapter 2 of the ES [APP-380], updated in Volume 3, Appendix 4.2.A of the ES Addendum [AS-242], construction would take place between 07:00 to 19:00 Monday to Saturday. Therefore, some task lighting may be required during the winter months, dependent upon what construction activities are taking place. The only lighting required beyond that would be for site security, unless 24-hour working is required on an ad hoc basis, for which East Suffolk Council would be notified in advance. • The indicative lighting layout for the operational phase of the southern park and ride has been determined by the operational safety and security requirements of the site. • Lighting columns would be limited to 6m in height within the site itself, but would be up to 10m high from the roundabout with the B1078 and along the slip road leading to the site and the northbound A12 to comply with highway authority requirements.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> • The use of zero-tilt lanterns for all lighting, which focuses lighting down towards the areas to be lit rather than spreading the light more widely as floodlighting would do. • The addition of demountable shields on lighting columns located along the boundaries of the associated development sites or in proximity to sensitive receptors such as residential properties or ecological habitats, in order to prevent light spilling backwards. • The lighting will utilise LED-based light fittings to ensure energy efficiency and be of the lowest wattage possible for the planned usage. • A central management system for the lighting will be incorporated, which will be capable of dimming parts of the site independently from other parts (with each site envisaged to be divided in 6–8 main sections), as usage changes through the day and to allow for seasonal variations in the operation of external lighting. This could either be a manual system operated by operatives on site or an automated system utilising CCTV.
LI.1.118	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 6.6.13 and 6.6.15 of [APP-390]).</p>
	Response	<p>As set out in the baseline section of the landscape and visual impact assessment at Volume 4, Chapter 6 of the ES [APP-390], the southern park and ride site lies predominantly within the Plateau Estate Farmlands LCT. In relation to the development management guidelines²⁴, the guidelines that have been applied include:</p> <ul style="list-style-type: none"> • new and enhanced hedgerow are proposed along the site boundaries where possible in agreement with the current landowner, which fits with the pattern of regular field boundaries; • elm hedges will be managed appropriately where they fall within the site boundary; • existing woodland cover is retained and buffered during construction and operation; and

²⁴ Suffolk County Council (2008, revised 2011) Suffolk Landscape Character Assessment Guidance Note - Plateau Estate Farmlands (Online) <https://suffolklandscape.org.uk/wp-content/uploads/2020/07/11-Guidance-Note-Plateau-Estate-Farmlands.pdf> [Accessed May 2021]

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> the proposals would not affect any areas of historic parkland.
LI.1.119	The Applicant	<p>Landscape Bunds</p> <p>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.</p>
	Response	<p>The relative heights of the proposed landscape bunds are shown on the Proposed General Arrangement plan for the Southern Park and Ride (drawing number SZC-SZ0204-FP-000-DRW-100009 Rev 02) and Southern Park and Ride Landscape Masterplan and Finished Levels (drawing number SZC-SZ0701-XX-000-DRW-100164) [AS-125]. As detailed in the description of development [AS-243], the landscape bund would be reduced in height to 1m for a width of approximately 6m at the south-east of the site to fall within appropriate clearances for an existing gas pipe running through this part of the site. Either side of this 1m strip the bund would be 2m in height, rising to 3m in height to the north-east and north-west boundaries of the site. The Southern Park and Ride Landscape Masterplan and Finished Levels show the finished levels above ordnance datum (drawing number SZC-SZ0701-XX-000-DRW-100164) [AS-125].</p>
LI.1.120	ESC, SCC, Natural England	<p>Mitigation</p> <p>What, if any, further mitigation is considered necessary in relation to the SPR? If necessary, how do you consider such measures should be secured?</p>
	Response	No response from SZC Co. is required.
Rail		
LI.1.121	The Applicant	<p>Photowire Visualisations</p> <p>Please provide an additional photowire visualisation for Representative Viewpoint 5: Footpath E-363/006/0.</p>
	Response	<p>See Figures 18.53 to 18.54 of the written responses.</p> <p>These present the existing view and a wireframe of the proposals at year 1 when the construction of the green rail route is complete. They do not show any proposed planting in order to illustrate the worst case scenario.</p> <p>At year 1, the proposed bunds are outlined in green and the proposed lighting columns outlined in dark blue.</p>

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

ExQ1	Question to:	Question:
LI.1.122	The Applicant	<p>Ballast Stockpiling</p> <p>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.</p>
	Response	See Figure 18.55 of the written responses, which shows the proposed location of the ballast stockpile at a size of approximately 100x50m and a maximum height of 2m.
LI.1.123	The Applicant	<p>Landscape Character Types</p> <p>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]). Please respond in respect of both the Ancient Estate Claylands and the Estate Sandlands LCT.</p>
	Response	<p>As set out in the baseline section of the landscape and visual impact assessment at Volume 9, Chapter 6 of the ES [APP-551], the proposed rail extension route lies predominantly within the Ancient Estate Claylands LCT, with some areas located in the Estate Sandlands LCT on the lower ground at the north-eastern edge of the site. In relation to the Ancient Estate Claylands LCT development management guidelines²⁵ the guidelines that have been applied include:</p> <ul style="list-style-type: none"> • Sinuous field boundaries are not a prominent feature in the vicinity of the proposed rail extension route. Consequently, proposed hedgerows have been designed to follow existing features such as roads, enhancing and/or replacing former roadside hedgerows. • ‘<i>Important hedgerows</i>’ under the Hedgerow Regulations 1997 have been identified through consultation with both the ecology and heritage teams and are shown on both the Site Clearance Plans and the Proposed Landscape Masterplan And Finished Levels [APP-056]. Whilst these do not solely identify areas of late enclosure hedges, they identify hedgerows with ecological or heritage interest, which would be retained where possible or reinstated to original alignments where removal is required for construction access.

²⁵

Suffolk County Council (2008, revised 2011) Suffolk Landscape Character Assessment Guidance Note - Ancient Estate Claylands (Online) <https://suffolklandscape.org.uk/wp-content/uploads/2020/06/1-Guidance-Note-Ancient-Estate-Claylands.pdf> [Accessed May 2021]

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

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> • There are no areas of greens or commons within the site boundary to be affected by the proposed development. • Where possible, hedgerow trees are retained. Where new hedgerows are prepared, these would retain a proportion of hedgerow trees. • The proposals would not affect any areas of historic parkland. • Existing woodland cover is retained and buffered during construction and operation. • Ponds and moats are not present within the site boundary. <p>In relation to the Estate Sandlands LCT development management guidelines²⁶, the guidelines that have been applied are as follows:</p> <ul style="list-style-type: none"> • Proposed hedgerows have been designed to follow existing features such as roads, enhancing and/or replacing former roadside hedgerows. This responds to the historic pattern of regular boundaries. • Whilst 'pine lines' are characteristic of the wider LCT, they are not present in the vicinity of the proposed rail extension route and have not been replicated. • existing tree belts and small woodland are retained and buffered during construction and operation. • heathland, rare Breckland plants and distinctive geomorphology are not characteristic of the site and its immediate context and have not been included as part of the temporary landscape along the proposed rail extension route.
LI.1.124	Pro-Corda/Leiston Abbey, English Heritage	<p>Design – Leiston Abbey</p> <p>Does the design of the rail extension route effectively minimise the visibility of the route from Leiston Abbey?</p>
	Response	No response from SZC Co. is required.
LI.1.125	ESC, SCC, Natural England,	<p>Mitigation</p> <p>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?</p>

²⁶ Suffolk County Council (2008, revised 2011) Suffolk Landscape Character Assessment Guidance Note - Estate Sandlands (Online) <https://suffolklandscape.org.uk/wp-content/uploads/2020/07/7-Guidance-Note-Estate-Sandlands.pdf> [Accessed May 2021]

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	No response from SZC Co. is required.
Yoxford Roundabout and Other Highway Improvements		
LI.1.126	The Applicant	<p>Landscape Character Types</p> <p>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.</p>
	Response	<p>As set out in the baseline section of the landscape and visual impact assessment at Volume 7, Chapter 6 of the ES [APP-490], Yoxford Roundabout lies predominantly within the Rolling Estate Claylands LCT, with the Valley Meadows and Fens LCT running through the northern tip of the site. In relation to the Rolling Estate Claylands LCT development management guidelines²⁷, the guidelines that have been applied include:</p> <ul style="list-style-type: none"> • Sinuous field boundaries are not a prominent feature in the vicinity of the Yoxford roundabout. Consequently, proposed hedgerows either replicate hedgerow alignments lost during the construction phase or follow the alignment of the proposed roads. • ‘<i>Important hedgerows</i>’ under the Hedgerow Regulations 1997 have been identified through consultation with both the ecology and heritage teams and are shown on both the Site Clearance Plan and the Proposed Landscape Masterplan And Finished Levels as updated in January 2021 [AS-132]. Whilst these do not solely identify areas of late enclosure hedges, they identify hedgerows with ecological or heritage interest, which would be retained where possible or reinstated to original alignments where removal is required for construction access. • Where possible, hedgerow trees are retained. Where new hedgerows are prepared, these would retain a proportion of hedgerow trees.

²⁷ Suffolk County Council (2008, revised 2011) Suffolk Landscape Character Assessment Guidance Note - Rolling Estate Claylands (Online) <https://suffolklandscape.org.uk/wp-content/uploads/2020/07/15-Guidance-Note-Rolling-Estate-Farmlands.pdf> [Accessed May 2021]

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

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> Existing woodland cover is retained where possible, e.g. within the grounds of Satis House Hotel, with alignments having been adjusted to minimise woodland removal where appropriate. The proposals would not affect any areas of historic parkland. <p>(Note paragraph 6.4.75 of Volume 7, Chapter 6 of the ES [APP-490] incorrectly quotes the guidelines for the Valley Meadows and Fens LCT instead of those for the Rolling Estate Claylands LCT.)</p> <p>In relation to the Valley Meadows and Fens LCT development management guidelines²⁸, the area of the site that is located within the LCT is very small and is part of the same field as the majority of the remainder of the site. Therefore, scope to apply the Valley Meadows and Fens LCT guidelines is relatively limited.</p>
LI.1.127	ESC, SCC, Natural England,	<p>Mitigation</p> <p>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?</p>
	Response	No response from SZC Co. is required.

²⁸ Suffolk County Council (2008, revised 2011) Suffolk Landscape Character Assessment Guidance Note – Valley Meadowlands and Fens (Online) <https://suffolklandscape.org.uk/wp-content/uploads/2020/07/27-Guidance-note-Valley-MeadowlandsandFens.pdf> [Accessed May 2021]



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

Chapter 19 Ma.1 [Marine water quality and sediment](#)

Chapter 20 MN.1 [Marine Navigation](#)

Chapter 21 NV.1 [Noise and Vibration](#)

Chapter 22 R.1 [Radiological considerations](#)

ExQ1	Question to:	Question:
<p>Chapter 19 - 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)</p>		
Ma.1.0	The Applicant, MMO, EA	<p>Para 21.2.8 Section D, eel management plans.</p> <p>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.</p>
	Response	<p>Eel Management Plans (EMPs) were required by European Council (EC) Regulation 1100/2007.</p> <p>There is no legal requirement to comply with eel management plans.</p> <p>Delivery of the UK EMPs for inland waters, and tidal waters to a distance of 6 nautical miles, is the responsibility of the Environment Agency. The Sizewell C Project is within the Anglian River Basin District EMP. The EMP (dated March 2010) aims to describe the status of eel populations at that date, assess compliance with the target set out in Council Regulation No 1100/2007 and detail management measures to increase silver eel escapement.</p> <p>The EMP does not set out policies to be complied with by the developers and operators of development which may affect eel populations.</p> <p>However, of some relevance to the DCO application is the statement that '<i>[A]// abstraction points in the RBD will be assessed for their likely impact on eel populations and appropriate screening recommended</i>' (p.29). Although this appears to relate to abstraction points which were in existence in 2010 (at the time the EMP was written) it is relevant to this application.</p> <p>The impact of the Sizewell C project on eels has been fully assessed. An Eels Regulations Compliance Assessment (ERCA) has been undertaken to support to the application for development consent and Water Discharge Activity (WDA) Permit for Sizewell C (see Volume 2, Appendix 22S of the ES [APP-332]). In compliance with the EMP, the ERCA identified and assessed the key offshore construction and operational activities of Sizewell C (marine structures and Beach Landing Facility (BLF); cooling water system; cooling water discharge; and Fish Recovery and Return (FRR) systems) which have the potential</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		to impact on the safe passage of the European eel and their life cycle (see Section 5.3 of Volume 2, Appendix 22S of the ES [APP-332]).
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	Not all scenarios were assessed. SZC Co. assessed the most extreme case of each scenario taking into account the loading of chemicals at each phase of development. For example, Scenario A was assessed for input of metals, Scenario D1 for sewage related inputs and Scenario E for tunnelling chemicals. More detail on this is provided in Section 5 (page 31 onwards) of Volume 2, Appendix 21F of the ES [APP-315].
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	No, it is not intended that the conclusions of the shadow Habitats Regulation Assessment are imported or necessary for understanding to the Marine Water Quality and Sediments ES chapter (Volume 2, Chapter 21 of the ES [AS-034]). Impacts on designated features in the Shadow Habitats Regulations Assessment Report [APP-145 to APP-149] are assessed against the conservation objectives. The ES assessments are conducted independently of the Shadow Habitats Regulations Assessment. Thus, any designated Habitats Regulations Assessment feature is assessed in its own right in the ES and there is not an assumption that no likely significant effect (LSE) within the Shadow Habitats Regulations Assessment Report infers no significant effect in an Environmental Impact Assessment (EIA) context. Therefore, the ES chapter can be read and understood independently of the Shadow Habitats Regulations Assessment Report . The impacts on the water quality and sediment quality as a result of Sizewell C Project construction and operation are assessed as factors that influence species and habitats. However, the influence on habitats/species of any potential impacts on water and sediment quality

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>identified in Volume 2, Chapter 21 (Marine Water Quality and Sediments) of the ES [AS-034] or Volume 2, Chapter 22 (Marine Ecology and Fisheries) of the ES [AS-035] were used to inform the Shadow Habitats Regulations Assessment Report.</p>
Ma.1.3	The Applicant	<p>Para 21.6.122, section C.d.b, on cooling water discharges.</p> <p>(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 98th percentile. Given that a percentile is a figure NOT exceeded, what is being described and discussed here?</p> <p>(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 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	<p>(i) There are currently no uniform regulatory standards in place to control thermal loads in transitional and coastal waters but a best practice approach is considered in the Volume 2, Chapter 21 (Marine Water Quality and Sediments) of the ES [AS-034]. The standards for absolute water temperature and for uplift in water temperature are evaluated as annual 98th percentiles. The standard implies that for 98% of the year the temperature should remain below the given threshold. The evaluation for Volume 2, Chapter 21 of the ES [AS-034] focuses on the areas that are above a given compliance threshold, in this case the areas that are assessed as less than "Good" status either because they exceed an absolute value of 23°C or because a temperature uplift is predicted to be above a specified value i.e. 2°C. The GETM model has a temporal resolution of an hour and is simulated for a year at a spatial resolution of 25x25m. Each 25x25m cell in the model has an output temperature for every hour of the year. The annual 98th percentile standard exceedance areas shown in Table 21.19 represent the total spatial area (sum of the cells) above a given thermal threshold for 2% of the time (7.3 days or 175 hours in a year). The spatial value represents the area that exceeds the thermal threshold for 2% of the time.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>(ii) SZC Co. agrees this could be more explicit and further text is presented below to help clarify. The assessments made here are for general water quality and consider whether status is less than "Good" (i.e. temperature is greater than 23°C). This does effectively include all values above 23°C, including 28°C and above, but in this latter case only 0.11 hectares fall into this category (see paragraph 21.6.122 of Volume 2, Chapter 21 of the ES [AS-034]). In the case of thermal uplifts, the area above 2°C (good status) includes all areas above 2°C including the area above 3°C (moderate status) within the total area. The Water Framework Directive assessment defines water body status based on a thermal range with lower and upper values (specifically assessed in paragraph 2.5.468 in the Water Framework Directive Compliance Assessment Report [APP-621])</p> <p>(iii) The area shown in Table 21.19 for >23°C is equivalent to the area at less than "Good" status under the Water Framework Directive. The area defined as >2°C uplift in Table 21.19 also implies less than "Good" status for 2% of the time and does include statuses of "Moderate" and lower (i.e. >3°C uplift). This is further considered in paragraph 2.5.478 of the Water Framework Directive Compliance Assessment Report [APP-621].</p>
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	SZC Co. agrees this statement is imprecise. Climate change and warming sea temperatures are considered further in paragraphs 21.6.132 to 21.6.144 of Volume 2, Chapter 21 of the ES [AS-034]) in section C.d.c , headed ' <i>The effect of climate change on cooling water discharges</i> '.
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>

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

ExQ1	Question to:	Question:
	Response	<p>(i)The standards referred to are those described in paragraph 21.6.119 and 120 of Volume 2, Chapter 21 of the ES [AS-034]:</p> <p>In 2006 WQTAG 160¹, 'Guidance on assessing the impact of thermal discharges on European Marine Sites', recommended interim thermal standards for assessing SAC/SPA sites in estuarine and coastal sites under the Habitats Regulations, based upon standards contained within the Freshwater Fish Directive. Interim recommended standards for SACs, SPAs include an uplift standard of 2°C as a 98th percentile. Also for SPAs an absolute temperature of 28°C as a 98th percentile.</p> <p>For the Water Framework Directive Annual 98th percentiles of the absolute water temperature, the following criteria are used to define water body status:</p> <p>T < 20°C = High 20°C < T ≤ 23°C = Good 23°C < T ≤ 28°C = Moderate T > 28°C = Poor</p> <p>Annual 98th percentile uplift in water temperature Uplift: ≤ 2°C = High 2 °C < Uplift ≤ 3°C = Good Uplift > 3°C = Moderate</p> <p>These temperature threshold figures are taken from the UK Technical Advisory Group on the Water Framework Directive paper².</p>

¹ WQTAG160 Guidance on assessing the impact of thermal discharges on European Marine Sites WQTAG sub-group, presented October 2005. doi:10.1016/j.marpolbul.2012.05.019

² UK TAG. 2008. UK Environmental Standards and Conditions Phase 2. UK Technical Advisory Group on the Water Framework Directive. Available at page 25, https://www.wfduk.org/sites/default/files/Media/Environmental%20standards/Environmental%20standards%20phase%202_Final_110309.pdf

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>Topic specific methodology details including thermal standards and how exceedance areas were calculated are also provided and discussed in the thermal modelling section 7.2, page 78 of Volume 2, Appendix 21E of the ES [APP-315].</p> <p>(ii) The ExA is correct that the exceedance areas are those shown on page 81 in Table 21.19 of Volume 2, Chapter 21 of the ES [AS-034].</p> <p>(iii) The absolute and uplift temperature standards (provided in paragraph 21.6.125 of Volume 2, Chapter 21 of the ES [AS-034]) are evaluated as annual 98th percentiles. Unlike chemical standards which normally have a clear evidence link to ecological effects, thermal standards are not always evidence based due to a lack of reliable data. To be protective of the most sensitive species, thermal standards have, therefore, been set on an indicative basis and, as such, they act as trigger values for further investigation of potential ecological effects. To derive 98th percentile exceedance areas the modelling would include any points that exceed the threshold temperature for 7.3 days (i.e. 7.3 days is 2% of 365 days (1 year model run)) so wherever an area is predicted to be in excess of the thermal standard for more than 7.3 days, non-consecutively over the year, it is included.</p> <p>(iv) As referenced in the response to question (iii), the 98th percentile assessment is based on exceedance of threshold values for 7.3 days. In terms of marine water quality, these periods are judged as 'relatively short' by comparison to monthly/seasonal changes in temperature and the areas of extreme temperature are small compared to relevant designated areas in paragraph 4.3.1 of Volume 1 of the Shadow Habitats Regulations Assessment [APP-145]. These areas of exceedance are discussed therein for specific receptors. As an example, consideration of areas of thermal elevation for birds and habitats is made on page 10 f)i) Shadow Habitats Regulations Assessment Addendum [AS-173]. This also applies to the smaller areas of overlap of the Sizewell C plume and this is specifically assessed in Water Framework Directive Compliance Assessment Report [APP-621]: see paragraphs 2.5.548 and 2.5.549 for relevant transitional waters and Tables 2.43 and 2.44.</p> <p>The thermal and chemical plumes associated with the discharge may alter water quality properties such that small-scale behavioural effects on local fish communities may occur, altering the spatial distribution of the fish assemblage; including changes to the availability of potential prey species for marine mammals. However, because the marine</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>mammals experience the same area of temperature uplift no significant adverse effect is predicted (see sections 9.5.14 and 9.5.15 of the Shadow Habitats Regulations Assessment [APP-145].</p> <p>The uplift plumes at 2°C and 3°C from the combined Sizewell B and planned Sizewell C discharges are considered not to have an adverse effect on the foraging range of the SPA breeding Sandwich Tern population. Volume 1 of the Shadow Habitats Regulations Assessment [APP-146], see paragraph 8.3.27.</p> <p>These small exceedances are not relevant in terms of IROPI or the need for compensation.</p>
Ma.1.6	The Applicant	<p>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..</p>
	Response	<p>To calculate the uplift due to climate change, the UKCP09 monthly increases in mean temperature, as defined in Table 49 of Volume 2, Appendix 21E, of the ES [APP-315], were applied to the daily mean temperatures of Sizewell C intake temperatures. The Sizewell C daily mean intake temperatures over a full year were derived from the observed hourly Sizewell B intake temperatures from 1994 – 2018 (considered ‘contemporary’) and adjusted to the offshore location using the Generalised Estuarine Transport Model (GETM model) results. Thus the term ‘contemporary’ in this context should be considered as the ‘recent past’. The thermal uplift due to the UKCP09 monthly increase in mean temperature, centred on 2006, was applied to this contemporary annual baseline (1994-2018) and projected forward to 2030, 2055, 2085 and 2110. The average and 98th percentile uplift over the year, for each projected scenario, was calculated and presented Table 55 of Volume 2, Appendix 21E of the ES [APP-315].</p>
Ma.1.7	The Applicant	<p>Paras 21.6.132 – 144 Section C.d.c (Effect of climate change on cooling water discharges: Temperature changes) as a whole.</p> <p>What is the conclusion of this section as to whether there will be major, moderate, minor or negligible significant effects?</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	<p>Impact magnitude for predicted temperature elevation associated with the thermal plume not under climate change was judged as moderate as the temperature changes were assessed as within normal variation and areas affected for the absolute temperature assessment were under 100 hectares. Paragraphs 21.6.130 and 21.6.131 in Volume 2, Chapter 21 of the ES [AS-034] judge thermal influence on water quality and sediment as minor adverse (not significant). Thermal uplifts above ambient are predicted to be largely independent of the background sea temperature. Therefore, thermal uplift areas are predicted to remain largely unchanged under future climate scenarios. Although areas of exceedance under future climate predictions increase, receptors would be acclimated to a modified thermal baseline. Confidence in predicting the exact effects of climate change and thermal discharges on species ability to adapt is reduced further into the future. However, once Sizewell B ceases operating, the thermal footprint from the proposed development is predicted to be smaller than the present-day (Sizewell B) thermal footprint. Predictions of effects based on the current baseline are therefore considered valid considering future climate change.</p>
Ma.1.8	The Applicant	<p>Para 21.6.166, Section C.d.d.b.</p> <p>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?</p>
	Response	<p>The values quoted in paragraph 21.6.165 of Volume 2, Chapter 21 of the ES [AS-034] represent concentrations at the point of discharge and in discrete plume areas for other power stations. The predicted bromoform discharge at Sizewell C (reported at paragraph 21.6.161) intersects an area of 52 hectares at the surface and 0.15 hectares at the seabed based on 95th percentiles. Exceedance areas of 10s to 100s of hectares for a discharge during the spring and summer months only is judged to be of medium/low magnitude (paragraph 21.3.40).</p> <p>Bromoform is volatile and short-lived and the waters off Sizewell are well mixed leading to a conclusion of low sensitivity. Low sensitivity receptor experiencing a medium impact (paragraph 21.3.44) is predicted to experience a minor adverse effect that is judged as</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>not significant. This judgement is made in the context of water quality which is evaluated against specific benchmark values.</p> <p>However, benchmark thresholds, for example Environmental Quality Standards (EQS), are applied to trigger further ecological investigation and do not necessarily infer sensitivity of all receptor groups (paragraph 21.3.36). Further assessment of the potential influence of the predicted bromoform concentration plumes upon specific receptor groups is therefore evaluated in the Marine Ecology and Fisheries ES chapter (see paragraphs 22.6.333 to 22.6.337 of Volume 2, Chapter 22 of the ES [AS-035]).</p>
Ma.1.9	The Applicant	<p>Para 21.6.243 of [APP-314] (21.6.244 of AS-034)), section C.f.c.</p> <p>(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.</p> <p>(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.</p>
	Response	<p>(i) SZC Co. agrees that the suggested text more accurately describes the scale and (non) significance of the ammonia discharge.</p> <p>(ii) This is an error. A blank line occurs at 21.6.126 in Volume 2, Chapter 21 of the ES [AS-034] erroneously. SZC Co. can confirm there is no text missing but the paragraph numbers after this point increase by one until Section 21.7.</p>
Ma.1.10	The Applicant	<p>Para 21.7.7, Section B (Monitoring). "... monitoring may be extended...".</p> <p>Please explain enforceable criteria and action, together with the dispute resolution procedure.</p>
	Response	<p>The discharge from the Fish Recovery and Return (FRR) system is a defined waste-stream (Waste Stream H) on the Water Discharge Activity (WDA) permit to be issued by the Environment Agency (EA) for the operation of Sizewell C. It will, therefore, be subject to any conditions relating to monitoring stated on that permit once issued.</p>

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

ExQ1	Question to:	Question:
		<p>Paragraph 21.7.7 of Volume 2, Chapter 21 of the ES (APP-314) states that impacts are not predicted (deterioration of water quality parameters described has never been recorded at the Sizewell B outfall) and suggests that if deterioration was detected then monitoring could be intensified to investigate the nature of any deterioration, including increase in monitoring frequency to investigate potential seasonal impacts better.</p> <p>But as described, the monitoring required, together with limits and remedial action and enforcement will be defined by the Environment Agency when the WDA permit is issued.</p> <p>In reality, disputes do not readily occur because monitoring is self-reported (so the outputs are not disputed). Depending on the frequency and scale of any breaches the Environment Agency might issue an enforcement or prohibition notice, or simply instruct for different operational or monitoring techniques.</p>
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	<p>In order to discharge water relating to its cooling system SZC Co. requires a water discharge activity environmental permit to be granted under the Environmental Permitting (England and Wales) Regulations 2016. This process is separate to the DCO being considered by the Examining Authority and to be decided by the Secretary of State.</p> <p>SZC Co. has applied for a WDA permit to allow the discharge of operational cooling water, process chemicals and treated sewerage from the two offshore outfalls and for dead and moribund biota from the two FRR outfalls (Environment Agency Application Number: EPR/CB3997AD/A001).</p>

ExQ1	Question to:	Question:
		<p>In short, the absence of letters of no impediment are not a barrier to the Secretary of State's decision. SZC Co. knows of no good reason why permits will not be granted. In any event, the mitigation listed in Tables 21.22 and 23 is not necessary to demonstrate that the impacts of the various effects will not be significant. This is explained further below.</p> <p>The Overarching Energy NPS³ and the Nuclear NPS⁴ make clear that it is not necessary for permits to be determined in advance of the DCO being granted. Relevant extracts state:</p> <p><u>EN-1</u></p> <p><i>"4.10.6 Applicants are advised to make early contact with relevant regulators, including EA and the MMO, to discuss their requirements for environmental permits and other consents. This will help ensure that applications take account of all relevant environmental considerations and that the relevant regulators are able to provide timely advice and assurance to the IPC. <u>Wherever possible, applicants are encouraged to submit applications for Environmental Permits and other necessary consents at the same time as applying to the IPC for development consent.</u>"</i></p> <p><i>4.10.7 The IPC should be satisfied that development consent can be granted taking full account of environmental impacts. Working in close cooperation with EA and/or the pollution control authority, and other relevant bodies, such as the MMO, Natural England, the Countryside Council for Wales, Drainage Boards, and water and sewerage undertakers, the IPC should be satisfied, before consenting any potentially polluting developments, that:</i></p> <ul style="list-style-type: none"> <i>• the <u>relevant pollution control authority is satisfied that potential releases can be adequately regulated under the pollution control framework; and</u></i> <i>• the effects of existing sources of pollution in and around the site are not such</i>

³ EN-1 Overarching National Policy Statement for Energy. Department of Energy and Climate Change.

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/47854/1938-overarching-nps-for-energy-en1.pdf

⁴ EN-6 Overarching National Policy Statement for Nuclear Power Generation. Department of Energy and Climate Change.

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/47859/2009-nps-for-nuclear-volumeI.pdf

ExQ1	Question to:	Question:
		<p><i>that the cumulative effects of pollution when the proposed development is added would make that development unacceptable, particularly in relation to statutory environmental quality limits.</i></p> <p><i>4.10.8 <u>The IPC should not refuse consent on the basis of pollution impacts unless it has good reason to believe that any relevant necessary operational pollution control permits or licences or other consents will not subsequently be granted.</u></i></p> <p><u>EN-6</u></p> <p><i>'2.7.1 [...] when considering a development consent application the IPC should act on the basis that:</i></p> <ul style="list-style-type: none"> <i>• the relevant licensing and permitting regimes will be properly applied and enforced;</i> <i>• it should not duplicate the consideration of matters that are within the remit of the Nuclear Regulators (see paragraph 2.7.4 below); and</i> <i>• <u>it should not delay a decision as to whether to grant consent until completion of the licensing or permitting process (see paragraphs 2.7.5 and 2.7.6 below).</u></i> <p><i>2.7.4 Certain matters are for consideration of the Nuclear Regulators⁵ and the IPC should not duplicate the consideration of these matters itself. Such matters include the Generic Design Assessment (GDA) and the site licensing and environmental permitting processes (including in respect of the management and disposal of radioactive waste, the permitting of cooling water discharges, etc). The Nuclear Regulators are also responsible for those matters listed in paragraph 3.5.3 of this NPS.</i></p> <p><i>2.7.5 Applicants should have involved the Nuclear Regulators early enough during the pre-application stage so that they have had the opportunity to incorporate the relevant regulators' requirements in proposals where appropriate. However, <u>the IPC can still consider and determine an application for development consent where the relevant regulatory licensing, permitting and authorisations process is still in progress, because the IPC can seek and rely on advice from the relevant Nuclear</u></i></p>

⁵ Note that 'Nuclear Regulators' includes the EA

ExQ1	Question to:	Question:
		<p><u>Regulators on whether the necessary licences, authorisations or permits are likely to be issued. Consent should not be refused on the grounds of matters within the remit of the regulators unless the IPC has good reason to believe that any necessary licence, permit or authorisation will not subsequently be granted.</u></p> <p><i>2.7.6 If the regulatory approvals process is incomplete the IPC should also seek advice from the relevant Nuclear Regulators on any regulatory requirements that are likely to be attached and the anticipated timing of these processes and the IPC should liaise with the Nuclear Regulators over any relevant requirements it is considering attaching to a development consent. This is in order to ensure that where possible the requirements attached to a development consent order are consistent with the regulatory approvals process and vice versa.’ (EN-6)</i></p> <p>These policies are consistent with relevant judgments addressing the relationship between planning decisions and other regulatory processes. In <i>R Morge v Hampshire CC</i> [2011] UKSC 2 the Supreme Court considered the interrelationship between a decision over whether to grant planning permission and the need for a species licence. The Court held that there was no reason why a permission should not ordinarily be granted save where the decision-maker concluded that the development would be likely to breach the relevant species regulations (and therefore require a licence) <u>and</u> would be unlikely to be licensed. In other words, there was no need for the decision-maker to be certain that a license would be granted. Rather, the decision maker should only refuse the planning permission if they were of the view that a license would be unlikely to be granted.</p> <p>Further, the Courts have emphasised that planning decision-makers are entitled to take into account the role of a specialist regulator in granting permits for relevant activities. In <i>Gateshead MBC v Secretary of State</i> (1971) 71 P.&C.R. 350, the Court of Appeal stated that <i>‘It is not the job of the planning system to duplicate controls which are the statutory responsibility of other bodies...Nor should planning authorities substitute their own judgment on pollution control issues for that which the bodies with the relevant expertise and the responsibility for statutory control over those matters’</i>.</p> <p>SZC Co. knows of no good reason why the WDA Permit will not be granted and its conditions will not effectively control the impacts listed in Tables 21.22 and 21.23 (within Volume 2, Chapter 21 of the ES [APP-314]) relating to SZC’s water discharge activity.</p>

ExQ1	Question to:	Question:			
		<p>Further, it is to be noted that in Tables 21.22 and 21.23, the fourth column of each addresses the 'assessment of effects' prior to any additional mitigation being applied. In relation to each of the assessed impacts the effects (without mitigation, including in the form of permit conditions) are assessed to be 'minor adverse' or 'negligible' and 'not significant'.</p> <p>As such, in relation to the impacts set out in Tables 21.22-21.23 there is no need for permit conditions to ensure that the effects will not be significant.</p>			
Chapter 20 - 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 EAOne and Two windfarm NSIPs currently in examination?</p>			
	Response	<p>The East Anglia ONE offshore wind farm was considered as part of the baseline assessment.</p> <p>The East Anglia ONE North and East Anglia TWO offshore wind farms currently in examination were included in the cumulative assessment for marine navigation (see Volume 10, Chapter 4 (Assessment of Cumulative Effects with Other Plans, Projects and Programmes) of the ES [APP-578]).</p>			
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	<p>The limitations set out in paragraph 1.3.29 of Volume 1, Appendix 6T of the ES [APP-171] have not changed. The table below confirms the status of the assumptions set out in paragraph 1.3.28:</p> <table border="1" data-bbox="790 1305 2074 1474"> <thead> <tr> <th>Assumption</th> <th>Change?</th> </tr> </thead> <tbody> <tr> <td>The navigation baseline and impact assessment have been carried out based on the information available and</td> <td>Unchanged</td> </tr> </tbody> </table>	Assumption	Change?	The navigation baseline and impact assessment have been carried out based on the information available and
Assumption	Change?				
The navigation baseline and impact assessment have been carried out based on the information available and	Unchanged				

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>consultation responses received at the time of preparation of the ES.</p>
		<p>Each phase of offshore construction (i.e. BLF, intake/outfall headworks, CDO, FRR) is intended to be completed within one calendar year.</p>
		<p>The duration of dredging works required for the BLF is estimated to be a maximum of 12 weeks. During the construction period, it is estimated that small scale dredging (approximately 10% of the initial volume) will also be required at monthly intervals. A full scale dredge is anticipated annually due to infilling during winter periods.</p>
		<p>Marine piling for the BLF will be constructed using a walking jack-up barge or from the advancing BLF as construction progressed seawards. Given the low volume of materials, it is unlikely that there will be multiple trips.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>Vessel movements associated with the BLF are mainly related to deliveries. Accounting for weather downtime, there is expected to be a total of 200 beach landings over four annual campaigns of offshore works during construction. This equates to an estimated 50 AIL landings during each annual campaign (31st March to 31st October).</p> <p>It is estimated that AIL deliveries would occur once every five years during the operational phase and comprise very few individual deliveries.</p> <p>Dredging required prior to placement of the intake / outfall headworks is estimated to take a maximum of 12 weeks.</p> <p>Drilling of the shafts for the intake / outfall tunnels will be undertaken by a jack-up barge, with support vessels; estimated at 30 hours of drilling per head. It is estimated that a jack-up barge will be on location for a maximum of six months.</p> <p>The structures will be pre-built and lowered into place by crane vessels, with support vessels. This is likely to be completed within six months.</p> <p>Dredging will also be required prior to installation of the FRR and CDO.</p>
		<p><u>Changed due to DCO change:</u></p> <ul style="list-style-type: none"> • Deliveries to the permanent BLF increase from 50 per year to 100 per year. • Temporary BLF is expected to receive up to 600 deliveries per year (worst case).
		Unchanged
		Unchanged
		Unchanged
		Unchanged
		Unchanged

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>Other vessel movements associated with construction include support vessels such as guard boats, small survey vessels, support ribs, work boats, etc. These vessels are considered to pose a lesser risk to marine navigation compared to jack-up barges, crane vessels and dredgers, as they are smaller and not restricted in manoeuvrability.</p> <p>Unchanged</p>
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	<p>(i) There is an inconsistency and omission in the citing of the securing mechanisms for the tertiary mitigation measures. Paragraph 24.5.6 of Volume 2, Chapter 24 of the ES [APP-337] does state that they are secured by Marine Licence conditions. The ExA is correct that they are not listed in the Marine Licence. The Code of Construction Practice (CoCP) (Doc Ref. 8.11(B)) submitted at Deadline 2 has been amended to include these tertiary mitigation measures (see Part B, Section 13) so they are now secured under Requirement 2 of the draft DCO (Doc Ref. 3.1(C)). The Marine Licence also requires detailed method statements for each activity to be provided prior to works commencing and navigational safety details are an element of the required information (e.g. Conditions 44 and 48; Doc Ref. 3.1(C)).</p> <p>(ii) The appointment of a Fisheries Liaison Officer is a requirement of the Fisheries Liaison and Coexistence Plan (FCLP) secured under Marine Licence Condition 20 (Doc Ref. 3.1(C)). The Eastern Inshore Fisheries and Conservation Authority will be consulted on the FCLP and it will be approved by the MMO. The FCLP will set out the appointment and responsibilities of the fisheries liaison officer.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>However, the primary role of the fisheries liaison officer is to facilitate the interaction of the marine works with fishing activities. The FCLP will set out how the commencement and nature of licenced activities will be discussed to address the interaction of the licensed activities with fishing activities. The Fisheries Liaison Officer role will involve implementing this FCLP. It is likely to include notifying fishermen of works which are likely to affect them and providing details and dispute resolution. From a navigational safety perspective, the Fisheries Liaison Officer will ensure that local fishermen are kept informed of vessel movements and works to minimise conflicts and risk of collision.</p>
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 it patrols specified and secured?</p>
	Response	<p>As stated in response to Question MN.1.2 in this chapter, the CoCP (Doc Ref. 8.11(B)) has been updated to include all proposed navigational safety mitigation measures so they are secured under Requirement 2 of the draft DCO (Doc Ref. 3.1(C)). The Marine Licence also requires detailed method statements for each licensable activity, to be provided prior to works commencing and navigational safety details are an element of the required information (e.g. Conditions 44 and 48; Doc Ref. 3.1(C)).</p> <p>Availability of the launch, its capacity and the frequency and range of it patrols are to be determined through byelaws under Article 63; particularly Article 63(2)(a), (d) and (k) of the draft DCO (Doc Ref. 3.1(C)).</p>
Chapter 21 - NV.1 Noise and Vibration		
NV.1.0	The Applicant, ESC (ii) only	<p>Methodology</p> <p>The Council 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	<p>(i) SZC Co. does not rely solely on fixed sound levels and considers that to be a mischaracterisation of the assessment.</p>

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

ExQ1	Question to:	Question:
		<p>A range of considerations is applied to the assessment, taking account of the sensitivity of the receptor, the character of the sound, for example in the assessment of noise from mechanical and electrical plant, changes caused by the project, for example in the assessment of road traffic noise, and the absolute levels, for example in the assessment of construction noise.</p> <p>It is necessary to define specific levels or change thresholds against which noise and vibration likely to be generated by the project levels can be assessed, and each different source of noise and/or vibration must be evaluated against standards and guidance relevant to that source (or group of sources).</p> <p>The levels or change thresholds at which adverse effects might occur are different for receptors with different sensitivities, and this is taken into account in the assessment.</p> <p>(ii) No response from SZC Co. is required.</p>
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> <p>(iii) What parameters is the Council looking to define such that ongoing monitoring could be undertaken to ensure that any obligations/requirements are achieved?</p> <p>In responding to the above please support the answer with reference to relevant guidance or precedents.</p>
	Response	No response from SZC Co. is required.
NV.1.2	ESC	<p>Rochdale Envelope</p> <p>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?</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	No response from SZC Co. is required.
NV.1.3	ESC	<p>DCO Requirement</p> <p>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.</p>
	Response	No response from SZC Co. is required.
NV.1.4	ESC	<p>Underestimate of Effects</p> <p>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.</p>
	Response	No response from SZC Co. is required.
NV.1.5	ESC	<p>Tranquillity</p> <p>A tranquillity assessment has been undertaken [APP-270] [Volume 2, Chapter 15, APPENDIX 15E]</p> <p>(i) Does this not achieve what you are asking for?</p> <p>(ii) What additional work would you expect to be carried out?</p>
	Response	No response from SZC Co. is required.
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</p>

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

ExQ1	Question to:	Question:
		<p>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	<p>(i) The use of façade levels for the daytime and free-field levels for the night-time for the LOAEL and SOAEL values in Table 11.13 in Volume 2, Chapter 11 of the ES [APP-202] follows the guidance set out in the Design Manual for Roads and Bridges LA111⁶.</p> <p>This is set out in paragraphs 1.3.73 and 1.3.74 in Volume 1, Appendix 6G of the ES [APP-171].</p> <p>(ii) The hours that define daytime and night-time are set out in the Design Manual for Roads and Bridges (DMRB) LA111⁷.</p> <p>There are two one hour periods that are included in both daytime and night-time, as the one hour periods between 23:00 and 24:00 hours and between 06:00 and 07:00 hours are included in both of the larger periods.</p> <p>Since the assessment of either daytime or night-time road traffic noise is only undertaken on the basis of the 18 hour or 8 hour periods, the overlapping hours are simply included in both periods. Neither one hour period is tested against the LOAEL or SOAEL on their own.</p> <p>(iii) No response from SZC Co. is required.</p> <p>(iv) The LOAEL and SOAEL are assessed on a source-by-source basis and there is no method of combining them given the use of different noise indices over different time periods. However, the LOAEL and SOAEL are applied in the noise assessment where the separation of sources is both feasible and appropriate, so separate consideration is possible; each source is therefore assessed against the LOAEL and SOAEL values defined</p>

⁶ <https://www.standardsforhighways.co.uk/prod/attachments/cc8cfcf7-c235-4052-8d32-d5398796b364?inline=true> [Accessed May 2021]

⁷ <https://www.standardsforhighways.co.uk/prod/attachments/cc8cfcf7-c235-4052-8d32-d5398796b364?inline=true> [Accessed May 2021]

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>for that source, as well as against any criteria, such as change thresholds, that are appropriate.</p> <p>The application of the Noise Mitigation Scheme (the original version of which was set out in Volume 2, Appendix 11H of the ES [APP-210] with a revised version provided in Doc Ref. 6.3 11H(A)) is applied for each source separately against their own criteria, as it is assessed in advance of the start of the project.</p> <p>Monitoring will be against levels defined in the 'Noise Monitoring and Management Plan', which will be implemented under the Code of Construction Practice (CoCP) (Doc Ref 8.11(B)).</p> <p>Where levels are identified for the purposes of monitoring and multiple sources are present, the most practical option will be to measure close to the source of most interest, and calculate the level at the point of interest and compare that level against the monitoring threshold for that source.</p> <p>(v) The same principles apply to three sources as set out in (iv) for two sources.</p>
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	No response from SZC Co. is required.
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	SZC Co. does not agree that such a requirement is appropriate. In particular, SZC Co. does not agree that British Standard 4142: 2014+A1: 2019 ⁸ requires an outcome where rating levels are 5dB below the background sound level. Reference to rating levels being below the measured background was taken out of British Standard in the 2014 revision.

⁸ British Standard BS4142: 2014+A1: 2019 – Methods for rating and assessing industrial and commercial sound

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>Such an approach is not required by the National Policy Statement (NPS), nor is it SZC Co.'s understanding that a requirement to achieve rating levels 5dB below the background sound level is a policy requirement applied elsewhere by East Suffolk Council.</p> <p>Noise conditions or requirements based on the British Standard 4142 methodology must be capable of enforcement, and detecting whether a rating level post-development is 5dB below the background is verging on impossible. Either the rating level has to be measured closer to the source and extrapolated back, or highly complex measurement systems capable of directional/narrow band noise measurement are required.</p> <p>The least onerous outcome defined in British Standard 4142: 2014+A1: 2019⁹ is a 'low impact', which occurs where the rating level does not exceed the background sound level.</p> <p>British Standard 4142: 2014+A1: 2019 sets out an assessment method for considering fixed plant noise, provides indicative outcomes based on a numerical assessment, and requires relevant contextual elements to be taken into account before reaching a conclusion on the outcome.</p> <p>The application of British Standard 4142: 2014+A1: 2019 is discussed in paragraphs 1.3.33 to 1.3.39 in Volume 1, Appendix 6G of the ES [APP-171] and paragraphs 4.21 to 4.35 in Volume 1, Appendix 6G, Annex 6G.1 of the ES [APP-171].</p>
NV.1.9	The Applicant	<p>Code of Construction Practice [APP-615] CoCP Part C para 1.1.6 – “avoid use of noisy works”</p> <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	<p>In the context of the CoCP, 'noisy' is intended to mean works that are atypically noisy in the context of general construction works. Examples might include sheet piling, ground consolidation works, or breaking-out of concrete.</p>

⁹ British Standard BS4142: 2014+A1: 2019 – Methods for rating and assessing industrial and commercial sound

ExQ1	Question to:	Question:
		<p>The word 'noisy' is used frequently in the Code of Construction Practice (CoCP) (Doc Ref 8.11(B)) following normal conventions in such documents; in addition to the example highlighted in the question, other examples in the previously-submitted version of the CoCP include:</p> <ul style="list-style-type: none"> • 'providing notification to local communities of potentially noisy or disruptive works' Part C, paragraph 3.3.20; • 'For noisy or disruptive works, advance notice of such works will be given' Part A, paragraph 3.1.20; • 'management of hours of working or 'on' time for noisy operations' Part B, paragraph 3.1.2; • 'Adoption of construction methods and plant that are not inherently noisy' Part B, Table 3.1; and • 'Noisy activities will be conducted during less sensitive periods or staggered' Part B, Table 3.1. <p>The British Standard that covers construction noise, British Standard 5228-1: 2009+A1: 2014¹⁰ similarly uses the word 'noisy' in a similar way when seeking to describe actions for certain activities, such as at section 7.3 describing the execution of works 'Where reasonably practicable, quiet working methods should be employed, including use of the most suitable plant, reasonable hours of working for noisy operations, and economy and speed of operations.'</p> <p>The CoCP requires that construction works will need to be managed so that the identified noise thresholds are achieved, wherever possible. The identified noise thresholds for the main development site are set out in Table 3.2 in Part B of the CoCP (Doc Ref 8.11(B)) and for the associated development sites, the means of determining the thresholds is set out in section 3.2 in Part C. The use of best practical means to manage noise above specified thresholds is standard, best practice.</p>

¹⁰ British Standard BS5228-1: 2009+A1: 2014 Code of Practice for noise and vibration control at open construction sites – Noise

ExQ1	Question to:	Question:
		Specific actions that are to be linked to specific activities, as described at the beginning of this answer will be set out in more detail in the Noise Management and Monitoring Plans.
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 L_{Ar}, 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	<p>(i) Requirement 17 of the draft DCO (Doc Ref 3.1(C)) requires a statement demonstrating compliance with the design principles set out in Table A.1 of the Main Development Site Design and Access Statement (Doc Ref 8.1) [APP-587]. Design Principle 12 relates to the design of the accommodation campus itself, and Table A.1 of the Main Development Site Design and Access Statement (Doc Ref 8.1Ad2 (A)) has been amended to read (additional text underlined for clarity):</p> <p><u>'A reasonable standard of internal and external acoustic amenity (defined in accordance with BS 8233) will be achieved through acoustic design and specification of the building envelope. Plant associated with the accommodation campus, for example a combined heat and power unit (CHP) plant, air source heat pump network (ASHP) and/or back-up generator will be designed to achieve a rating level of noise not exceeding 35dB L_{Ar,15mins} at the closest off-site residential receptor, when assessed in accordance with British Standard 4142: 2014+A1: 2019.'</u></p> <p>A rating level design target of 35dB L_{Ar,15mins} is a level at which there is no prospect of an adverse impact.</p> <p>(ii) There is no specified standard or safeguard to achieve tranquillity within the AONB. The assessment of effects on recreational receptors within and outside the AONB, including effects on tranquillity, is assessed in Volume 2, Chapter 15 (Amenity and Recreation) of the ES [APP-267] and in Volume 1, Chapter 2 (Main Development Site) of the ES Addendum [AS-181]. The assessment of effects on recreational receptors within the AONB within Volume 2, Chapter 15 (Amenity and Recreation) of the ES [APP-267] and Volume 1, Chapter 2 (Main Development Site) of the ES Addendum [AS-181] have informed the assessment of effects on the AONB natural beauty and</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>special quality indicators and the overall effects on the AONB at paragraphs 13.6.131 to 13.6.150 (construction phase) and paragraphs 13.6.304 to 13.6.321 (operational phase) of Volume 2, Chapter 13 (Landscape and Visual) of the ES [APP-216], and the assessment of effects on the AONB natural beauty and special quality indicators in Volume 1, Chapter 2 (Main Development Site) of the ES Addendum [AS-181]. Effects on tranquillity are assessed in Table 13.14 (construction phase) and Table 13.17 (operational phase) of Volume 2, Chapter 13 of the ES [APP-216]. Tranquillity within the AONB during construction work has been assessed using the predicted noise levels from the main development site from all sources of noise, including those mentioned. Noise from the plant at the specified level has therefore been included in the assessment.</p>
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>
	Response	<p>(i) The necessary controls over train speeds and stopping would be secured both within the DCO and contractually.</p> <p>Within the DCO, Requirement 25 specifies that night-time trains cannot be operated except in accordance with a Rail Noise Mitigation Strategy (RNMS) first submitted to</p>

ExQ1	Question to:	Question:
		<p>and approved by ESC. It is the night-time timing of the Sizewell C train services which generates the requirement for control.</p> <p>A draft of the RNMS is provided in Volume 3, Appendix 9.3.E of the ES Addendum [APP-258], submitted in January 2021. It sets out the precise nature of the controls necessary and would be enforceable against the Applicant.</p> <p>Contractually, the train services will be secured through the following:</p> <ol style="list-style-type: none"> a. A contract between SZC Co. and a freight operating company, in which SZC Co. will align its DCO obligations with the terms on which it contracts with the supplier of rail services; b. A Freight Customer Track Access Contract entered into between SZC Co. and Network Rail. This is a standard form of agreement which sets out the terms on which the customer is entitled to have services on the specified routes. Where the customer requires to take up those services, it issues a drawdown notice to Network Rail and its appointed freight operator who then enter into a Freight Track Access Contract aligned with the terms of this customer contract. This sequence allows SZC Co. to be indirectly involved in the terms of the Track Access Contract. c. A Freight Track Access Contract entered into between Network Rail and the freight train operator. SZC Co. would not be a party. <p>The Office of Rail and Road (ORR) – the rail regulator has published standard forms for the Track Access contracts, which allow for “special terms”, including matters such as train speeds which apply to particular services. It is through these terms that the speed restrictions would be imposed, rather than a general speed limit on the line – as the restrictions are only required for the Sizewell C night-time trains.</p> <p>(ii) Network Rail’s Freight Loads Book specifies a maximum train length of 339m for the East Suffolk Line. This would provide the necessary control. It is understood that this relates to the limitations of the signalling system, and safe operation of some types of level crossing. Assuming a train is made up of JNA or HOA wagons then it would consist of 20 wagons and one locomotive. HYA wagons are also being considered, and as these are slightly shorter, a train of the maximum permitted length would consist of 21 wagons.</p> <p>(iii) It would not be possible to operate a longer train so this has not been assessed.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>(iv) A maximum length 339m train would take approx. 38 seconds to pass a single point.</p> <p>(v) The DCO and contractual controls described at (i) above would also specify the number of trains and their timetable.</p> <p>(vi) An illustrative timetable is provided in Chapter 11 of the Consolidated Transport Assessment (Doc Ref. 8.5 (B)).</p>
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	<p>(i) The specification and implementation of mitigation does not rely on the proximity and type of rail welds, rather, the potential effects are influenced by these factors. A range of values is set out in paragraph 4.3.26 in Volume 3, Appendix 9.3.A of the ES Addendum [AS-257], stating the distances between track and receptor at which the LOAEL and SOAEL are attained, for specific combinations of train speed, track type and rail joint type.</p> <p>Where there are properties that fall within the distance stated for SOAEL for the particular combination of train speed, track type and rail joint type that is relevant to them, the expectation is that the Noise Mitigation Scheme (the original version of which was set out in Volume 2, Appendix 11H of the ES [APP-210] with a revised version provided as Doc Ref. 6.3 11H(A)), will apply and a sufficient reduction in noise entering the property via the airborne path is achieved so that the combined total of groundborne noise and low frequency airborne noise will be below SOAEL.</p> <p>Examples of where this outcome is expected are stated in paragraphs 9.3.81 to 9.3.83 in Volume 1, Chapter 9 of the ES Addendum [AS-188].</p> <p>As the expectation is that SOAEL will be avoided even where properties are within the distances stated, SZC Co. does not rely on the proximity of specific weld types to comply with policy.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>(ii) The distances are measured from the track centreline to the façade of the receptor building, unless stated otherwise, for instance, some distances are quoted between the nearside rail and the receptor façade.</p> <p>(iii) The implementation of track renewal along sections of the line between Woodbridge and Saxmundham, which would permit the removal of aluminothermic welds, is the subject of active discussion with Network Rail. If those discussions demonstrate the benefit and deliverability of the improvements, they could be incorporated into the draft Rail Noise Mitigation Strategy (Volume 3, Appendix 9.3.E of the ES Addendum [APP-258]), which is secured through via Requirement 25.</p>
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	<p>(i) Works to the Saxmundham to Leiston branch line are secured in the draft DCO (Doc Ref 3.1(C)) as Works 4C and through Requirement 18. The particular characteristics referenced in the question, however, are specified in the draft Rail Noise Mitigation Strategy which forms Volume 3, Appendix 9.3.E of the ES Addendum [APP-258]. Requirement 25 requires the detail of the Rail Noise Mitigation Strategy to be submitted to and approved by ESC before the operation of night-time trains and subsequently implemented.</p> <p>(ii) The under-ballast mat is required to achieve a specific standard, and an example of a product which has the required properties is included in Appendix A of the draft Rail Noise Mitigation Strategy, which is contained in Volume 3, Appendix 9.3.E of the ES Addendum [APP-258]. The principal requirement to be specified is the dynamic stiffness modulus. The proposed product must have achieved Network Rail “product acceptance” which will specify certain performance and installation requirements. The chosen product, with those performance and installation characteristics, will be part of the Track Approval</p>

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

ExQ1	Question to:	Question:
		<p>In Principle documentation (the "Form A") accepted by Network Rail at the end of the next design phase which secures their place in the design.</p> <p>(iii) SZC Co. is engaging with Network Rail through a Basic Asset Protection Agreement (BAPA) to achieve successful Approval in Principle which will demonstrate their acceptance of this solution.</p>
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>
	Response	<p>(i) For the purposes of the rail bulk import capacity an import payload of 1,250t per train has been assumed. This has been derived based on the published operational parameters of the rail infrastructure.</p> <p>The Network Rail Sectional Appendix¹¹ states a Route Availability (RA) of the East Suffolk line and Saxmundham to Leiston branch line as RA7 and a trailing weight of 1,730t (rounded to 1,800t as route planning assessed in 200t increments) per train.</p> <p>The RA7 category limits the axle load of each wagon to 21.5t, resulting in a gross wagon load of 86t. There are several different types of rail wagons that could be used to haul bulk materials via rail, each of these has slightly differing capacities and tare weights which impact of payload available. A typical JNA open wagon has a tare weight of 23.7t, therefore a maximum payload of 62.3t can be carried before the axle load limit is exceeded. This results in the wagon being only partially filled as the design capacity of a</p>

¹¹ Network Rail Sectional Appendix, Anglia Route, Last Updated 15/04/2017;

<https://sacuksprodnrdigital0001.blob.core.windows.net/sectional-appendix/Sectional%20Appendix%20full%20PDFs/Anglia%20Sectional%20Appendix%20February%202021.pdf#page=333>

ExQ1	Question to:	Question:
		<p>JNA wagon is 77.9t payload (101.6t gross) i.e. the total capacity would exceed the permitted axle load of the branch line.</p> <p>An alternative HOA hopper wagon (bottom discharge) may also be used. This has a tare weight of 24.2t allowing a max payload of 61.8t. As with the JNA wagon, this wagon is only partially full as a HOA wagon has a design capacity of 77.8t payload (102t gross).</p> <p>The trailing weight restriction places a maximum gross weight of the wagons hauled by the locomotive to ensure sufficient traction and braking on the gradient of the line. The 1,800t limit on the Saxmundham to Leiston branch line results in a maximum of 20 wagons per train (20 x 86 = 1,720t).</p> <p>Therefore assuming 20 wagons this results in a rail import of between 1,236 and 1,246t, assumed as 1,250t per train.</p> <p>Considerable further rail enhancement beyond that being considered by the project, such as rail underbridge replacement and track bed renewals, would be required to permit the full capacity of the wagons to be utilised, therefore the maximum wagon payload capacity of 77.9t will not be achieved.</p> <p>For the purposes of noise and vibration assessment the theoretical maximum capacity of the rail wagons has been used, i.e. 77.9t payload. While this cannot be achieved due to the condition of the rail infrastructure it represents a conservative worst case for the assessment.</p> <p>(ii) The assessment assumed a payload of 77.9t per wagon, i.e. 1558t for a 20-wagon train, even though that total payload will not materialise in practice, as set out above.</p> <p>Further, the source of groundborne noise is unevenness of the surfaces of the rail head and the vehicle wheels, including both roughness (which occurs all along the rail and around the wheel tread) and discrete discontinuities such as joints and some types of weld. The magnitude of the effect caused by these features is primarily dependent on the unsprung mass of the wheelsets of the wagons and locomotives. Unsprung mass is not dependent on load. There is a small additional effect in the case of joints and welds due to the sprung mass, which includes the load, but it is dependent on the weight of individual wagon loads and not on the total payload of the full length train. Increasing the</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>payload of the train as a whole has no effect on groundborne noise levels over and above the effect of any increase in the load on individual axles.</p> <p>The assessment of airborne railway noise has taken account of the range of locomotive power settings that may be required to move fully-loaded trains.</p> <p>The source data on which the airborne noise assessment is based is set out in Volume 1, Chapter 9 of the ES Addendum [AS-188] and its associated Appendix 9.3.A (Volume 3 of the ES Addendum [AS-257]).</p>
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	<p>It is practicable to hold trains on the Saxmundham to Leiston branch line, where there will be no other rail traffic that will be affected.</p> <p>The East Suffolk line is a single track line for the majority of the length between Woodbridge and Saxmundham and there are no locations where a freight train can be held without blocking the line.</p> <p>This is a mitigation that should be provided where it can be, and it can be in respect of Leiston.</p>
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	<p>(i) In addition to the unloaded wagons that were used during the August 2020 tests, the train also included a locomotive at each end. The August 2020 tests are described in</p>

ExQ1	Question to:	Question:
		<p>Volume 3, Appendix 9.3.A of the ES Addendum [AS-257] and its associated appendices.</p> <p>For each traverse, the engine at the front pulled the train, while the engine at the rear was effectively a dead load. The total train weight was approximately 772 tonnes and was considered sufficiently similar to real-life conditions that the tests could be considered representative. The train operators confirmed that the operational characteristics of the leading engine in each traverse reflected the expected operation with a fully-loaded train.</p> <p>The source data that was used in the assessment of railway noise was collected prior to the submission of the DCO application, based on numerous measurements of freight trains. The source data and surveys were set out in Volume 9, Appendix 4B, Annex B of the ES [APP-546].</p> <p>The testing in August 2020 found that lower source noise levels would be appropriate, however, the assessment retained the original, higher noise levels.</p> <p>(ii) As stated in answer to (i) above, the operational characteristics of the leading engine in the test runs reflected the expected operation with a fully-loaded train. Accordingly, differences between the testing undertaken, and a fully-loaded train, are not expected.</p> <p>The locomotive is noisiest part of a freight train, and it is at its noisiest when operating under full power.</p> <p>The survey work that informed the noise assessment, as illustrated in Tables 1.4 and 1.5 in Volume 9, Appendix 4B of the ES (Doc Ref. 6.10) [APP-546] found that decelerating trains, i.e. braking trains, were found to generate lower sound levels than trains running at a steady speed, which were in turn quieter than trains running at full power.</p>
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> <p>Response</p> <p>The reference to train speed in paragraph 8.6.45 of Volume 9, Chapter 8 of the ES [APP-558] is to a 'maximum' of 25mph.</p> <p>The train speeds will be as set out in the draft Rail Noise Mitigation Strategy contained in Volume 3, Appendix 9.3.E of the ES Addendum [APP-258].</p>

ExQ1	Question to:	Question:
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> <p>(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?</p>
	Response	<p>Reference is made to High Speed Two (HS2) in two contexts:</p> <ul style="list-style-type: none"> • The derivation of a SOAEL for airborne railway sound in terms of L_{AFmax}; and • The derivation of SOAEL for groundborne noise. <p>In both respects, the Sizewell C noise assessment is more stringent than the HS2 assessment.</p> <p>In particular, for airborne railway noise, the L_{AFmax} SOAEL references HS2, but the value adopted in the SZC noise assessment is a more stringent value than adopted for HS2.</p> <p>HS2 adopted two values for the L_{AFmax} SOAEL, which varied according to the number of trains per night; a value of 85dB L_{AFmax} was adopted where there were 20 trains or fewer, or 80dB L_{AFmax} where there were more than 20 trains per night. For SZC, the more stringent 80dB L_{AFmax} was adopted even though there are expected to be less than 20 trains per night.</p> <p>Volume 9, Chapter 4 of the ES [APP-545] adopted a value for SOAEL of 50dB L_{ASmax} for groundborne noise considered in isolation; this is 5dB less stringent than HS2's equivalent figure, although it is noted that in the HS2 case there may be 20 or more groundborne noise events per hour.</p> <p>Groundborne noise was developed further in Volume 1, Chapter 9 of the ES Addendum [AS-188] and Volume 3, Appendix 9.3.A of the ES Addendum [AS-257] where it is proposed that combined groundborne noise and airborne noise should be assessed against the LOAEL and SOAEL values for groundborne noise alone, namely 35 dB L_{ASmax} and 50 dB L_{ASmax} respectively. This approach effectively lowers the SOAEL for groundborne</p>

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

ExQ1	Question to:	Question:
		<p>noise alone, by an amount dependent on the relative levels of groundborne and airborne noise as received.</p> <p>This change in approach was considered appropriate in this instance due to the unique circumstances at Sizewell C, where airborne and groundborne noise are likely to combine in a manner not addressed in previous groundborne noise assessments.</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	<p>It is a requirement of the Noise Policy Statement for England¹² and the Overarching National Policy Statement for Energy (NPS EN-1)¹³ to mitigate and minimise noise falling between LOAEL and SOAEL, with the NPS stating that all reasonable steps should be taken in this endeavour while also taking into account the guiding principles of sustainable development (paragraph 2.24).</p> <p>The draft Rail Noise Mitigation Strategy, which is contained in Volume 3, Appendix 9.3.E of the ES Addendum [AS-258], sets out the proposed operational and physical measures to limit railway noise and vibration, which has effect at properties affected by railway noise irrespective of whether they fall above or below LOAEL or SOAEL. The measures include:</p> <ul style="list-style-type: none"> • Installation of a crossover north of Saxmundham station and upgrades to the signalling system to permit trains to join or leave the Saxmundham to Leiston branch line without stopping, known as the 'change arrangements at Saxmundham'.

¹² DEFRA (2010) Noise Policy Statement for England

¹³ DECC (2011) Overarching National Policy Statement (NPS) for Energy (NPS EN-1)

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<ul style="list-style-type: none">• The Saxmundham to Leiston branch line will be upgraded with a refurbished trackbed, concrete or steel sleepers, and welded rails to provide a consistent rail cross-section consistent gauge, and smooth running surface.• The proposed rail extension route will be constructed using the same approach as the upgraded Saxmundham to Leiston branch line.• Under ballast mats will be installed where the Saxmundham to Leiston branch line or proposed rail extension route pass within 15m of a residential receptor, and will be installed for a minimum of 10m either side of the property. An alternative design may be substituted, if its effectiveness is equal and approved.• Night-time speed limits of 10mph will apply at three locations along the East Suffolk line: Woodbridge/Melton, Campsea Ashe, and Saxmundham.• Speed on the Saxmundham to Leiston branch line will be limited to 10mph during the early years.• Pending the results of further assessment of the upgraded and mitigated Saxmundham to Leiston branch line during the early years operation, the speed limit on Saxmundham to Leiston branch line may be increased to 20mph. This further assessment work is described later in this section.• The speed limit on the proposed rail extension route will match that applied to the Saxmundham to Leiston branch line. This enables constant train speeds to be maintained, thereby avoiding accelerating locomotive noise close to the north-western corner of Leiston.• Class 66 locomotives will be used in preference to Class 68 locomotives, where there is equivalent choice.• Night-time construction trains will not travel into or out of Leiston, instead being held on the Saxmundham to Leiston branch line to the west of the Saxmundham Road level crossing, at defined locations.• Construction trains stabled overnight on the branch line will not be permitted to keep their engines idling.

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

ExQ1	Question to:	Question:
		<p>These measures, together with the extensive associated development proposed as part of the application which is primarily aimed at mitigating transport effects, are considered to be a reasonable and proportionate response to the potential adverse effects identified to result from the use of trains as part of the SZC project. Together with insulation where necessary, as provided by the Noise Mitigation Scheme (the original version of which was set out in Volume 2, Appendix 11H of the ES [APP-210] with a revised version provided as Doc Ref. 6.3 11H(A)), it provides a comprehensive mitigation package.</p>
NV.1.20	The Applicant. Network Rail	<p>Rail Freight Option</p> <p>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>
	Response	<p>The Applicant's response to Question NV.1.11 in this chapter explains the controls that will be put in place both contractually and through the DCO to ensure that train operations accord with the description and assessment set out in the application.</p> <p>It is standard in Freight Access contracts to specify the type of rolling stock that are permitted to operate the relevant services. The contracts draw on a central asset management database (known as RSSB R2¹⁴) which holds details of every vehicle registered to operate on the UK railway. The contracts also specify 'Timing load requirements', which commit to a combination of trailing weight and traction type for each service.</p>
NV.1.21	The Applicant	<p>Rail Freight Locomotive type</p> <p>(i) A preference for a type 66 locomotive is expressed [AS-258] what is the reasoning for this?</p> <p>(ii) This preference would not appear to be a commitment but be dependent upon what the freight companies have available – is this correct?</p> <p>(iii) Is the type 66 locomotive a 'conservative' locomotive in terms of noise profile?</p> <p>(iv) Are quieter trains available, if so why has this eventuality not been put forward as a potential mitigation?</p>

¹⁴ Rail Safety and Standards Board (June 2020), RIS-2453-RST, Vehicle Registration, Marking and Numbering.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	<p>Response</p>	<p>(i) Trains would be travelling through the three main built-up areas along the East Suffolk line at 10mph. Class 66 locomotives are preferred to Class 68 locomotives, since they result in lower levels of noise, when assessed using the L_{Amax} parameter at this speed. The differences in level at different speeds for each locomotive type is shown in Table 3.1 in Volume 3, Appendix 9.3.A in the ES Addendum [AS-257].</p> <p>Paragraph 4.8 of Volume 3, Appendix 9.3A, Appendix A of the ES Addendum [AS-257] concludes:</p> <p><i>"The maximum noise levels from Class 68 locomotives are 2dB higher than the levels from Class 66 locomotives at 10mph, and 2dB lower at 20mph (based on the upper 95% C.I.). This means that the Class 66 locomotives are likely to be more suitable from a noise control perspective through the main built up areas on the East Suffolk line where low speeds will be maintained."</i></p> <p>(ii) That is correct. However, the contracts with the Freight Operating Company can specify the use of Class 66 locomotives over Class 68 locomotives, subject to availability. Operationally, the class 66 locomotive is the predominant asset used in the movement of freight on the rail network. To this extent, it is not so much as what is available, but practically what is used.</p> <p>(iii) Paragraph 6.1.2 of Volume 3, Appendix 9.3A of the ES Addendum [AS-257] set out why the findings can be considered robust and representative of a worst-case outcome.</p> <p>(iv) Locomotives quieter than the Class 66 and Class 68 have not currently been identified.</p>
<p>NV.1.22</p>	<p>The Applicant</p>	<p>Rail</p> <p>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> <p>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?</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	<p>The use of an existing railway to operate trains is not in itself development, given that it comprises neither operational development nor a material change of use, which is how development for the purposes of the Planning Act 2008¹⁵ is defined (section 32, which adopts the definition from the Town and Country Planning Act 1990)¹⁶. However, that does not prevent the imposition of requirements or obligations where those meet the relevant tests to ensure that activities associated with the construction of Sizewell C are acceptable in policy terms. The same approach applies, for instance, to running HGVs on the road network but controls are commonly applied.</p> <p>In this case, the ExA can rely on a range of measures to be secured within the DCO – particularly the design and operating controls to be set out in the Rail Noise Mitigation Strategy, which is to be secured through Requirement 25. The current draft of the Rail Noise Mitigation Strategy was provided in Volume 3, Appendix 9.3.E of the ES Addendum [AS-258].</p>
NV.1.23	The Applicant	<p>Rail Noise</p> <p>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.</p> <p>(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?</p> <p>(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.</p>
	Response	<p>Any adverse noise effects arising at the crossing cottages on the branch line are considered in the SZC noise assessment and responded to in accordance with noise policy and guidance, as described in Volume 1, Appendix 6G of the ES [APP-171], including by the implementation of any measures necessary to avoid exceedances of the SOAEL and mitigation and minimisation between the LOAEL and the SOAEL. The historic association between the cottages and the railway line does not affect the treatment of the</p>

¹⁵ UK Government. Planning Act 2008

¹⁶ UK Government. Town and Country Planning Act 1990

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>cottages in the assessment or the mitigation proposed. Accordingly, the Examining Authority can take comfort that the assessment does not depend on the historic relationship, and the Examining Authority may not consider it necessary to enter into consideration of the status of the cottages.</p> <p>Nevertheless, SZC Co. considers that the association between the crossing cottages and the railway line can be relevant. As their name suggests, the cottages were previously tied to the railway and had a railway function. Their location very close to railway line – within five metres or so of the nearest rail – reflects that function. Regular services on the branch line ceased in the mid-1960s and more recently there have been short ‘nuclear flask’ trains once per fortnight up to 2014. Use of the branch line has been part of SZC Co’s proposals from before that date (for example in the November 2012 Stage 1 Pre-Application Consultation [APP-070]). This relationship between the cottages and the rail line means that some rail noise can reasonably be expected at the properties, and it makes their historic function a material consideration. To take it into account accords with the emphasis in the Noise Policy Statement for England on considering noise impact within the wider context (paragraph 1.3).</p>
NV.1.24	The Applicant	<p>Rail Noise</p> <p>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.</p>
	Response	<p>SZC Co. proposes to limit train speeds to 10mph in Woodbridge and Melton, Campsea Ashe and Saxmundham; the speed limit zones are shown in Appendix B of Volume 3, Appendix 9.3.E of the ES Addendum [AS-258].</p> <p>The full range of measures to reduce railway noise and vibration are set out in the draft Rail Noise Mitigation Strategy (Volume 3, Appendix 9.3.E of the ES Addendum [AS-258]) and for those properties that are significantly affected by railway noise, in the provisions of the Noise Mitigation Scheme (the original version of which was set out in Volume 2, Appendix 11H of the ES [APP-210] with a revised version provided as Doc Ref. 6.3 11H(A)).</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>The maximum sound level threshold to trigger eligibility for noise insulation under the Noise Mitigation Scheme as a result of night-time railway noise has been reduced following discussions with ESC. The trigger will now apply at a façade value of 73dB L_{AFmax} instead of the 80dB L_{AFmax} in the original version.</p>
NV.1.25	The Applicant	<p>Rail Noise</p> <p>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?</p> <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	<p>The effects of noise, vibration and groundborne noise have been fully assessed against the principles of the National Policy Statement for Energy (NPS EN-1)¹⁷ and the Noise Policy Statement for England¹⁸, particularly in terms of LOAEL and SOAEL. As set out in Volume 3, Appendix 9.3.A of the ES Addendum [AS-257] no receptors will experience effects greater than SOAEL, and mitigation proposed will minimise noise above LOAEL. This being the case, there is no need for rehousing.</p> <p>Having reflected on the nature of the steps set out in the Noise Mitigation Scheme (the original version of which was set out in Volume 2, Appendix 11H of the ES [APP-210] with a revised version provided as Doc Ref. 6.3 11H(A)) and discussed the matter in the Noise topic meetings with ESC and SCC, SZC Co. believes it would be sensible to secure the Scheme via Schedule 12 of the draft Deed of Obligation (Doc Ref. 8.17(C)). ESC and SCC have recognised that may be the most appropriate route.</p> <p>It is intended that the Scheme be 'de-constructed' into a series of discrete, sequential steps within the draft Deed of Obligation (Doc Ref. 8.17(C)) to ensure that each step is</p>

¹⁷ DECC (2011) Overarching National Policy Statement (NPS) for Energy (NPS EN-1)

¹⁸ DEFRA (2010) Noise Policy Statement for England

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>clear. The use of the draft Deed of Obligation (Doc Ref. 8.17(C)) will also enable the parties to enforce against each other as some of the steps require action from ESC before the next step in the sequence can be implemented.</p> <p>These principles are not controversial between the parties although the precise final terms of the Scheme are the subject of discussions as part of the Statement of Common Ground and progressing the Deed of Obligation.</p>
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>The timing of trains would be specified in the Freight access contracts, which are explained in response to Question NV.1.11 in this chapter and therefore enforceable. However, there is limited ability to 'choose' the timing of train operations. Night-time operations are necessary due to the absence of pathing capacity in the day. At night the scheduling of trains will be a function of the capacity available within the network timetable. The work undertaken on this has shown the ability to secure 7 train movements. The addition of timing limitations would be very likely to reduce that number – especially as the slowed speed of the trains means that each one takes a considerable time to travel from the main line at Ipswich to site. Limiting train numbers would act against the policy imperative in the NPS to prefer train-borne freight where cost effective. The Applicant's view is that the balance lies in favour of securing the available capacity at night but ensuring that impacts are appropriately mitigated. Once established, the timetable would be fixed, creating certainty about the timing of the Sizewell C freight trains.</p> <p>An illustrative timetable is provided in Chapter 11 of the Consolidated Transport Assessment (Doc Ref 8.5(B)).</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>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	No response from SZC Co. is required.
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>While not a question for SZC Co. to respond to, it should be clear that the number of 100 to 110 properties relates to the number of properties expected to have night-time L_{AFmax} noise levels of between 70 and 77dB, which would be considered to be subject to a significant adverse effect, in an EIA context.</p> <p>There is no direct link between a medical 'harm' and these outcomes and it is not SZC Co.'s position that the occupants of these properties will be subject to "significant harm".</p>
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	<p>While not a question for SZC Co. to respond to, it is noted that the number of 460 properties relates to the total number of properties expected to be subject to railway L_{AFmax} noise levels above LOAEL, but does not include those above SOAEL.</p> <p>The Noise Mitigation Scheme, the original version of which can be found in Volume 2, Appendix 11H of the ES [APP-210], has been amended following discussions with ESC so that noise insulation will be offered when maximum sound levels from trains exceeds 73dB L_{AFmax} (as a façade level, equivalent to 70dB as a free-field value).</p> <p>The updated version of the Noise Mitigation Scheme is provided as Doc Ref. 6.3 11H(A).</p>
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?</p>

ExQ1	Question to:	Question:
	<p>Response</p>	<p>(ii) How is this to be secured?</p> <p>(i) In the 2017 GRIP 2 report Network Rail confirmed the feasibility of installing automatic points at Saxmundham Junction. This has formed the basis of the design work, which will be submitted to Network Rail for review and acceptance in their role as asset owner at GRIP 4 (approval in principle) prior to detailed design and construction.</p> <p>(ii) The automatic points system at Saxmundham prevents the need for trains to stop and start again to leave or join the branch line. The improvement would bring tangible noise benefits, as set out Volume 9, Chapter 4 of the ES [APP-545] and Volume 1, Chapter 9 of the ES Addendum [AS-188]. Accordingly, the enhancement is specified in the draft Rail Noise Mitigation Strategy (at section 2.2), which is contained in Volume 3, Appendix 9.3.E of the ES Addendum [AS-258].</p> <p>The Rail Noise Mitigation Strategy would be secured in the manner explained in response to Question NV.1.11 in this chapter.</p>
NV.1.31	<p>The Applicant, Network Rail</p> <p>Response</p>	<p>Rail Noise Mitigation Scheme [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> <p>(i) The potential provision of ‘alternative plant or working methods, barrier screening and/or stand-off margins and/or alternative plant’ is set out in paragraph 4.7.3 in Volume 9, Chapter 4 of the ES [APP-545] and relates to construction noise, not operational railway noise.</p> <p>These construction works would generally be taking place on the Saxmundham to Leiston branch line and green rail route, not on the main East Suffolk line, other than where the branch line joins the main line.</p> <p>It is expected that the need to accommodate the listed measures will not be a concern for Network Rail where the works are away from the East Suffolk line. Where the works affect</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>the East Suffolk line, it is expected that they will be carried out by Network Rail and would be subject to their normal controls and practice.</p> <p>(ii) It is expected that it will be possible to implement the listed measures to some degree, where they are required, and the Code of Construction Practice (Doc Ref. 8.11(B)) will be the mechanism through which they would be implemented.</p>
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	<p>The volume of level crossing warning alarms is detailed in Network Rail standard NR/L2/SIG/11201/Mod X02 'Level Crossings: Common Design Requirements'¹⁹.</p> <p>In addition to stating that the warning alarms shall be capable of producing a sound level of at least 80dB at a distance of 3m, it states:</p> <p><i>"Default setting of the YO3 units is "high" during the day and "medium" during night, which equate to 80dB and 70dB sound levels. These may be adjusted as required by testing or maintenance staff in the light of any complaints received from local householders or similar."</i></p> <p>To inform the noise assessment set out in Volume 9, Chapter 4 of the ES [APP-545], a number of level crossing alarms were measured and they were found to generate sound levels, during the daytime, of 80dB at a distance of 1m.</p> <p>As stated in the Network Rail standard, the level of the alarms can be adjusted to suit local circumstances, subject to the agreement of Network Rail and following appropriate risk assessment.</p> <p>The same standard states that <i>'A minimum of two audible warning devices shall be provided. They shall normally be sited on the reverse side of the primary road traffic signals in diagonally opposite corners. However if only one side of the road has a recognised footpath, then they shall be both sited on the RTL's at the footpath side of the road'</i>.</p>

¹⁹ Network Rail standard NR/L2/SIG/11201/Mod X02 'Level Crossings: Common Design Requirements'

ExQ1	Question to:	Question:																														
		<p>The level crossings alarms are part of Network Rail’s infrastructure, so it is not possible to confirm the locations and noise levels of the alarms at this stage. However, there is nothing in Network Rail’s standard that would prohibit compliance with the position set out in Volume 9, Chapter 4 of the ES [APP-545].</p>																														
NV.1.33	The Applicant	<p>Main Development Site</p> <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	<p>The current schedule of piling for the main development site is provided below:</p> <table border="1" data-bbox="779 743 1509 1091"> <thead> <tr> <th>Piling location</th> <th>Indicative duration of works (months)</th> <th>Construction phase (1-5)</th> </tr> </thead> <tbody> <tr> <td>Platform edge to Sizewell Marshes SSSI</td> <td>19</td> <td>1</td> </tr> <tr> <td>Cut-off Wall</td> <td>10</td> <td>1</td> </tr> <tr> <td>SSSI Crossing</td> <td>6</td> <td>1</td> </tr> <tr> <td>Combined Drainage Outfall</td> <td>1</td> <td>1</td> </tr> <tr> <td>Tunnel launch shafts</td> <td>3</td> <td>1</td> </tr> <tr> <td>Temporary Hard Coastal Defence Feature</td> <td>3</td> <td>1</td> </tr> <tr> <td>Temporary Beach Landing Facility</td> <td>8</td> <td>1</td> </tr> <tr> <td>Permanent Beach Landing Facility</td> <td>4</td> <td>1</td> </tr> <tr> <td>Permanent Hard Coastal Defence Feature</td> <td>7</td> <td>3</td> </tr> </tbody> </table> <p>Please refer to ES Addendum Volume 3, Appendix 2.2.B [AS-202] for further detail on the construction phases. In addition, piling may also be required in various locations across the main development site to support activities such as the construction of significant temporary structures.</p> <p>Advance notice of noisy or disruptive works would be given in accordance with the Code of Construction Practice (Doc Ref. 8.11(B)). This will involve targeted communications to local residents, business occupiers and relevant authorities and will normally take place at least one week before the planned works are due to take place.</p>	Piling location	Indicative duration of works (months)	Construction phase (1-5)	Platform edge to Sizewell Marshes SSSI	19	1	Cut-off Wall	10	1	SSSI Crossing	6	1	Combined Drainage Outfall	1	1	Tunnel launch shafts	3	1	Temporary Hard Coastal Defence Feature	3	1	Temporary Beach Landing Facility	8	1	Permanent Beach Landing Facility	4	1	Permanent Hard Coastal Defence Feature	7	3
Piling location	Indicative duration of works (months)	Construction phase (1-5)																														
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Permanent Hard Coastal Defence Feature	7	3																														

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

ExQ1	Question to:	Question:
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	<p>(i) Please refer to Figure 2.9 in Chapter 2 (Part 1) of this report.</p> <p>(ii) Please refer to Figure 2.9 in Chapter 2 (Part 1) of this report.</p> <p>(iii) No response required.</p>
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	<p>(i) The location of Upper Abbey is shown as Receptor 26 in Figure 11.1 contained in Volume 2, Chapter 4 of the ES [APP- 211]. All buildings at this location would be unoccupied.</p> <p>(ii) EDF Energy is the owner of Upper Abbey and would not occupy the building during the construction period. Therefore, no mitigation is required.</p>
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> <p>Please explain what standard BS 8223 would achieve for both internal and external spaces and how this is to be secured?</p>

ExQ1	Question to:	Question:
	<p>Response</p>	<p>British Standard 8233: 2014²⁰ provides recommendations for the control of noise in and around buildings, suggesting appropriate criteria and limits for different situations, which are primarily intended to guide the design of new or refurbished buildings.</p> <p>In terms of residential dwellings, or in the case of the accommodation campus, buildings used for residential purposes, BS8233: 2014 states that the following internal noise levels would be reasonable:</p> <ul style="list-style-type: none"> • Daytime living rooms or bedrooms: 40dB LAeq,16hrs • Daytime dining areas: 45dB LAeq,16hrs • Night-time bedrooms: 35dB LAeq,8hrs <p>For external amenity areas, BS8233: 2014 recommends an upper guideline value of 55dB LAeq,T, but notes that the guideline value is not achievable in all circumstances where development might be desirable. Where the guideline value cannot be achieved, BS8233: 2014 recommends that the development is designed to achieve the lowest practicable levels in external amenity spaces.</p> <p>A fuller summary of BS8233: 2014 is set out in Volume 1, Appendix 6G, Annex 6G.1 of the ES [APP-171], in paragraphs 4.36 to 4.45.</p> <p>Requirement 17 of the draft DCO (Doc Ref 3.1(C)) requires a statement demonstrating compliance with the design principles set out in Table A.1 of the Main Development Site Design and Access Statement [APP-587]. Compliance with Design Principle 12 will secure appropriate acoustic conditions at the accommodation campus.</p>
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>

²⁰ British Standard BS8233:2014 – Guidance on sound insulation and noise reduction for buildings, BSI Standards Publication 2014

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<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.
	<p>Response</p>	<p>The response set out here relates to the two village bypass, as per the question title, not to Volume 6 of the ES, which relates to the Sizewell link road. However, it is acknowledged that the footer of Volume 5, Chapter 4 erroneously states that it is Volume 6, Chapter 4 in some places.</p> <p>Table 4.21 in Volume 5, Chapter 4 of the ES [APP-415] shows that there will be no significant adverse effects from the construction of the two village bypass, once mitigation is taken into account. The assessment of an additional temporary contractor’s compound in Volume 1, Chapter 5 of the ES Addendum [AS-184] also found that, once mitigation is taken into account, no significant adverse effects were likely.</p> <p>Table 4.23 in Volume 5, Chapter 4 of the ES [APP-415] shows that significant adverse effects from the use of the two village bypass are possible at 11 receptors or receptor groups. The road traffic noise calculations were updated in Volume 1, Chapter 5 of the ES Addendum [AS-184], and significant adverse effects were indicated at 11 receptors.</p> <p>A significant adverse effect, in an EIA context, which is what is identified for the 11 receptors, is not the same as a significant adverse impact on health and quality of life, as described in the NPSE²¹ or NPS-EN1²². They are separate concepts. It does not follow from the existence of a significant adverse effect in EIA context that there will be a significant adverse impact on health and quality of life (i.e. an exceedance of the ‘SOAEL’) in terms of the NPSE or NPS EN-1. Please refer to the answer to Question NV.1.75(i) for a full explanation of why this is so.</p> <p>The NPSE states that the SOAEL is the level above which significant adverse effects on health and quality of life can occur (paragraph 2.21, NPSE).</p>

²¹ DEFRA (2010) Noise Policy Statement for England

²² DECC (2011) Overarching National Policy Statement (NPS) for Energy (NPS EN-1)

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>The SOAEL for road traffic noise is 68dB $L_{A10,18hrs}$ (façade) during the daytime and 55dB L_{night} (free-field) during the night-time, as stated in DMRB LA111²³.</p> <p>The significant adverse effects identified at the 11 receptors are defined by changes in road traffic noise, not necessarily the correlation with the SOAEL, as defined in DMRB LA111.</p> <p>The road traffic noise assessments in Volume 5, Chapter 4 of the ES [APP-415] and Volume 1, Chapter 5 of the ES Addendum [AS-184] indicate that one property is predicted to be subject to noise levels above SOAEL, and the Noise Mitigation Scheme (the original version of which was set out in Volume 2, Appendix 11H of the ES [APP-210] with a revised version provided as Doc Ref. 6.3 11H(A)) will provide improvements to the insulation of the property to avoid exceeding SOAEL.</p> <p>Overall, the noise effects of the two village bypass accord with NPS EN-1 paragraph 5.11.9 because noise effects have been minimised by design, whilst significant adverse effects on health and quality of life are avoided, as SOAEL will not be exceeded. The two village bypass forms an important component of the mitigation measures necessary to ensure the delivery of nationally important infrastructure. In that context, it benefits from very strong policy support. It also brings significant noise benefits to the communities of Farnham and Stratford St Andrew.</p> <p>Further steps may be taken to mitigate and minimise adverse effects, as is appropriate between LOAEL and SOAEL, as part of the detailed design of the road, which may include the use of a quiet road surface. This was not originally proposed as this road surface is more expensive to maintain. However, this will be discussed with Suffolk County Council (SCC) and East Suffolk Council (ESC) and an update will be provided within the SoCG (Ref. 9.10.12) at Deadline 4.</p>
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</p>

²³ Design Manual for Roads and Bridges (DMRB) LA 111 Noise and vibration

<https://www.standardsforhighways.co.uk/prod/attachments/cc8cfcf7-c235-4052-8d32-d5398796b364?inline=true> [Accessed May 2021]

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>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	<p>The response set out here relates to the two village bypass, as per the question title, not to Volume 6 of the ES, which relates to the Sizewell link road.</p> <p>However, it is acknowledged that the footer of Volume 5, Chapter 4 erroneously states that it is Volume 6, Chapter 4 in some places.</p> <p>The corresponding table to Table 5.6 in the Community Impact Report [APP-156] is Table 4.23 in Volume 5, Chapter 4 of the ES [APP-415] is Table 4.21.</p>
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>
	Response	<p>It would not be reasonable to assess noise only in respect of NSIP development traffic. Noise from road traffic has been assessed with both baseline traffic (not associated with the development and termed 'the Reference case' in the assessments) and the traffic which would occur with the development in place together.</p> <p>It would not have been possible to assess the noise from traffic with the new road present but no "with development" traffic present, as the road would not be constructed without the NSIP development. For this reason, noise levels once the road is present, are based on the reference case plus the construction traffic at its peak, to consider the worst-case effects.</p> <p>In addition to considering noise levels with construction traffic present, levels which would occur in 2034 (when construction traffic is no longer present) have also been considered.</p>
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	<p>It is not differentiated. The assessments are based on noise from both the traffic associated with the development and from other traffic, considered additively.</p>

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

ExQ1	Question to:	Question:
NV.1.41	The Applicant	Two Village Bypass 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?
	Response	The question appears to assume that harm which arises elsewhere is not taken into account, which is not the case. Wherever noise levels may potentially have increased or decreased by any more than a very low magnitude, these changes have been quantified and assessed. The balance between benefits in one location and adverse effects in another is the consequence of proposing a road scheme, such as this. That is the appropriate balance to be considered.
NV.1.42	The Applicant	Two Village Bypass 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]) (i) Please advise of the addresses and number of properties in this location and describe how each might be affected. (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? (iii) Can the details of the effects for each as currently set out be regarded as conservative? (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?
	Response	(i) Information from the Land Registry indicates ten residential properties at Farnham Hall, which are: <ul style="list-style-type: none">• Farnham Manor, IP17 1LB• 2 Farnham Hall, IP17 1LB• 3 Farnham Hall, IP17 1LB• 4 Farnham Hall, IP17 1LB• 5 Farnham Hall, IP17 1LB

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<ul style="list-style-type: none">• Booths Barn, 6 Farnham Hall, IP17• Farnham Barn, IP17 1IB• Farnham Barn 2 & 2a, IP17 1LB• 1 Hall Cottages, Farnham, Saxmundham IP17 1LB• 2 Hall Cottages, IP17 1LB <p>For the purposes of noise assessment across the application, and not just in relation to this particular example, selected receptors were considered likely to be representative of the worst-case outcome at a group of receptors.</p> <p>While the effects may vary according to the exact relationship between a particular property and the source under assessment, in this case the two village bypass, the outcome identified for the representative receptor location is considered to occur at the adjacent properties as well.</p> <p>(ii) As stated in Part (i), the exact effect at each location close to an assessed receptor is considered to be the same as at the assessed receptor.</p> <p>Since the assessed receptor locations were selected on the basis of being exposed to the greatest change in level, and therefore the greatest potential effect, it follows that assigning the assessment outcome to adjacent properties that are likely to be less-adversely affected will lead to a worst-case, robust assessment.</p> <p>(iii) For the reasons stated in Parts (i) and (ii), yes, the outcomes at properties in close proximity to an assessed receptor can be considered conservative and robust, since the assessed receptors have been selected on the basis of being exposed to the greatest change in level, and therefore the greatest potential effect.</p> <p>(iv) Although some individual receptors have their own identification codes, often a group of receptors are referred to by a single identification code; sometimes an identification code refers to a very large group of receptors, such as is the case along the existing route of the A12 in Farnham.</p> <p>The assessment is not the numerical comparison of the number of receptor codes at which an adverse or beneficial effect occurs, but a qualitative description of the receptors or groups of receptors at which these effects are experienced. As such, identifying a group</p>

ExQ1	Question to:	Question:
		<p>of receptors as experiencing the same effect (based on the receptors within the group which is likely to experience the greatest level change) will tend to over-estimate the effects. Thus, any higher resolution assessment approach involving dividing receptors up into smaller groups or identifying effects at every individual receptor would result in either the same outcome or a less adverse outcome, where the effects are adverse.</p> <p>For this reason, the fact that several properties are potentially significantly adversely affected would not weigh more heavily against the scheme. It would either have no effect or would result in a less adverse overall assessment outcome for some of those receptors.</p>
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 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	<p>The two village bypass would be in cutting approximately 4.5m deep as it passes between the properties at Farnham Hall (west of the bypass) and Farnham Hall Farm House (east of the bypass). The detail of the cutting for this area and the remainder of the bypass can be found on drawings SZC-SZ0204-XX-000-DRW-100038 Rev 02 and SZC-SZ0204-XX-000-DRW-100522 Rev 02 – Two village bypass proposed plan and profiles (sheets 1 and 2) [AS-128]. These drawings were originally submitted as part of [APP-038].</p> <p>(i) There is no additional mitigation proposed at this stage. However, SZC Co. has committed to considering further mitigation through its engagement with ESC and SCC, as set out NV.1.37 in this chapter.</p> <p>(ii) The noise assessment set out in Volume 5, Chapter 4 of the ES [APP-415] and Volume 1, Chapter 5 of the ES Addendum [AS-184] was based on the versions of the drawings submitted as part of the application [APP-038 and APP-039] that were current at the point in time when the noise modelling was undertaken, supplemented with LIDAR height information for existing ground levels. There were no significant changes between the versions that informed the noise modelling and the submitted drawings.</p>

ExQ1	Question to:	Question:
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	<p>(i) To respond to this question, it is necessary to explain some of the underlying calculation principles.</p> <p>The noise reduction due to the cutting varies according to the location and height of a particular receptor relative to the road surface and cutting. The method used to calculate road traffic noise, the 'Calculation of Road Traffic Noise' (CRTN)²⁴, requires the road source to be split into short segments to account for the particular propagation path between that segment and the receptor point. The noise from each segment is then summed to determine the overall noise level.</p> <p>A breakdown of the contributions from each segment of road in the calculation has been extracted from the noise modelling software, to estimate the level of attenuation due to the cutting.</p> <p>It is not possible to distinguish between the reduction due to the cutting, and other obstructions that may inhibit the propagation of noise in the detailed model breakdown; the reduction due to an obstruction is all that is reported.</p> <p>It is also noted that CRTN also requires the reduction due to the passage of sound over the ground to be quantified, calculated according to how 'soft' the ground surface is. For example, the passage of sound over an acoustically 'soft' surface, such as grass, will be greater than for a 'hard' surface, such as concrete.</p> <p>CRTN requires the assessor to only apply the largest of the two reductions, with the smaller reduction being ignored. For example, if the barrier effect reduces traffic noise by 10dB, the reduction due to ground absorption is ignored, unless it is more than 10dB, in which case the reduction due to the barrier is ignored.</p>

²⁴ Calculation of Road Traffic Noise (CRTN), Department of Transport, Welsh Office (1988)

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>For the receptors either side of a point just south of the approximate centre of the cutting, Receptors 13 (Farnham Hall) and 14 (Farnham Hall Farmhouse) (shown on Figure 4.1 in Volume 5, Chapter 4 of the ES [APP-417]), the reduction due to the geometry of the relationship between the road, the cutting and the receptors is estimated to be in the region of 6 to 12dB, depending on which receptor, which receptor height, and which segment of road are considered. This reduction does not take account of ground absorption, as required by CRTN. (ii) This level of detail is not included in the ES as it is an inherent part of the CRTN calculation method.</p> <p>(iii) The noise assessment set out in Volume 5, Chapter 4 of the ES [APP-415] and Volume 1, Chapter 5 of the ES Addendum [AS-184] was based on the versions of the drawings submitted as part of the application [APP-038 and APP-039] that were current at the point in time when the noise modelling was undertaken, supplemented with LIDAR height information for existing ground levels. There were no significant changes between the versions that informed the noise modelling and the submitted drawings.</p> <p>(iv) The drawings used in the noise modelling are listed in part (iii). Approval for these drawings is not being sought.</p>
NV.1.45	<p>The Applicant</p> <p>Response</p>	<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?</p> <p>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> <p>A number of noise control measures were considered during the design process of the two village bypass, and Sizewell link road, including the use of low noise road surfaces, barriers and bunds and maximising the benefit of natural ground features, such as cuttings, to increase the level of noise attenuation.</p> <p>The measures were fed into the design of the roads, and through a process of optimisation and balancing of various parameters, the road design emerged.</p> <p>It is noted, however, that the roads are designed in outline terms within certain design parameters, and the final design details are not yet fixed. There will be opportunity for further noise control measures to be incorporated into the detailed road design.</p>

ExQ1	Question to:	Question:
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.</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> <p>(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?</p>
	Response	<p>(i) The significant adverse effects identified in the first year of operation are correctly identified.</p> <p>The significant adverse effects result from the change in traffic noise level, and are significant in an EIA context. The Noise Mitigation Scheme (the original version of which was contained in Volume 2, Appendix 11H of the ES [APP-210] with a revised version provided as Doc Ref 6.3 11H(A)), provides for improvements in the noise insulation of properties where the eligibility thresholds are met, which is the case for Receptor 12 Pond Barn Cottages only. The Noise Mitigation Scheme will not apply to the other four receptors where the noise level is not such as to trigger the requirement for noise insulation; the significant adverse effects are identified in an EIA context, not in terms of the SOAEL.</p> <p>Prior to mitigation by the Noise Mitigation Scheme, only one receptor (Receptor 12 Pond Barn Cottages) would exceed the SOAEL. The SOAEL would be avoided at that receptor by insulation. Accordingly, the policy in NPS EN-1 and the NPSE to avoid significant adverse on health and quality of life from noise is complied with. The SOAEL is not the same as a significant adverse effect in an EIA context. Please see the answer to Question NV.1.75(i) for an explanation of this.</p> <p>(ii) Yes, there are expected to be significant adverse effects, in an EIA context, at five receptors, or groups of receptors, in the long-term. The implementation of the Noise</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>Mitigation Scheme at Receptor 12 Pond Barn Cottages will avoid the SOAEL being exceeded, but the change in traffic noise level that defines the significant adverse effect in an EIA context, will remain.</p> <p>(iii) The requirement in NPSE and NPS EN-1 is to avoid significant adverse effects on health and quality of life, which is achieved through the implementation of the Noise Mitigation Scheme at the one location where such an outcome is predicted. The NPSE and NPS EN-1 do not require significant adverse effects, as defined more broadly in the EIA Regulations, to be avoided.</p> <p>iv) Please see SZC Co.'s response to Question NV.1.42 in this chapter.</p>
NV.1.47	The Applicant	<p>Two Village Bypass [APP-415] para 4.6.14 should this reference be to Appendix 11H? please clarify the position.</p>
	Response	<p>Yes, this is a typographical error and it should read:</p> <p><i>"Exceedances of the SOAEL will be avoided by managing the works in a way that avoids the noisiest activities at the most sensitive parts of the day, secured through the CoCP (Doc Ref. 8.11(B)). Where such works cannot be managed in this manner, exceedances of the SOAEL will be avoided through the provision of noise insulation under the Noise Mitigation Scheme provided in Volume 2, Appendix 11H of the ES."</i></p>
NV.1.48	The Applicant	<p>Two Village Bypass/Sizewell Link Road</p> <p>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?</p>
	Response	<p>A number of noise control measures were considered during the design process of the two village bypass, and Sizewell link road, including the use of low noise road surfaces,</p>

ExQ1	Question to:	Question:
		<p>barriers and bunds, and maximising the benefit of natural ground features, such as cuttings, to increase the level of noise attenuation.</p> <p>The measures were fed into the design of the roads, and through a process of optimisation and balancing of various parameters, the road design emerged.</p> <p>It is noted, however, that the roads are designed in outline terms within certain design parameters, and the final design details are not yet fixed. There will be opportunity for further noise control measures to be incorporated into the detailed road design.</p> <p>Further steps may be taken to mitigate and minimise adverse effects, as is appropriate between LOAEL and SOAEL, as part of the detailed design of the road, which may include the use of a quiet road surface. This was not originally proposed as this road surface is more expensive to maintain. However, this further mitigation measure could be agreed with Suffolk County Council (SCC) within the SoCG.</p> <p>Where acoustic mitigation measures were considered during the emerging road design process but were not included, it was considered that, at that stage of the process, the measures had been exhausted, to use the term set out in NPS EN-1²⁵.</p> <p>The development of the Noise Mitigation Scheme (the original version of which was contained in Volume 2, Appendix 11H of the ES [APP-210] with a revised version provided as Doc Ref 6.3 11H(A)) to provide a mechanism to deliver improvements in the sound insulation of properties where noise levels would otherwise be above SOAEL is considered the appropriate approach, and meets the NPS EN-1 policy tests.</p>
NV.1.49	The Applicant, ESC, SCC	<p>Two Village Bypass</p> <p>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?</p>
	Response	<p>The DCO application falls to be considered primarily against the policy requirements of the NPSs. Compliance with the terms of the NPSs would provide a strong indication that a proposal accords with government policy, including policies for sustainable development which involve the need to balance economic, social and environmental considerations. The NPSs are deliberately drawn to be wide ranging and to encompass all of those matters</p>

²⁵ DEFRA (2010) Noise Policy Statement for England

ExQ1	Question to:	Question:
		<p>which Government considers are most directly relevant to the assessment of proposals for nationally significant infrastructure. There is no 'other' policy test which sits outside and above the NPSs.</p> <p>Even if the two village bypass were a stand-alone project assessed on its own merits, it would be appropriate to also recognise the significant benefits that it brings, along with the support for the principle of the bypass apparent through successive consultations, including the consistent support for a bypass from the affected parish councils, the District Council and the County Council.</p> <p>A bypass of at least the two villages is supported in the East Suffolk Local Plan (at paragraph 3.31) and in the Infrastructure Delivery Plan at Appendix B of the Plan, which describes the bypass as 'essential'. In this context, 'essential' is defined in the Plan as:</p> <p><i>"Essential infrastructure is the infrastructure that is necessary to support and mitigate development and ensures policy objectives of the Local Plan are met. Development could take place without this infrastructure but its sustainability would be undermined."</i></p> <p>The bypass, therefore, is recognised by the Local Plan to bring sustainability benefits.</p> <p>No party that supports the bypass can expect that it would not involve some adverse effects – for instance, in noise or landscape or ecology terms but the fact of some adverse effects is not such as to outweigh the benefits of the bypass or the need for it.</p> <p>Noise effects of the type referenced in the question also need to be considered in the context of other considerations. As the Noise Policy Statement for England explains (at paragraphs 2.17 and 2.18), noise effects need to be considered in the context of the Government's policy for sustainable development, which means that:</p> <p><i>"This should avoid noise being treated in isolation in any particular situation, i.e. not focussing solely on the noise impact without taking into account other related factors."</i></p> <p>Even if the noise effects were to be taken in isolation and even if the bypass was considered on its own merits without reference to its wider role and benefits, its noise effects are not such as to trigger the policy test at NPS EN-1 paragraph 5.11.9 because significant adverse effects on health and quality of life are avoided.</p> <p>Taken as a whole, however, and seen in its proper context, the two village bypass forms an important component of the mitigation measures necessary to ensure the delivery of</p>

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

ExQ1	Question to:	Question:
		nationally important infrastructure. In that context, it benefits from very strong policy support.
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 L_{night}? (ii) What mitigation would this require? (iii) Has this been considered? (iv) Please advise where this assessment can be found?</p>
	Response	<p>(i) The adoption of 40dB L_{night} in the World Health Organisation’s Night Noise Guidelines²⁶ relates to what they consider to be the LOAEL for night-time noise. This value is included as the LOAEL for road traffic noise in DMRB LA111²⁷, In policy terms, the requirement is to mitigate and minimise noise effects above the LOAEL, while the NPSE²⁸ notes at paragraph 2.24 that effects above the LOAEL can occur and the policy tests still be met. There is therefore no policy or guidance basis for adopting 40dB L_{night} as a design target.</p> <p>Notwithstanding the lack of a policy or guidance imperative for adopting 40dB L_{night} as a design target, it is not considered possible to achieve this value at every location. The WHO themselves acknowledge that it is a target that is unlikely to be achieved in many instances, and they have set an interim target value of 55dB L_{night} for those situations where the 40dB L_{night} value cannot be achieved.</p> <p>(ii) Achieving a 40dB L_{night} target is not considered possible, particularly where existing road traffic noise levels are already considerably above this level. Anywhere where the two village bypass is close to an existing road, existing road traffic noise levels would render the target redundant.</p>

²⁶ World Health Organisation (2009) Night noise guidelines for Europe

²⁷ Design Manual for Roads and Bridges (DMRB) LA 111 Noise and vibration

<https://www.standardsforhighways.co.uk/prod/attachments/cc8cfcf7-c235-4052-8d32-d5398796b364?inline=true> [Accessed May 2021]

²⁸ DEFRA (2010) Noise Policy Statement for England

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>Away from the junctions with the existing A12, a 40dB L_{night} target level could only be achieved for all receptors if the two village bypass were in a tunnel.</p> <p>(iii) No, this has not been considered, as it is not a viable design target.</p> <p>(iv) The assessment has not been undertaken.</p>
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	<p>(i) The significant adverse effects identified in the first year of operation in 2034 are predicted to occur at Receptors 3 Fordley Hall, 12 Trust Farm, 13 Dovehouse Farm, 16 Doughty Wylie Crescent, 17 Theberton Grange, 19 Oakfield House, 20 Hawthorn Cottage, and 37 Moat House.</p> <p>The significant adverse effects result from the change in traffic noise level, and are significant in an EIA context.</p> <p>The Noise Mitigation Scheme (the original version of which was contained in Volume 2, Appendix 11H of the ES [APP-210] with a revised version provided as Doc Ref 6.3 11H(A)), provides for improvements in the noise insulation of properties where the eligibility thresholds are met.</p> <p>The Noise Mitigation Scheme thresholds were predicted to be exceeded at three receptors in Volume 6, Chapter 4 of the ES [APP-451], although the noise levels at one of these, Receptor 24 A12 Yoxford Centre, was revised in Volume 3, Appendix 6.3.C of the ES Addendum [AS-249] and is no longer expected to be eligible.</p> <p>(ii) Yes, there are expected to be significant adverse effects, in an EIA context, at eight receptors, or groups of receptors, in the long-term. The implementation of the Noise</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>Mitigation Scheme at two receptors, Receptors 26 B1122 Rail Crossing and 31 Laurel Farm will avoid the SOAEL being exceeded. The changes in traffic noise level that define the significant adverse effect, in an EIA context, will remain.</p> <p>(iii) The requirement in NPSE and NPS EN1 is to avoid significant adverse effects on health and quality of life, which is achieved through the implementation of the Noise Mitigation Scheme at the two locations where such outcomes are predicted.</p> <p>The NPSE and NPS EN-1 do not require significant adverse effects, as defined more broadly in the EIA Regulations, to be avoided. The SOAEL is not the same as a significant adverse effect in an EIA context. Please see the answer to Question NV.1.75(i) of this chapter for an explanation of this.</p>
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> <p>Please explain how these effects would be mitigated to comply with NPS EN1 and NPSE policy.</p>
	Response	<p>Mitigation measures are described in section 4.7 in Volume 6, Chapter 4 of the ES [APP-451] and in the Code of Construction Practice (Doc Ref. 8.11(B)). The measures should be capable of reducing noise and vibration levels such that these effects are no longer significant.</p>
NV.1.53	Marlesford Parish Council	<p>Southern Park and Ride</p> <p>Please advise which noise receptors you consider should have been included in the assessment which have not been.</p>
	Response	<p>No response from SZC Co. is required.</p>
NV.1.54	ESC	<p>Yoxford Roundabout</p> <p>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.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	No response from SZC Co. is required.
NV.1.55	ESC	<p>Yoxford Roundabout</p> <p>Delivery of screening and final working methodology is yet to be finalised. Are the Council satisfied that the method of mitigation is appropriately secured?</p>
	Response	No response from SZC Co. is required.
NV.1.56	The Applicant	<p>Community Impact Report</p> <p>Community Impact Report [APP-156] at para 2.6.68 suggests “noise barriers have been designed”:</p> <p>(i) Could you point out where the specification of these barriers is and what acoustic benefit they have been designed to achieve.</p> <p>(ii) How would this standard be secured through the DCO?</p>
	Response	<p>(i) Where barriers are considered, either as primary mitigation or potential additional mitigation, around the Main Development Site, their locations are shown in Figure 11.4 in Volume 2, Chapter 11 of the ES [APP-211]. The heights of the barriers are stated in paragraph 11.5.9 and paragraph 11.7.7 in Volume 2, Chapter 11 of the ES [APP-202].</p> <p>The dimensions and extent of the additional barriers will be assessed once working techniques have evolved further, as set out in the Code of Construction Practice (Doc Ref. 8.11(B)).</p> <p>A material specification is not provided in the DCO submission, as the detail of the barriers’ construction will depend on the detail of the works. However, it is expected that the barriers will need to be imperforate, sealed at the base, and have a superficial mass of at least 18kg/sq.m.</p> <p>(ii) Barrier #4 (B4), Barrier #6 (B6) and Barrier #7 (B&) are primary mitigation and are shown on the ‘Main Development Site Construction Parameter Plan’ [APP-022] and will be secured by Requirement 8 of the draft DCO (Doc Ref 3.1(c)).</p> <p>Other barriers that may be necessary, such as Barrier #1 (B1), Barrier #2 (B2), Barrier #3 (B3), Barrier #5 (B5) and Barrier #8 (B8) shown in Figure 11.4 in Volume 2,</p>

ExQ1	Question to:	Question:
		<p>Chapter 11 of the ES [APP-211], will be secured through the CoCP (Doc Ref. 8.11(B)), which itself is secured Requirement 2 of draft DCO (Doc Ref 3.1(C)).</p>
NV.1.57	The Applicant	<p>Community Impact Report Community Impact Report [APP-156] Table 3.5 describes several areas. (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 (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. (iii) Please advise where the details for these effects are set out in the ES.</p>
	Response	<p>(i) Table 3.5 in the Community Impact Report [APP-156] refers to landscape and visual effects in the Yoxford Community Area, which are drawn from the landscape and visual assessments at Volume 2, Chapter 13 of the ES [APP-216]; Volume 3, Chapter 6 of the ES [APP-360] and Volume 6, Chapter 6 of the ES [APP-457]. The areas described are set out in full within these landscape and visual assessments. The Yoxford Community Area is defined in Figure 3 in the Community Impact Report [APP-157].</p> <p>(ii) and (iii) ExA specifically refers to residential receptors described in Volume 2, Chapter 13 of the ES [APP-216]; Volume 3, Chapter 6 of the ES [APP-360] and Volume 6, Chapter 6 of the ES [APP-457]. The residual effects as reported in Table 3.5 of the Community Impact Report identify the significant effects assessed in the relevant landscape and visual assessments for the main development site and associated development sites within the Yoxford Community Area. These assessments do not identify effects on individual residential properties, but consider effects on visual receptor groups that include all of the routes, public spaces and homes within that area. This is as set out in section 6I.6 of the methodology for the landscape and visual impact assessments at Volume 1, Appendix 6I to the ES [APP-171] The areas described in Table 3.5 of the Community Impact Report have been shown on a new figure at Figure 21.1 to this report, where:</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> • NPR1 represents the receptor group comprising users of the cycle way along Willow Marsh Lane and Main Road, minor roads and local residents to north and east of the site and immediately adjacent to it. • SLR1 represents the receptor group comprising users of public footpaths (E-344/013/0, E-344/014/0, E-584/016/A and E- 584/019/0), local residents and motorists on local roads between the boundary of Rookery Park to the north, the East Suffolk Line to the east, Town Farm Lane to the south and the A12 to the west. • SLR3 represents the receptor group comprising users public footpaths (E-396/014/0 and E- 584/016/0), local residents (including at Middleton Moor), users of open access land/registered common land at Middleton Moor and motorists on local roads between the B1122 (Yoxford Road/Middleton Road) to the north, Fordley Road to the east, vegetation around Fordley Hall to the south and the East Suffolk line to the west. <p>SLR4 represents the receptor group comprising users public footpaths (E-396/017/0, E-396/018/0, E-396/019/0, E-396/020/0 and E-396/023/0), local residents and motorists on local roads between the B1122 (Yoxford Road) to the north, Hawthorn Road to the east, vegetation around Parkway Farm to the south and Fordley Road to the west.</p>
NV.1.58	<p>The Applicant</p> <p>Response</p>	<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> <p>Exceedance of the SOAEL for construction noise depends on both the level of the sound and its duration, as stated in Note (1) to Table 4.14 in Volume 9, Chapter 4 of the ES [APP-545]:</p> <p><i>"Duration of exceedance must occur for 10 or more days or nights in any 15 consecutive days or nights;</i></p> <p><i>or for a total number of days exceeding 40 days or nights in any 6 consecutive months"</i></p> <p>Paragraph 4.6.41 in Volume 9, Chapter 4 of the ES [APP-545] is clear that the duration criteria are not expected to be exceeded, and therefore the SOAEL will not be exceeded.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
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	<p>(i) In responding to this question, it is assumed that the 60dB referred to is the 60dB L_{AFmax} level identified as a LOAEL in a number of the assessments.</p> <p>Noise assessed using the L_{night} parameter is different to noise assessed using the L_{AFmax} parameter. The L_{night} is the equivalent continuous level of noise events in the 8 night-time hours between 23:00 and 07:00 hours over a period of one year, whereas L_{AFmax} is the highest noise level that occurs in a given period. These terms are explained in the Glossary in Volume 1, Appendix 6G of the ES [APP-171].</p> <p>There is no fixed correlation between the two, as they relate to different ways of quantifying sound.</p> <p>An exceedance of a 40dB L_{night} threshold does not indicate an exceedance of a 60dB L_{AFmax} threshold, and vice versa.</p> <p>(ii) The derivation of the 60dB L_{AFmax} value is set out in Volume 1, Appendix 6G, Annex 6G.1 of the ES [APP-171], starting at paragraph 5.78.</p> <p>(iii) For the reasons explained above, yes, it can; the two methods of quantifying cannot be directly correlated, so conclusions based on one measure of sound, will not have meaning for the other.</p>
NV.1.60	ESC	<p>Health Effects of Noise</p> <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>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<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	No response from SZC Co. is required.
NV.1.61	ESC	<p>Operational Noise (i) Please clarify the ongoing concerns about the assessment of operational noise and the source data. (ii) What further evidence do you seek?</p>
	Response	No response from SZC Co. is required.
NV.1.62	The Applicant	<p>Operational Noise ESC has expressed concern that some receptors could be the subject of ongoing adverse noise effects during the operation of the plant. (i) Do you agree to ongoing monitoring and subsequent mitigation as suggested? (ii) How could this be secured?</p>
	Response	<p>(i) ESC has suggested, at paragraph 1.29 of RR-0342, that '<i>a scheme of mitigation should be made available to the properties affected</i>' (i.e. that mitigation be made available for the affected property). This is provided through the Noise Mitigation Scheme (the original version of which was contained in Volume 2, Appendix 11H of the ES [APP-210] with a revised version provided as Doc Ref. 6.3 11H(A), which covers operational noise as well as construction noise.</p> <p>A programme of commissioning noise monitoring could be undertaken, however, it is unlikely that noise mitigation could be retro-fitted to the power station, and the Noise Mitigation Scheme already contains a review mechanism through which noise effects can be revisited and insulation supplied to affected properties, where the eligibility criteria are met.</p> <p>(ii) The Noise Mitigation Scheme (the original version of which was contained in Volume 2, Appendix 11H of the ES [APP-210] with a revised version provided as Doc Ref 6.3 11H(A) provides the means to provide further mitigation where required. The</p>

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

ExQ1	Question to:	Question:
		Noise Mitigation Scheme is secured via Schedule 12 of the draft Deed of Obligation (Doc Ref. 8.17(C)).
NV.1.63	The Applicant, ESC Part (iii) and (iv) only	<p>Noise Mitigation Scheme (NMS) 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? (ii) How would the noise environment within properties be protected to an acceptable degree when windows were open? (iii) Do the Council consider the mitigation scheme as drafted sufficiently clear and enforceable such that receptors would be adequately protected? (iv) Do the Council consider this would be better secured through the DCO or S106?</p>
	Response	<p>(i) The Noise Mitigation Scheme (the original version of which was contained in Volume 2, Appendix 11H of the ES [APP-210] with a revised version provided as Doc Ref 6.3 11H(A), is a scheme for improving the insulating performance of properties; there will be no effect from the scheme in gardens.</p> <p>The principles of this approach are well-established through the Noise Insulation Regulations that apply to road and railway schemes^{29, 30}.</p> <p>(ii) The benefits of the Noise Mitigation Scheme will occur when windows are closed, however, the scheme allows for the installation of an alternative means of ventilating the properties, such as the through-wall ventilation system required by the Noise Insulation Regulations that apply to road and railway schemes^{31, 32}.</p> <p>(iii) No response from SZC Co. is required. (iv) No response from SZC Co. is required.</p>

²⁹ UK Government. The Noise Insulation Regulations 1975 (as amended 1988) (SI 1988 No 2000)

³⁰ UK Government. The Noise Insulation (Railways and Other Guided Transport Systems) Regulations 1996 (SI 1996 No 428)

³¹ UK Government. The Noise Insulation Regulations 1975 (as amended 1988) (SI 1988 No 2000)

³² UK Government. The Noise Insulation (Railways and Other Guided Transport Systems) Regulations 1996 (SI 1996 No 428)

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
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	<p>(i) The Noise Mitigation Scheme (the original version of which was contained in Volume 2, Appendix 11H of the ES [APP-210] with a revised version provided as Doc Ref 6.3 11H(A) provides for assessment so as to identify eligible properties in advance of relevant works. Where eligible properties are identified in advance of relevant works, the Noise Mitigation Scheme then requires SZC Co. to not commence the activity that is expected to give rise to eligibility for insulation for a period of three months after the offer has been made, to permit time for the works to be carried out.</p> <p>A review mechanism has been included in the latest version of the Noise Mitigation Scheme, at the request of ESC, so that eligibility can be reviewed after the initial assessments, which may be after the works have commenced. Where such a review is carried out and properties are identified as being eligible, the works cannot be delayed at that point, but any noise insulation works will be carried out as quickly as possible.</p> <p>(ii) The means by which the NMS would be secured are explained in response to Question NV.1.25 in this chapter.</p> <p>(iii) See response to part (i) of this question.</p>
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	<p>The draft Rail Noise Mitigation Strategy, as contained in Volume 3, Appendix 9.3.E of the ES Addendum [AS-258] does not refer to glazing or insulation, only to measures that are to be applied to rail operations or rail infrastructure.</p>

ExQ1	Question to:	Question:
		<p>The Noise Mitigation Scheme (the original version of which was contained in Volume 2, Appendix 11H of the ES [APP-210] with a revised version provided as Doc Ref 6.3 11H(A), is the means through which improvements to the insulation of properties are to be delivered.</p> <p>The exact specification of improvement has not been specified in the Noise Mitigation Scheme, so as to ensure that the selected solution responds to the circumstances of each property on a property-by-property basis. However, it is envisaged that improvements to glazing will take the form of a secondary glazing system, where a second pane of glass is added to the primary glazing unit, which may be a double or single-glazed unit, with an airgap of between 100 and 200mm between the two. Where necessary, the window reveals may be lined with an acoustically-absorbent material.</p> <p>The use of a secondary glazing system should increase the sound reduction from the existing window so that the overall reduction is at least 35dB. A typical double-glazed unit will offer a sound reduction of approximately 25dB; a typical single-glazed unit will offer a similar level of sound reduction, but is thermally less effective.</p> <p>Where occupants wish it to be installed, an alternative means of ventilation can be supplied, which is likely to take the form of a through-wall mechanical ventilator, lined internally with acoustically-absorbent material.</p> <p>The Noise Mitigation Scheme requires refreshed assessments to be undertaken, based on more up-to-date information than available prior to the appointment of contractors and signing of any contracts with rail operating companies. Those refreshed assessments, and the mitigation proposals that flow from them in terms of both identification of eligible properties and the proposed mitigation to be installed, will require the agreement of ESC. This need for ESC approval is included in the Noise Mitigation Scheme process.</p>
NV.1.66	The Applicant	<p>Rail Noise Mitigation 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	<p>The variation in the quoted range stemmed from the use of noise contours overlaid on Ordnance Survey mapping as the means to identify properties in certain impact categories.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>The refreshed assessments that will inform the implementation of the Noise Mitigation Scheme (the original version of which was contained in Volume 2, Appendix 11H of the ES [APP-210] with a revised version provided as Doc Ref 6.3 11H(A), which is the ultimate means of avoiding exceeding the SOAEL, will consider the noise levels at individual properties.</p>
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	<p>No response from SZC Co. is required.</p>
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	<p>It is SZC Co.'s position that the SOAEL and the level at which significant adverse effects may occur in an EIA context need not align. In response to questions posed by ESC, further justification for this position was set out in a paper appended to SZC Co.'s responses to ESC's requests for information, which is itself appended to the draft Statement of Common Ground with ESC. Please also refer to the explanation in response to Question NV.1.75 of this chapter.</p> <p>Nevertheless, the revised Noise Mitigation Scheme (the original version of which was contained in Volume 2, Appendix 11H of the ES [APP-210] with a revised version provided as Doc Ref 6.3 11H(A) now adopts a lower threshold of eligibility, aligned with the significant adverse effect level, in an EIA context. This amendment was made at ESC's request. The 100 to 110 properties identified as being potentially subject to significant adverse effects, in an EIA context, would be eligible for insulation under the revised scheme.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
NV.1.69	The Applicant	<p>Rail Noise</p> <p>The Noise Mitigation Scheme in Appendix 11H[APP-210] refers to 69dB LAeq 16hrs and 58dB LAeq 8hrs as the threshold to trigger mitigation this would appear to differ from the figures in the Sleep Disturbance Assessment [AS-257] which uses LAfMAX 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	<p>The LAeq-based thresholds in the Noise Mitigation Scheme (the original version of which was contained in Volume 2, Appendix 11H of the ES [APP-210] with a revised version provided as Doc Ref 6.3 11H(A), are derived from the equivalent values in the Noise Insulation Regulations for railways³³.</p> <p>The sleep disturbance paper contained in Volume 3, Appendix 9.3.D of the ES Addendum [AS-257] focusses on the LAfmax metric, as that is most-closely linked to sleep disturbance.</p> <p>Both LAeq and LAfmax are used as triggers to determine eligibility under the Noise Mitigation Scheme, and a property is considered to be eligible if either test is met.</p>
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	<p>The assessment of groundborne noise set out in Volume 9, Chapter 4 of the ES is superseded by the updated assessment set out in Volume 3, Appendix 9.3.A of the ES Addendum [AS-257], which explains that overly-conservative assumptions were made in the ES, and sets out the mitigation measures that will be taken to avoid significant effects from groundborne noise.</p>
NV.1.71	Applicant	<p>Groundborne Noise</p>

³³ UK Government. The Noise Insulation (Railways and Other Guided Transport Systems) Regulations 1996 (SI 1996 No 428)

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		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?
	Response	The assessment of groundborne noise set out in Volume 9, Chapter 4 of the ES [APP-545] is superseded by the updated assessment set out in Volume 3, Appendix 9.3.A of the ES Addendum [AS-257] , which explains that overly-conservative assumptions were made in the main ES, and sets out the mitigation measures that will be taken to avoid significant effects from groundborne noise.
NV.1.72	Applicant	<p>Groundborne Noise</p> <p>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.</p>
	Response	<p>The assessment of groundborne noise set out in Volume 9, Chapter 4 of the ES [APP-545] is superseded by the updated assessment set out in Volume 3, Appendix 9.3.A of the ES Addendum [AS-257], which explains that overly-conservative assumptions were made in the ES, and sets out the mitigation measures that will be taken to avoid significant effects from groundborne noise.</p> <p>There is no option to change the track support system along the East Suffolk line.</p>
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? (ii) How would these be secured?</p>
	Response	(i) The further assessments referred to have been carried out and are reported in Volume 3, Appendix 9.3.A of the ES Addendum [AS-257] , which explains that overly-conservative assumptions were made in the main ES, and the mitigation measures that will be taken to avoid significant effects from groundborne noise are set out.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		(ii) The mitigation to reduce groundborne noise will be secured through the Rail Noise Mitigation Strategy under Requirement 25 of the DCO, which specifies that night-time trains cannot be operated except in accordance with a Rail Noise Mitigation Strategy .
NV.1.74	The Applicant, ESC (Part (iii) only)	<p>Mitigation Assessment [APP 545] para 4.7.5 (i) How will the assessment be made where a balance needs to be struck between acoustic benefit and visual harm? (ii) Who would be the decision maker? (iii) Do you agree this is an appropriate method of assessing this planning balance?</p>
	Response	<p>(i) The screening envisaged in paragraph 4.7.5 in Volume 9, Chapter 4 of the ES [APP-545] was for the construction phase of the works only. While there will need to be a balance between acoustic benefit and adverse visual impacts, the screens would be temporary and only present for the duration of the works in that location.</p> <p>(ii) The mechanism for installing any such screening would fall under the Code of Construction Practice (Doc Ref 8.11(B)), which will be subject to agreement with ESC.</p> <p>(iii) No response from SZC Co. is required.</p>
NV.1.75	The Applicant ESC (part iv)	<p>Precedents from previous DCO and legal cases 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. (ii) Please provide copies of the decisions and point out from each the explanation and justification provided in those cases. (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. (iv) Do the Council agree that setting the SOAEL at a different level from that regarded as significant in the ES is justified?</p>

ExQ1	Question to:	Question:
	<p>Response</p>	<p>(i) Since the publication of the Noise Policy Statement for England in 2010, and the introduction of the concepts of LOAEL and SOAEL into the practice of assessing schemes in the planning process, it has been necessary to reconcile different uses of the word "significant". This issue arises in the assessment of many Nationally Significant Infrastructure Projects (NSIP) and non-NSIP projects, and is not dependent on the nature of the project or its comparability to SZC.</p> <p>Under the NPSE and the NPS policies that incorporate its principles, the policy is to avoid significant adverse impacts on health and quality of life; below the SOAEL, other adverse impacts on health and quality of life should be mitigated and minimised.</p> <p>The EIA Regulations³⁴ are concerned with the identification of likely significant effects. The EIA Regulations further require a description of measures to 'avoid', 'prevent', 'reduce', or 'offset' significant adverse effects. Importantly, these references to 'avoid', 'prevent', 'reduce' and 'offset' are apt to include both policy responses under the NPS: i.e. avoidance of levels above the SOAEL, and mitigation and minimisation between the LOAEL and the SOAEL.</p> <p>The concept of significance in an EIA context is therefore broader than the SOAEL. 'Significant' effects in an EIA context include effects above and below the SOAEL. An ES is required to detail response measures in respect of both.</p> <p>Within that broader EIA context of significance, national policy has identified the SOAEL as the level at which the response should specifically become one of avoidance.</p> <p>This difference in approach to 'significant' between noise policy and in an EIA context needs to be recognised and properly reflected in the assessment.</p> <p>The different approach is also seen in the fact that the policy is specifically to avoid significant adverse impacts on health and quality of life. It is sensible to consider what that term should mean. Equating such impacts with any significant effect in an EIA context would fail to recognise that noise policy adopts a tiered approach with different responses specified for impacts below the LOAEL, between the LOAEL and SOAEL, and above the SOAEL. There may be effects below SOAEL which are nevertheless significant in an EIA</p>

³⁴ UK Government. The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>context, even if they do not reach a level which would have a 'significant adverse effect on health and quality of life', as that term is understood by reference to the PPG and NPSE.</p> <p>Furthermore, the NPSE sets its aims by reference to effects on health and quality of life, and as far as noise and vibration are concerned established practice is to correlate such effects against absolute measures of noise and or vibration. This is why, in most major projects, LOAEL and SOAEL values have been adopted using absolute values of indices.</p> <p>Rather than absolute levels (from which the acceptability of an environment can be understood), an EIA is concerned principally with changes or impacts. In the environmental impact assessment context, the assessment of noise and vibration effects has traditionally followed the approach adopted in many areas of environmental impact assessment in which first of all the baseline is considered, and then the effect of the proposal in the context of the baseline is evaluated. The outcome is a finding of change. An example of this is the case of road traffic noise and the procedure set out in DMRB LA111. The process of carrying out a significance assessment as part of an environmental impact assessment is not testing compliance with planning policy on the effect on the health and quality of life of individuals.</p> <p>For all these reasons, the criteria employed in the two processes can be different.</p> <p>The Thames Tideway Tunnel and Heathrow Cranford decisions expressly endorsed this approach. Crucially, the policy formulation at issue in both cases was the same as in the present case. In all three cases, the policy derives ultimately from the NPSE which provides a common policy framework on this issue across the planning regime. The three aims of the NPSE are the same as the three aims set out at NPS EN-1 paragraph 5.11.9.</p> <p>For Thames Tideway Tunnel, the relevant policy was contained in the National Policy Statement for Waste Water, which at paragraph 4.9.9 adopts the NPSE policy of avoiding significant adverse effects on health and quality of life from noise and mitigating and minimising adverse effects on health and quality of life from noise. That is identical to the policy in paragraph 5.11.9 of NPS-EN1.</p> <p>The Examining Authority was explicit on this point, stating at paragraph 12.329:</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p><u>"On the first aim, the Applicant considers that the NPS relates to significant observed adverse effects as defined by NPPG and NPSE and not the definition of significant effect in the ES. We agree with this distinction."³⁵</u></p> <p>The Heathrow Cranford decision was concerned with noise policy in the NPSE. As has been stated above, that policy is identical to that in NPS EN-1 at paragraph 5.11.9, which is relevant in the present case. For that reason, the fact that it was a s.78 appeal decision rather than a NSIP does not affect the support which it lends to SZC Co.'s approach to the policy. At paragraph 1064, the Heathrow Cranford Inspector confirmed:</p> <p><i>"I do not equate the "significant adverse effects" identified in the ES with those that the NPSE seeks to avoid."</i></p> <p>SZC's approach is also consistent with the approach in legislation to addressing noise impacts through insulation. The Noise Insulation Regulations 1975³⁶ and the Noise Insulation (Railways and Other Guided Transport Systems) Regulations 1996³⁷ specify an absolute level of noise at which a duty to insulate arises, rather than operating by reference to the measure of change as seen in the EIA context.</p> <p>Further confirmation of the correct approach is also found in the updated noise assessment guidance in the Design Manual for Roads and Bridges (DMRB), which was issued in November 2019 in LA111 (updated in May 2020).</p> <p>LA111 separates SOAEL from significance in the EIA context. LA111 sets LOAELs and SOAELs for noise and vibration (e.g. Table 3.49.1). It does not align either with EIA significance. They are treated as different concepts.</p> <p>LA111 treats the SOAEL as a level of noise, whereas in LA111 EIA significance generally relates to a change in noise level. It allows for an outcome below SOAEL to be significant, in terms of the EIA Regulations. A receptor may experience a large (significant) increase in noise but if that increase comes from a low base, it may not reach a level which would justify noise insulation.</p>

³⁵The Secretaries of State agreed and adopted the same approach in their decision letter at paragraphs 58 – 76.

³⁶ UK Government. The Noise Insulation Regulations 1975 (as amended 1988) (SI 1988 No 2000)

³⁷ UK Government. The Noise Insulation (Railways and Other Guided Transport Systems) Regulations 1996 (SI 1996 No 428)

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>LA111 expressly provides that the LOAELs and SOAELs which it identifies are to apply for the purposes of the policy test in the NPS for National Networks, i.e. to avoid significant adverse impacts on health and quality of life and to mitigate and minimise other adverse impacts on health and quality of life (England National Application Annex to LA111, E/1.3 and Table E/1.3). That is the same policy found in the NPSE and in NPS EN-1 at paragraph 5.11.9.</p> <p>LA111 is up to date guidance from the relevant national authorities. It should carry weight. The approach set out in LA111 accords with the planning decisions at Heathrow Cranford and Thames Tideway Tunnel. The policy regimes applicable for each (NPSE for Cranford, NPS for Waste Water for Thames Tideway Tunnel, and NPS for National Networks for road schemes and LA111) all incorporate the tests from the NPSE and are materially identical to that applicable in the present case, i.e. NPS EN-1 paragraph 5.11.9.</p> <p>(ii) Relevant extracts of Thames Tideway Tunnel are provided in Appendix 21A to this chapter and relevant extracts of Heathrow are provided in Appendix 21B to this chapter. The relevant passages are referred to in the answer to (i) above.</p> <p>(iii) The Thames Tideway Tunnel and Heathrow Cranford decisions are directly relevant because they were dealing with same policy framework from the NPSE which is applicable in the present case. Please see answer to (i) above.</p> <p>(iv) No response from SZC Co. is required.</p>
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	<p>(i) HGV traffic does not typically generate vibration sufficient to reach thresholds of damage to buildings, including heritage buildings, except where there are defects in the road paving or supporting formation.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>No locations where there are such defects are currently known, but should any become apparent prior of the start of works, the solution will be to repair the road to maintain it in a good condition.</p> <p>Where receptors are very close to the edge of the road, low frequency airborne noise from the exhausts of HGVs is sometimes referred to by people experiencing it as vibration, even though it does not originate at the wheel/road interface. Low frequency noise at the levels likely to occur along roads affected by SZC traffic will not cause damage to buildings.</p> <p>(ii) Pre-construction condition surveys will only be undertaken at properties along the B1122 where necessary.</p> <p>Vibration monitoring will be undertaken in line with the Code of Construction Practice (Doc Ref 8.11(B)), and can be undertaken in response to specific requests from ESC to monitor at properties affected by road traffic vibration. However, as noted in part (i), groundborne vibration from road traffic is highly unlikely to result in damage to buildings.</p>
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	<p>During the early years SZC Co. predict that there will be negligible effects on air quality along sections of the B1122 (Volume 6 Chapter 5 of the ES) [APP-454], and moderate adverse noise effects along sections of the B1122 (Volume 2, Chapter 11 of the ES) [APP-202]. SZC Co. also predict short-term major adverse effects on pedestrian amenity and on cycling amenity on the B1122 (Volume 2, Chapter 10 of the ES) [APP-198].</p> <p>These effects are only acceptable if there is no practical alternative and should not be sustained for longer than it takes to deliver the Sizewell link road. It would be unacceptable for these effects to be imposed on the communities along the B1122 for the whole 10-12 year construction programme.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>SZC Co. has made every effort to bring forward the principal mitigation (the Sizewell link road) at the earliest stage. Nevertheless, SZC Co. has also included a number of mitigation measures in the submitted DCO to limit and mitigate impacts on the B1122 communities prior to the opening of the Sizewell link road. These measures include limits on the number of HGV movements and the construction of a temporary single railway track with railway sidings and a passing loop for the locomotive within the LEEIE. This would enable two trains per day to be brought in via the Saxmundham to Leiston branch line in the early stage of the construction phase (they would be operational one year in). SZC Co. is also proposing to limit the number of trips on the B1122 by the construction workforce using the B1122 to reach the main development site as set out in section 4.3 of the Transport Assessment [APP-602] and paragraph 10.5.9 of Chapter 10, Volume 2 of the ES [APP-198].</p>
NV.1.78	ESC	<p>Working Hours 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	No response from SZC Co. is required.
NV.1.79	The Applicant	<p>Working Hours 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	<p>Working hours for the main development site and associated development sites are included in the CoCP (Doc Ref. 8.11 (B)) as follows:</p> <ul style="list-style-type: none"> • Main development site: Part B of the CoCP, Section 1.3 sets out that the working hours on the main development site, which allow for 24 hours for seven days per week. Table 1.1 sets out the expected shift patterns, with the type of activities undertaken in each shift set out in Section 1.3. These working patterns reflect the assumptions and mitigation measures set out within the ES; and • Associated development sites: Part C of the CoCP, section 1.1 c) sets out that the working hours on off-site associated developments are from Monday to

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>Saturday and between the hours of 07:00 to 19:00 hours. Some activities may require 24 hour working and where this is the case, ESC will be notified in advance, including details of any noise control measures that may be necessary.</p> <p>The CoCP is capable of being enforced by the local planning authority through Requirement 2 of the draft DCO (Doc Ref. 3.1(C)).</p>
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	<p>(i) The SOAEL values for construction noise were derived from the guidance contained in BS5228-1: 2009+A1: 2014³⁸, which is appropriate for noise-sensitive premises, including gardens. The important SOAEL value for trains relates to sleep disturbance, which is an internal effect, and applies at a time when gardens are unlikely to be in use (i.e. at night). The other rail SOAEL values, and the SOAEL values for road traffic noise, are derived from the relevant Noise Insulation Regulations^{39, 40}, which relate to the internal environment.</p> <p>SZC Co. has only sought to protect the internal environment where the relevant effect occurs within the property, or where legislation or guidance suggests that is the appropriate course of action; examples would include the Noise Insulation Regulations for</p>

³⁸ British Standard BS5228-1: 2009+A1: 2014 Code of Practice for noise and vibration control at open construction sites – Noise

³⁹ UK Government. The Noise Insulation Regulations 1975 (as amended 1988) (SI 1988 No 2000)

⁴⁰ UK Government. The Noise Insulation (Railways and Other Guided Transport Systems) Regulations 1996 (SI 1996 No 428)

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>road and railways^{41, 42} and Part 1 of British Standard 5228⁴³, which relates to construction noise. SZC Co. likewise has protected external areas where legislation or guidance suggests that is the appropriate course of action.</p> <p>(ii) The medium magnitude of impact values identified in Table 11.2 in Volume 2, Chapter 11 of the ES [APP-202] correlate with a significant effect, in an EIA context, for a medium sensitivity receptor, i.e. a dwelling. These values are included in the Code of Construction Practice (Doc Ref. 8.11(B)) as the thresholds that the works must be managed against. By placing controls on noise generation at source or between the source and receptor, as envisaged by the controls in the Code of Construction Practice, this mitigation will protect residential gardens.</p> <p>The values for the main development site are lower than the values that would flow from BS5228-1: 2009+A1: 2014⁴⁴, in recognition of the duration and work hours for the site.</p> <p>These are considered to be the appropriate values, and the monitoring and management processes to be set out in the Noise Monitoring and Management Plans will be the key mechanism for achieving these values.</p>
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	No response from SZC Co. is required.
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>

⁴¹ UK Government. The Noise Insulation Regulations 1975 (as amended 1988) (SI 1988 No 2000)

⁴² UK Government. The Noise Insulation (Railways and Other Guided Transport Systems) Regulations 1996 (SI 1996 No 428)

⁴³ British Standard BS5228-1: 2009+A1: 2014 Code of Practice for noise and vibration control at open construction sites – Noise

⁴⁴ British Standard BS5228-1: 2009+A1: 2014 Code of Practice for noise and vibration control at open construction sites – Noise

ExQ1	Question to:	Question:
	Response	<p>(i) The conveyor system is described in Volume 1, Chapter 2 of the ES Addendum [AS-181]. Indicative sections of the conveyor were provided at Deadline 1 in the Permanent and Temporary Beach landing Facility and SSSI Crossing Plans (Doc Ref 2.5) [PDA-004] (drawing reference SZC-SZ0100-XX-000-DRW-100203), and in the visualisations in Figure 2.2.4 and Figure 2.2.5 in Volume 2, Chapter 2 of the ES Addendum [AS-190].</p> <p>The conveyor was modelled using source data taken from BS5228-1: 2009+A1: 2014⁴⁵, as listed in Volume 2, Chapter 11, Appendix 11B, Annex 11B/A of the ES [APP-202].</p> <p>(ii) The provision and operation of the conveyor is included within the Construction Method Statement (section 3.4, Volume 3, Chapter 2, Appendix 2.2B of the ES Addendum [AS-202]) which is secured by Requirement 8.</p>
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	<p>(i) The Rule 17 drawings show indicative conveyor and enclosure in plan and sections [PDA-004], SZC-SZ0100-XX-000-DRW-100203. Visualisations of the BLF are contained in Volume 2, Chapter 2 of the ES Addendum [AS-291].</p> <p>The enclosures are proposed to minimise material spillage and to keep the material dry. The enclosure was not designed for noise control purposes.</p> <p>(ii) No acoustic benefit from an enclosure was assumed in the noise assessment.</p> <p>(iii) Any acoustic performance provided by the conveyor enclosure does not need to be secured, since the noise assessment does not rely on it.</p>
NV.1.84	The Applicant	BLF

⁴⁵ British Standard BS5228-1: 2009+A1: 2014 Code of Practice for noise and vibration control at open construction sites – Noise

ExQ1	Question to:	Question:																												
		<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	Please see response to Question A1.1.11 in Chapter 5 (Part 1) of this report.																												
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	<p>Construction of the BLF was accounted for in the noise assessment Phases 1 and 2, with piling modelled during Phase 1, and the outcomes reported in Volume 2, Chapter 11 of the ES [APP-202]. Details of the modelling assumptions for construction of the BLF were omitted from the construction source schedule in Volume 2, Appendix 11B, Annex 11B/B of the ES [APP-204].</p> <p>That schedule should have included the following data, relating to the construction of the BLF. The activity descriptions are taken from BS5228-1: 2009+A1: 2014 and represent the closest equivalent activities to those proposed.</p> <table border="1"> <thead> <tr> <th>Activity</th> <th>Sound Power Level, dB(A)</th> <th>Assumed On time</th> <th>Number Assumed</th> </tr> </thead> <tbody> <tr> <td>BLF Piling</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Dredging ship/ platform</td> <td>-</td> <td>NA</td> <td>1</td> </tr> <tr> <td>Jack-up piling platforms including crane and lighting</td> <td>107</td> <td>70%</td> <td>3</td> </tr> <tr> <td>Rotary piling rigs with diesel power pack</td> <td>104</td> <td>50%</td> <td>3</td> </tr> <tr> <td>Barge concrete production plants</td> <td>105</td> <td>50%</td> <td>3</td> </tr> <tr> <td>Oxy-fuel cutting/ welding sets</td> <td>107</td> <td>40%</td> <td>6</td> </tr> </tbody> </table>	Activity	Sound Power Level, dB(A)	Assumed On time	Number Assumed	BLF Piling				Dredging ship/ platform	-	NA	1	Jack-up piling platforms including crane and lighting	107	70%	3	Rotary piling rigs with diesel power pack	104	50%	3	Barge concrete production plants	105	50%	3	Oxy-fuel cutting/ welding sets	107	40%	6
Activity	Sound Power Level, dB(A)	Assumed On time	Number Assumed																											
BLF Piling																														
Dredging ship/ platform	-	NA	1																											
Jack-up piling platforms including crane and lighting	107	70%	3																											
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Barge concrete production plants	105	50%	3																											
Oxy-fuel cutting/ welding sets	107	40%	6																											

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:			
		Diesel air compressors	103	30%	3
		Delivery tug boat and barge	-	NA	1
		RIB safety boat	-	NA	1
		BLF Superstructure works:			
		Crawler crane	99	70%	1
		Concrete pump	108	60%	1
		Concrete vibrating poker (sets of 3 – refer Costain Data Sheet)	106	50%	1
		Diesel generator sets	89	100%	4
		Diesel air compressors	103	30%	4
		Mobile diesel generator lighting towers	89	100%	4
		Concrete delivered by transit mixer	105		5-6 p/hr per concrete pour
		Oxy-fuel cutting/ welding sets	107	60%	1
		<p>The effect of noise on users of the beach was considered within Volume 2, Chapter 15 of the ES [APP-267]. During construction effects on recreational users of the beach are assessed for the following receptors within Volume 2, Chapter 15 (Amenity and Recreation) of the ES [APP-267]:</p> <ul style="list-style-type: none"> • Receptor group 12 (Minsmere to Sizewell Coast) at paragraphs 15.6.111 to 15.6.121; • Users of the Suffolk Coast Path and the future England Coast Path at paragraphs 15.6.172 to 15.6.193; and • Users of the Sandlings Walk at paragraphs 15.6.194 to 15.6.214. <p>The assessment for the temporary BLF and enhanced BLF, proposed in the January 2021 additional submission, is provided in Volume 1, Chapter 2 of the ES Addendum [AS-181] (paragraphs 2.10.42 to 2.10.45 and 2.10.51 to 2.10.57 respectively). A number of</p>			

ExQ1	Question to:	Question:
		<p>the mitigation measures set out in Table 3.1 of Part B of the Code of Construction Practice (Doc Ref 8.11(B)) would reduce noise at source. These measures have been taken into account in the assessment of effects in Volume 2, Chapter 15 of the ES [APP-267]. No further noise mitigation measures are proposed to minimise adverse noise effects on recreational users of the beach.</p> <p>The assessment of underwater noise for the project, including the piling works required for the BLF, is provided in Volume 2, Chapter 22 of the ES [APP-317] and the details described in Appendix 22L [APP-329] (specifically Section 7.2.1).</p> <p>The assessment for the temporary BLF and enhanced BLF, proposed in the January 2021 submission and accepted in April 2021, is provided in Volume 1, Chapter 2 of the ES Addendum [AS-181] (Sections 2.17.41 to 2.17.41 and 2.17.162 to 2.17.168; respectively).</p> <p>Mitigation for underwater noise effects on marine mammals is described in Table 22.158 of Volume 2, Chapter 22 of the ES [APP-317] and Sections 2.17.31 to 2.17.34 of Volume 1, Chapter 2 of the ES Addendum [AS-181].</p> <p>Mitigation is essentially provided by two means:</p> <ul style="list-style-type: none"> i) adherence with the Joint Nature Conservation Committee's '<i>Statutory nature conservation agency protocol for minimising the risk of injury to marine mammals from piling noise</i>' (as described in the original and updated CoCP (Doc Ref. 8.11 (B))); and ii) implementation of a Marine Mammal Mitigation Protocol (as described in the CoCP and presented in draft form in Volume 2, Appendix 22N of the ES [APP-331]). <p>The underwater noise assessment for the activities arising from the installation of the enhanced permanent beach landing facility (BLF), and the installation and removal of a temporary BLF is provided within the Environmental Statement (ES) Addendum [AS-181] (Section 2.17).</p> <p>The mitigation measures for piling activities are outlined in para. 2.2.80 [AS-181]. These include a proposal that the piles would be driven by hammering with the following mitigation measures in place:</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> • Marine mammal observation – a visual inspection for local marine mammals prior to commencement of piling. • Use of a noise reduction system on the hammer (e.g. hydrohammer). • Slow start procedure. • No pile driving between May and August (inclusive). <p>The mitigation provided by the hydrohammer is summarised in para. 2.17.34 [AS-181].</p> <p>The draft Marine Mammal Mitigation Protocol (MMMP) was developed indicating proposed mitigation measures to reduce the impacts of noise on marine mammals [APP-331]. The MMMP has been updated to reflect changes related to the revised marine freight options and will be submitted at Deadline 3.</p>
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> <p>(ii) Are you satisfied with the mitigation proposed and how this would be secured through the DCO?</p> <p>(iii) Do you consider the monitoring throughout the construction period would provide adequate safeguards?</p>
	Response	No response from SZC Co. is required.
NV.1.87	The Applicant	<p>Additional Freight by Rail</p> <p>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?</p>
	Response	Although the values of L_{Aeq} -based indices are dependent on the number and duration of events, the most critical criteria are expressed in terms of maximum passby noise levels, in combination with groundborne noise levels where relevant, and the relevant indices are not dependent on number of events.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>The guidance that correlates sleep disturbance to noise, which was found to be the critical effect for night-time trains, states that a particular number of events is required to generate the effect. An example would be the World Health Organisation’s ‘Guidelines for Community Noise’⁴⁶ indicates that their 45dB L_{AFmax} criterion would need to be exceeded 10 to 15 times per night to generate the anticipated adverse effect.</p> <p>The SZC Co. noise assessment adopts a precautionary position that the anticipated effect may occur from a single occurrence of the noise.</p> <p>This is set out in the sleep disturbance paper, which is contained in Volume 3, Appendix 9.3.D of the ES Addendum [AS-257].</p> <p>Adopting a noise index that is sensitive to the number of occurrences, such as a time-based L_{Aeq}, would require the noise levels to be calculated over a longer time period than the passage of a single train, which could reduce the overall noise level and potentially under-estimate the effect.</p>
NV.1.88	The Applicant	<p>Additional Freight by Rail</p> <p>(i) Until such time as a rail timetable is known, how can the degree of effect on individual receptors be fully understood?</p> <p>(ii) In the event that the timetable grouped train journeys together would this not have a materially different effect to them being spread apart?</p>
	Response	<p>(i) As set out in SZC Co.’s response to Question NV.1.87 of this chapter, a precautionary approach was adopted in the noise assessment, whereby an identified effect that is caused by a certain number of events occurring per night, was considered to occur from a single event.</p> <p>On this basis, the exact timing of the trains on any individual night will not alter the outcome of the assessment; even a single train has the potential to lead to the identified effect.</p> <p>(ii) Since the identified effects are deemed to occur from even a single event that exceeds the identified threshold, the assessment outcomes are not sensitive to the timing of the</p>

⁴⁶ World Health Organisation (1999) Guidelines for community noise

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>events; the effects will be the same irrespective of whether the trains are grouped, or separate.</p> <p>Notwithstanding this, it will not be possible to group the trains closely together, since one train must clear the single track section of line between Woodbridge and Saxmundham, before the next can enter.</p>
NV.1.89	The Applicant, Network Rail	<p>Additional Freight by Rail</p> <p>A number of the responses received look to have no rail activities on a given night of the week over the weekend:</p> <p>(i) Is this likely to be achieved?</p> <p>(ii) How would it be secured?</p>
	Response	<p>(i) The current import model assumes a rail capacity of 2 trains per day in 2023 and then 4 trains per day from 2024, 5 days a week (see Table 3.1 in the Freight Management Strategy [AS-280] and SZC Co.'s response to Question TT.1.6 in Chapter 24 of this report). This capacity, along with the Bulk Material Import Facility, allows for a reduction of road haulage as bulk materials are primarily imported via rail and marine.</p> <p>Any further increase of rail movements' (i.e. 6th day of operation), would allow greater rail import, and provide contingency train paths when the rail is at high utilisation and in case of rail disruption as well as improving the resilience for the project rail imports. The current import forecast indicates that between 2023 and 2028 the rail will be operating at or near full capacity, (see Table 3.1 in the Freight Management Strategy (Doc Ref 8.1) [AS-280]). Therefore, the probability of use on the 6th day will be higher during these years, circa 75%. Outside of these years when the rail import demand is lower the use of the 6th day would be much lower (circa 30%).</p> <p>Engagement is ongoing with Network Rail regarding this additional day of operation. At this stage a 24hr period has been safeguarded to provide Network Rail maintenance paths when the project would not operate freight. The project assumption is that Monday to Friday nights are the core rail import periods with either Saturday or Sunday night being suitable for the 6th day. It is understood that the preference from SCC would be to operate the 6th day of operation on Sunday night, leaving Saturday nights / Sunday mornings generally clear of any rail traffic.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		(ii) In light of the need for flexibility and ongoing discussions with Network Rail set out above, it is not proposed to identify the potential 6 th day of operation at this stage.
NV.1.90	The Applicant, Network Rail	<p>Additional Freight by Rail Please explain what effect if any this might have on passenger services on the Ipswich to Lowestoft line.</p>
	Response	There is anticipated to be no effect on the passenger services on the Ipswich to Lowestoft line.
NV.1.91	The Applicant, Network Rail	<p>Level Crossing Sirens (i) Will all level crossings on the route require sirens to meet the appropriate safety standards? (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	<p>(i) At the public highway level crossings on the Saxmundham to Leiston branch line (Knodishall, West House, Saxmundham Road, Leiston) it will be necessary to add audible alarms/sirens to comply with Network Rail safety standards, as a result of the new addition of mechanical barriers with road traffic lights. See also response to Question NV.1.32 in this chapter. (ii) Not applicable.</p>
NV.1.92	The Applicant, ESC (part (ii) and (iii))	<p>Rail Noise Assessment In light of the comments from Saxmundham Town Council, (i) please advise on whether additional properties at Beech Road, Holly Way and Oak Close have been assessed in terms of any noise affects. (ii) Are there any other recently built or planned developments along the rail route which the ExA should be aware of? (iii) Has a list of such agreed developments been provided to the Applicant?</p>
	Response	(i) The noise assessment presented in Volume 9, Chapter 4 of the ES [APP-545] used noise contour plots to group properties into impact magnitude bands, which were translated into categories of effect. Individual properties did not require identification to implement this approach.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>The property counts were based on Land Registry and other publicly-available information. The house counts included properties on Beech Road and other roads in the vicinity.</p> <p>(ii) No response from SZC Co. is required</p> <p>(iii) No response from SZC Co. is required</p>
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	<p>(i) The Relevant Representations were made on the basis of the assessment set out in Volume 9, Chapter 4 of the ES [APP-545], which has been superseded by the updated assessment set out in Volume 3, Chapter 9 of the ES Addendum [AS-188] and the associated Appendices 9.3.A to 9.3.E [AS-257] and [AS-258].</p> <p>The updated assessment explains that overly-conservative assumptions were made in the main ES, provides much more detailed assessment and sets out the mitigation measures that will be taken to avoid significant observed adverse effects.</p> <p>The mitigation that applies to operation of trains, and train infrastructure, is set out in the draft Rail Noise Mitigation Strategy [AS-258], which is to be secured by Requirement 25 in the draft DCO (Doc Ref. 3.1(C)).</p> <p>The Noise Mitigation Scheme (the original version of which was set out in Volume 2, Appendix 11H of the ES [APP-210] with a revised version provided as Doc Ref. 6.3 11H(A)), is to be secured via Schedule 12 of the draft Deed of Obligation (Doc Ref. 8.17(C)).</p> <p>(ii) No response from SZC Co. is required.</p>
NV.1.94	The Applicant, Network Rail	<p>Night-time Rail Noise</p> <p>(i) Please explain the limiting factors for daytime deliveries.</p>

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

ExQ1	Question to:	Question:
	Response	<p>(ii) In understanding what these are, what alternatives have been considered that could overcome these limitations?</p> <p>(iii) How has the assessment of effects from night-time noise been assessed against these alternatives?</p> <p>(i) and (ii) There is insufficient rail capacity available on the East Suffolk line during the day to provide more than one rail path. This is due to the extended length of single track south of Saxmundham and the hourly passenger timetable, which leaves insufficient running time for additional services.</p> <p>The length of single track could be split with a passing loop which would increase the capacity on the line. Such a proposal was consulted on through to the Stage 4 consultation.</p> <p>In addition to a passing loop, it would also be required to operate freight trains at 40mph along the line rather than the current maximum speed of 20mph to avoid disrupting the passenger service. The combination of adding the additional freight services to the line, and required speed increases, would result in increasing the risk to level crossings on the East Suffolk line.</p> <p>In order to mitigate the increased risk, 45 level crossings on the East Suffolk line would require interventions. At the Stage 3 consultation it was identified that 12 footpath crossings would require closure and a further 33 level crossings upgraded to mitigate the increase in risk. As a result of further work undertaken by Network Rail it was decided that this option was not deliverable within the timescales required for the SZC Project.</p> <p>Following this decision, the focus was to maximise the utilisation of the East Suffolk line overnight, outside of the passenger service where trains could operate within the current speed restrictions along the line.</p> <p>(iii) As there is no viable alternative to operating trains overnight, it has not been possible to assess night-time noise against an alternative rail scenario.</p>
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>

ExQ1	Question to:	Question:
	<p>Response</p>	<p>(i) Please respond to this concern. (ii) Do you agree with the concerns expressed by the RSPB</p> <p>The Applicant disputes the RSPB’s conclusion. The information which presents the baseline data and impact assessment of noise upon ecological receptors is presented in Volume 2, Chapter 14 of the ES [APP-224]. This was informed by data presented in the noise and vibration chapter (Volume 2, Chapter 11 of the ES [APP-202]) and additional noise modelling, particularly of high frequency noise (in relation to the impact to bats).</p> <p>With regards to bats, the impact of night-time noise upon bats is considered in detail within the Volume 2, Chapter 14 of the ES [APP-224] and the updated bat impact assessment in Volume 3, Chapter 2, Appendix 2.9B of the ES Addendum [AS-208]). Paragraphs 8.2.22 – 8.2.61 in Volume 3, Chapter 2, Appendix 2.9B of the ES Addendum [AS-208]) present the assessment of potential impacts to bats resulting from the noise modelling results, including setting thresholds for impacts.</p> <p>The assessment utilises high frequency modelling at 22khz+ and 8khz+ to determine the potential impact of noise throughout the phases of the construction upon roosting, foraging and commuting bats.</p> <p>Within the updated bat impact assessment in Volume 3, Chapter 2, Appendix 2.9B of the ES Addendum [AS-208]), figures are presented which display the potential levels of high frequency noise upon bats at different Phases of the construction. This information is utilised to inform the impact assessment. The impact assessment utilises available information and current practice to assess the impact on bats.</p> <p>Within the mitigation measures defined, current good practice has been followed and the assessment is informed by a comprehensive suite of surveys. However, as stated in paragraph 8.2.37 in Volume 3, Chapter 2, Appendix 2.9B of the ES Addendum [AS-208]), <i>‘there are gaps in the assessment (for example in some cases the volume of noise was measured at frequencies that bats cannot hear) or the studies are not applicable to the assessment of potential impacts to bats resulting from construction’</i>. The assessment relies on the best available data, and the overall impacts and mitigation strategy were developed with the extensive level of survey information gained to date, which provides confidence in the effectiveness of the mitigation proposed, based on</p>

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

ExQ1	Question to:	Question:
		<p>current best practice and research. However, there is limited research available for some impacts on some bat species, and bats, as living things, do not always behave as expected. Given this, the Terrestrial Ecology Monitoring and Mitigation Plan (TEMMP), submitted at Deadline 1 [REP1-016] and secured under Requirement 4 has been prepared. The measures within this document will identify any unforeseen effects of the construction through noise upon bats. This will allow any required remedial actions to address this to be implemented.</p> <p>Overall, the approach to mitigation and impact assessment relating to bats and noise is considered well supported and the assessment of no significant effect from noise is considered robust.</p>
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	<p>(i) and (ii) The East Suffolk line has, for the most part, continuous welded rail (CWR), with some lengths of jointed track as well as switches and crossings (S&C). Details such as the exact location of the kinds of welds and joints in CWR and S&C that give rise to additional noise and vibration are not routinely held by Network Rail, and work is currently in progress to establish their exact locations and where necessary to plan appropriate mitigatory action. Please also see answer to Question NV.1.12 in this chapter.</p> <p>(iii) As stated in response to parts (i) and (ii), information on the exact locations and kinds of weld present on the East Suffolk line is not routinely held by Network Rail. Work and discussions are in progress to determine the presence and location of aluminothermic welds along the East Suffolk line, and to develop a plan for delivery of rail upgrades so that the welds can be removed.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		The updated assessment of groundborne vibration contained in Volume 1, Appendix 9.3.A of the ES Addendum [AS-257] describes the implications of aluminothermic weld or joint proximity for the outcomes.
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> <p>(ii) Are you content with the monitoring as proposed to oversee that these levels are achieved?</p>
	Response	No response from SZC Co. is required.
NV.1.98	The Applicant, ESC, SCC	<p>CoCP</p> <p>Advance Notice of works is specified as a method of mitigation for receptors.</p> <p>(i) What period of advance notice is expected to be provided?</p> <p>(ii) Has this been agreed and or secured as a commitment?</p>
	Response	<p>Part A, Section 3.1.f) of the CoCP (Doc Ref. 8.11(B)) provides details on Advanced Notice of Works and states:</p> <p><i>"3.1.20 For noisy or disruptive works, advance notice of such works will be given. This will also include the movement of Abnormal Indivisible Loads on local roads due to Sizewell C activity. This will involve targeted communications to local residents, business occupiers and relevant authorities. This will normally take place at least one week before the planned works were due to take place.</i></p> <p><i>3.1.21 Communications will be focused on the residents directly neighbouring the sites. Each communication will contain contact details for enquiries or further information."</i></p> <p>Compliance with the requirements of the CoCP is secured through Requirement 2 of the draft DCO (Doc Ref 3.1(C)).</p> <p>See also SZC Co.'s response to Question NV.1.9 in this chapter in respect of the use of the word 'noisy' in this context.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
NV.1.99	The Applicant, Pro Corda School Trust	<p>Pro Corda School What progress has been made with securing a S106 in respect of the Pro Corda School?</p>
	Response	Discussions are ongoing with Pro Corda School and the current position will be set out in a Statement of Common Ground (Doc Ref. 9.10.21).
NV.1.100	The Applicant	<p>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.</p>
	Response	<p>The lighter-weight structure of park homes could render improvements in the sound reduction from better glazing less effective, as the walls may be acoustically weaker. The same concern may apply to houseboats located in the Woodbridge area.</p> <p>Supplemental noise assessments have been carried out, considering the park homes at Whitearch Park, and the houseboats located in the Woodbridge area, as part of a targeted consultation. The need for this supplemental assessment was envisaged in paragraph 1.6.6 in Volume 9, Appendix 4B of the ES [APP-546].</p> <p>The two supplemental assessments have been provided to the residents and owners at Whitearch Park, and to boat residents and moorings owners in the Woodbridge area. The two supplemental assessments have also been provided to East Suffolk Council, Woodbridge Town Council, Melton Parish Council, and Benhall and Sternfield Parish Council.</p> <p>Copies of the two supplemental assessments, plus covering correspondence, are appended to this submission in Appendix 21C of this chapter for Whitearch Residential Park and Appendix 21D for the houseboats in Woodbridge of this chapter.</p> <p>The park homes at Whitearch Residential Park appear to be modern and well-constructed and any improvements to the sound reduction performance of glazing offered under the Noise Mitigation Scheme (the original version of which was contained in Volume 2, Appendix 11H of the ES [APP-210] with a revised version provided as Doc Ref. 6.3 11H(A)), where eligibility is confirmed, is considered likely to be effective. There is also potential for the installation of an acoustic barrier along the boundary between Whitearch Residential Park and the railway line to provide acoustic screening from railway noise,</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>subject to the discussion with all parties, the necessary permissions, and any further environmental assessments that might be required.</p> <p>Similarly, the supplemental assessment for houseboats in the Woodbridge area has identified a range of measures that could be applied to mitigate and minimise noise effects.</p> <p>The next revision of the Noise Mitigation Scheme will make specific provision for the delivery of any measures required at Whitearch Park or for houseboats in the Woodbridge area.</p>
Chapter 22 - 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 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	Other regimes in place to control processes, emissions and discharges are identified in Volume 1, Chapter 5 of the ES [APP-176] and the Schedule of Other Consents, Licences, and Agreements [APP-153].
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	(i) Authorised disposal routes for Low Level Waste (LLW) will be available throughout the design life of Sizewell C. Given the Government's commitment to new nuclear, including the aim of <i>'bringing at least one large scale nuclear project to the point of Final</i>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p><i>Investment Decision (FID) by the end of this Parliament⁴⁷ and the powers in Schedule 23 of the Environmental Permitting Regulations, it is reasonable to assume that Government will ensure adequate facilities are provided for disposal of LLW.</i></p> <p>(ii) and (iii) As stated in the response to (i), the UK Government has made a clear commitment to large-scale new nuclear and has powers under the Environmental Permitting Regulations to ensure adequate disposal facilities are in place. Therefore, letters of assurance have not been sought. It is also worth noting the NDA Strategy emphasises that <i>'In line with UK government expectations, the NDA group will continue to supply advice and information to third parties involved in the UK's nuclear new build programme and developers of advanced nuclear technologies⁴⁸.</i></p>
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	<p>(i) Confirmed, WAC means 'Waste Acceptance Criteria'.</p> <p>(ii) The term Waste Acceptance Criteria (WAC) is used by waste service providers to ensure that waste they receive is capable of being legally disposed in accordance with their own regulatory requirements. Radioactive Waste Management Ltd (RWM) is responsible for establishing the WAC for a facility, as they are responsible for the implementation of the Geological Disposal Facility (GDF) as the ultimate receiver of wastes for disposal. As the plans for the construction of the GDF are at an early stage, the information necessary to define a final WAC is not available. In the meantime, and as a precursor to WAC, RWM produces packaging specifications, the primary purpose of which is to enable the holders of radioactive wastes to condition that waste into a form that will</p>

⁴⁷ Department for Business, Energy and Industrial Strategy, "The Energy White Paper: Powering our Net Zero Future," Queen's Printer and Controller of HMSO 2020, London, 2020.

⁴⁸ Nuclear Decommissioning Authority, "Strategy," Nuclear Decommissioning Authority, Cumbria, 2021.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		be compatible with the anticipated needs of transport to and disposal in a GDF (see paragraph 7.7.43 of Volume 2, Chapter 7 of the ES [APP-192]).
R.1.3	The Applicant ONR	<p>Intermediate Level Waste (ILW) Please give the latest update in respect of the letter of compliance process referred to in para 7.7.43 [APP-192]</p> <p>Response NNB Generation Company (HPC) Limited (HPC Co.) made a conceptual Letter of Compliance (LoC) submission which sought the opinion of Radioactive Waste Management Ltd (RWM) on the likely acceptability for disposal in a Geological Disposal Facility (GDF) of all UK EPR™ waste streams, which includes Hinkley Point C and Sizewell C. In January 2013, RWM granted a conceptual LoC and identified a number of action points which HPC Co. will have to address to progress to the interim LoC stage and ultimately the final LoC stage. HPC Co. and SZC Co. will continue to work with RWM through the LoC process to ensure that packaged Intermediate Level Waste (ILW), that is not anticipated to decay to LLW (Ion Exchange and Filters), will be acceptable for disposal in a GDF. HPC Co. has developed a program for making further LoC submissions so that a Final LoC can be achieved before the first ILW is packaged during the operation of the Hinkley Point C power station. SZC Co. has committed to taking advantage of lessons learnt from Hinkley Point C and ensuring that a final LoC is in place for ILW waste prior to the first ILW campaign as part of its Radioactive Substances Regulations Environmental Permit Application.</p>
R.1.4	The Applicant (EA, ONR iv only)	<p>Intermediate Level Waste (ILW) (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 up to 76 years [para 22.6.244 of APP 317] (ii) Do the parameters include capacity for the extended lifespan of the power stations and any contingency?</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<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	<p>(i) Assessments have been performed on the anticipated arisings of ILW through the lifetime of the EPR™, which have included the impacts of decay storage. The capacity for onsite storage has been deemed adequate for approximately 30 years of operation, as this allows for lessons learnt to be applied when accounting for the remaining ILW storage from the final 30 years of operation.</p> <p>The 76 year period referenced in paragraph 22.6.244 of Volume 2, Chapter 22 (Marine Ecology and Fisheries) of the ES [APP-317] is a hypothetical maximum, which is not being considered within the design of the plant. Therefore, it has not been included in the capacity for the ILW Store. However, any plant life extension would be subject to rigorous regulatory scrutiny. This is a tried and tested process, as demonstrated by the plant life extension on the Magnox and Advanced Gas-cooled Reactor (AGR) fleet.</p> <p>(ii) The assessments performed to determine the current ILW store capacity have included contingency, but have not included any life extension.</p> <p>(iii) The design of the ILW store has not yet been submitted for approval as the detailed design is not yet complete.</p> <p>(iv) The layout, scale and external appearance of the Interim Spent Fuel Store and Intermediate Level Waste Store will be designed in accordance with the Parameter Plans set out in Schedule 6 of the draft DCO (Doc Ref. 3.1(C)) and maximum height and siting in specified in Volume 2, Chapter 2 of the ES (Doc Ref. 6.14(A)). They will be designed in general accordance with the Detailed Design Principles set out in Chapter 5 of the Main Development Site Design and Access Statement (Doc Ref. 8.1Ad2 (A)). Requirement 12 of the draft DCO (Doc Ref. 3.1(C)) requires that these details are submitted for approval by East Suffolk Council prior to commencement of their construction.</p>

ExQ1	Question to:	Question:
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	<p>(i) Percentages (and raw waste volumes) of ILW anticipated to fall into the decay storage category include:</p> <p>Ion Exchange Resins: 0%</p> <p>Cartridge filters: 25% (150m³)</p> <p>Dry Active Wastes: 100% (120m³)</p> <p>Sludge: 100% (120m³)</p> <p>(ii) Decay stored waste will be kept in the ILW store until it decays to LLW, which is expected to be in the order of 10-15 years; at which point the waste can be sent for disposal at a suitably permitted facility. This will free up space within the ILW store for subsequent use, and the design of the ILW store includes the capacity of decay storage and longer term ILW storage. As stated in the response to Question R.1.4 in this chapter, assessments have been performed on the capacity requirements for operational interim decay storage of ILW and they are suitable for the operation of the Sizewell C site for the first 30 years. This will allow for operational experience to be gathered and the application of lessons learnt when accounting for the ILW generation and storage over the remaining 30 years of operation.</p> <p>(iii) No extension has been proposed for the Sizewell C site as yet. The capacity of the interim store has been assessed, as discussed in the preceding response. Any plant life extension would be subject to rigorous regulatory scrutiny. This is a tried and tested process, as demonstrated by the plant life extension on the Magnox and Advanced Gas-cooled Reactor (AGR) fleet.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
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>
	Response	<p>The 60m vault length is how Radioactive Waste Management Ltd. (a wholly-owned subsidiary of the Nuclear Decommissioning Authority) measured the impact in their GDA Disposability Assessment⁴⁹. SZC Co. does not have the underlying details of this calculation and, therefore, cannot provide further detail.</p>
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>(iii) Explain whether the correct figures have been used in undertaking the ES?</p>
	Response	<p>(i) Unfortunately there are elements of this paragraph that have been superseded. The statement that 'a maximum of 90 fuel assemblies would be removed every 18 months' is now incorrect, as the updated Interim Spent Fuel Store (ISFS) campaign strategy suggests that up to 96 fuel assemblies may be removed during a 18 month cycle. Furthermore, the suggestion of approximately 3,400 assemblies being generated is based on an old fuel management regime from the Generic Design Assessment (GDA) and is no</p>

⁴⁹ Nuclear Decommissioning Authority, "Generic Design Assessment: Summary of Disposability Assessment for Wastes and Spent Fuel arising from Operation of the UK EPR," EDF SA & AREVA NP, Oxford, 2014.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>longer applicable. The current conservative estimate for the number of elements being generated from both units over 60 years of operation is 7,378, or 3,689 per unit.</p> <p>(ii) The interim store has been designed for the 7,378 assemblies as mentioned in the previous question, which includes sufficient capacity and contingency for the operating design life of the Sizewell C power station of 60 years. The 16 year life extension referenced in the question is a hypothetical maximum lifetime of the plant that has not been included in the design; however, any plant life extension would be subject to rigorous regulatory scrutiny at the appropriate time. This is a tried and tested process, as demonstrated by the plant life extension on the Magnox and AGR fleet.</p> <p>(iii) Response to (i) provides a correction to Volume 2, Chapter 7 of the ES [APP-192].</p>
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	<p>The value of 6,800 fuel assemblies is a figure based on a previous fuel management regime from the GDA, as discussed in the response to Question R.1.7 in this chapter. The actual raw waste volume requiring storage (based on 7,378 elements, as discussed in the response to Question R.1.7 in this chapter) would be 1,642m³. The ISFS is designed for this capacity, which includes contingency as mentioned in the response to Question R.1.7 in this chapter for an operating life of 60 years. Each fuel assembly has a mass of 527.5kg. A total end of generation inventory would be approximately 3,900 tonnes of uranium.</p>
R.1.9	The Applicant	<p>Spent Fuel</p> <p>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.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	The correction referenced in the response to Question R.1.7 in this chapter does not have any knock on effects on the other calculations presented within Volume 2, Chapter 7 of the ES [APP-192]
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	<p>(i) The Application does not include a location for the encapsulation facility referred to in paragraph 7.7.95 of Volume 2, Chapter 7 of the ES [APP-192]. Five years prior to the end of generation Sizewell C will produce the required documentation and assessment to obtain consent to proceed with decommissioning.</p> <p>(ii) Currently no location has been identified for an encapsulation facility as there is no requirement at this stage in the project. Under the Nuclear Reactors (Environmental Impact Assessment for Decommissioning) Regulations (EIADR) any new facilities required to manage decommissioning, including the Spent Fuel Encapsulation Facility (SFEF) and Spent Fuel Inspection and Repackaging Facility (SFIRF), will be scrutinised by the Environment Agency and the ONR prior to decommissioning commencing. Therefore, at an appropriate time (at this time believed to be 5 years prior to end of generation), SZC Co. will be required by law to identify a location for the SFIRF and SFEF. All funding for these facilities will be covered through the Sizewell C Funded Decommissioning Plan (FDP).</p> <p>(iii) No response from SZC Co. is required.</p>
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>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	Under Licence Condition 15 of the Nuclear Site Licence, Sizewell C (as the licensee) shall make and implement adequate arrangements for the periodic and systematic review and reassessment of safety cases. Therefore, although the documents and assessments for the life of the plant are based on 60 year life, they will be regularly reviewed and reassessed for their applicability. Any plant life extension would be subject to rigorous regulatory scrutiny. This is a tried and tested process as demonstrated by the plant life extension on the Magnox and AGR fleet.
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> <p>(iv) Are there any other implications the ExA should be aware of in respect of the limited time of the current DAC?</p>
	Response	No response from SZC Co. is required.
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	No response from SZC Co. is required.
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>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	<p>Response</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> <p>(i) The design life of the sea defence is defined based on protection of the site until all nuclear wastes and spent fuel have been removed from the site (i.e. 110 years post Commercial Operation Date). This means that the sea defence design will be such that performance up to 2140 will be intrinsically ensured. Performance requirements relating to design life, such as sea levels and wave overtopping (which are influenced by climate change and sea level rise), are captured in the design of the crest height. In addition, degradation of the sea defence is considered and accounted for within the design to ensure that appropriate measures are taken (such as concrete cover for the crest wall and erosion protection for the backslope) that ensure the design life can be met.</p> <p>(ii) Working together with the designed-in robustness, an examination, maintenance, inspection and testing (EMIT) plan will be developed as part of the detailed design studies that will stipulate the measures that are needed to ensure integrity of the sea defence through life in line with the design. The EMIT plan will include regular planned EMIT activities that are needed to ensure that assumptions in the design are met. The EMIT plan will also include measures to take post event (such as a storm event or a seismic event) to, if necessary, reinstate the defence to its "as designed" state.</p> <p>An example of a measure that will exist within the EMIT plan is a requirement to inspect the sea defence following a storm event to ensure the rock armour has not shifted significantly. Stockpiles of constituent materials (such as the rock armour) will be stored locally to ensure that any maintenance can be performed within a reasonable time frame, as necessary.</p> <p>(iii) These measures do not require securing through the draft DCO as they are enforced through regulatory control via Licence Condition 15 of Sizewell C's future Nuclear Site Licence, which requires periodic and systematic review and reassessment of safety cases, which will include consideration of all external hazards (including flooding and adequacy of sea defences); and Licence Condition 28 which requires the licensee to make and implement adequate arrangements for the regular and systematic examination, inspection, maintenance and testing of all plant which may affect safety.</p>
R.1.15	ONR, EA, MMO	Sea Defences

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		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?
	Response	No response from SZC Co. is required.
R.1.16	ONR, Emergency Services, ESC, SCC	Emergency Plans 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	No response from SZC Co. is required.
R.1.17	ONR, EA	Transboundary Effects 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. (i) Are you satisfied this is adequately dealt with through the licensing regime? (ii) Does this assessment include the ancillary buildings such as the ISFS, and ILW storage?
	Response	No response from SZC Co. is required.
R.1.18	ONR, EA	Spent Fuel Store/ILW Store 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?
	Response	No response from SZC Co. is required.
R.1.19	The Applicant	Pressurised Water Reactor Para 25.5.7 of [APP-340] refers to 'pressurised waste reactors' should this be pressurised water reactors? Please provide clarification
	Response	Yes, instead of a 'pressurised waste reactor', this should read 'Pressurised Water Reactor'.

ExQ1	Question to:	Question:
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 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	<p>(i) Volume 2, Appendix 25B of the ES [APP-341] includes an assessment of the effects from the ISFS and ongoing storage of spent fuel and ILW. This is included in Section 3 of the appendix 'Annual Dose to the Candidates for the Representative Person from Direct Radiation'.</p> <p>(ii) and (iii) The design of the Sizewell C spent fuel and radioactive waste stores is yet to be finalised and specific details regarding shielding and spent fuel and radioactive waste inventories are not yet available. Thus, the assessment is undertaken following a conservative approach assuming that the dose rate outside the Spent Fuel and ILW stores is 0.5 µSv/h on the external surface of the building. The buildings fall within the Nuclear Licensed Site Security Fence and external radiation would rapidly drop with distance. The dose value is derived from the assumption that the outside of the building will be an undesignated area, as defined in the Ionising Radiations Regulations 2017. Therefore, the maximum exposure is set pessimistically at the annual limit of 1,000 µSv/y occurring during a normal working year of 2,000 hours. In practice, the dose rates are likely to be much below these value.</p>
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>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	No response from SZC Co. is required.
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	No response from SZC Co. is required.
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	No response from SZC Co. is required.
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.</p> <p>(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	(i) The operational design life of the Interim Spent Fuel Store (ISFS) and the Interim Level Waste Interim Storage Facility (ILW ISF) are for a 100-year life, although they would be capable of extension beyond that, if necessary. This is to allow interim storage to be maintained until a GDF, or an alternate disposal/management route has been established, and the heat levels within the fuel are at levels that permit its disposal. It is worth noting that the strategy for prompt decommissioning means that the ILW store would be removed within 20 years of end of generation, although the ISFS would remain after this time.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
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	No response from SZC Co. is required but please see the response to Question R.1.26 in this chapter.
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	<p>The NPS continues to carry full weight.</p> <p>Whilst NPS EN-6 Annex C advises at paragraph C.8.24 that the assessment of the Sizewell site for the NPS was based on modelling climate change data that looks ahead to 2100, it is clear that the retention of waste on site beyond 2100 would not invalidate the assessment of Sizewell C as a potentially suitable site for a new nuclear power station.</p> <p>Page 270 of the same Annex confirms that the approach taken was common for all sites and recognises:</p> <p><i>“Given the principles set out in the waste assessment, it is possible that there could be waste on site for longer than the assessment has been able to look ahead. Predictions of potential climate change impacts become less certain the further into the future the assessments are for, and it is not practicable to consider beyond 2100 at this stage.</i></p> <p><i>Whilst the assessment has only covered the next hundred years, the regulators are satisfied that additional safeguards are in place to ensure that only suitable sites achieve development and ongoing operational consent.</i>” (emphasis added)</p> <p>Those safeguards are explained on the same page of the NPS Annex and include:</p> <ol style="list-style-type: none"> 1. that the capacity of new nuclear power stations to withstand the potential impacts of climate change will be reviewed as part of the Site Licence and DCO processes; 2. using maximum forecast scenarios, Applicants will be expected to show that sites can be adapted to provide further protection if necessary; and

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>3. the issue will be kept under review as part of the Nuclear Site Licence process and additional mitigation required over time, if necessary.</p> <p>Consequently, the NPS is clear that the limitation on its forecasting was not intended to place any form of time limited condition on potentially suitable sites. Measures are proposed to ensure the continued long term safety of sites.</p> <p>The NPS, of course, is clear that all of the potentially suitable sites may be needed and that there are no alternative sites (NPS EN-6 paragraph 2.5.4).</p> <p>The NPS contains policies (at paragraph 3.6.6) which require applications to be tested using a credible maximum scenario and to demonstrate that in principle adaptation is possible.</p> <p>This approach has been followed in the submitted DCO application, which considers climate change effects up to 2190 using an approach consistent with the maximum credible scenario from the Environment Agency’s UKCP18. The climate change allowance is covered in the Main Development Site Flood Risk Assessment (FRA) [AS-018] and in detail in Appendix 5 (UK Climate Change Projections 2018 - Review and Proposed Response) to the FRA [APP-107].</p> <p>The Applicant’s emerging design for the Hard Coastal Defence Feature can be found in the Sizewell C Coastal Defences Design Report (Doc Ref. 9.13) and has developed a sea defence design that limits overtopping from the sea for the 10,000-year event at 2140, accounting for reasonably foreseeable climate change. The design also allows for further raising to account for a higher sea level rise over this period (to 2140). The 16.4m AOD level is based on a credible maximum assessment for the 10,000-year event.</p> <p>The NPS makes clear that it is imposing no limitation on the sites identified within the NPS and it provides policies to address the effect of climate change which ensure the continued safety of sites.</p>
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>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	No response from SZC Co. is required.
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> <p>Do you consider there to be any impediment to the granting of any licenses for the site?</p>
	Response	No response from SZC Co. is required.
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	<p>Responses to the comments raised by Public Health England in their relevant representation are included within the Statement of Common Ground with Public Health England (Doc Ref. 9.10.22). A summary of the responses to radiological and air quality comments is provided below for ease of reference.</p> <p>Air Quality Impacts</p> <p>The judgement placed on defining health significance was one of professional opinion, underpinned by the evidence provided in the ES, and reinforced though a precautionary approach where all residential receptors are considered sensitive, despite the baseline indicating the contrary.</p> <p>With reference to air quality, following a review of the air quality assessment outputs, the relative change in concentration and exposure for NO₂, PM₁₀ and PM_{2.5} at all receptors are orders of magnitude lower than is required for any quantitative exposure response assessment, from any construction and operational activity (including at the main development site, from transport beyond the site, at all associated developments and</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>from the combined heat and power facility). As detailed in paragraph 28.6.146 of Volume 2, Chapter 28 (Human Health and Wellbeing) of the ES [APP-346] from a health context, the only significant operational emission was from the periodic testing of the emergency backup generators. However, even here, the change in concentration and exposure is orders of magnitude lower than is required to quantify any manifest health outcome. This risk was set into context through a hypothetical assessment which demonstrated that even if a quarter of the population within East Suffolk would reside at the location with the maximum change in emission concentration for an entire year, there would still be no health impact.</p> <p>These findings set the basis to the professional judgement on significance, where all air quality objectives protective of the environment and health are met, and the relative change in concentration and exposure are insufficient to quantify any manifest health outcome (be it adverse or beneficial) forming a very low impact.</p> <p>When applied alongside the inherently precautionary approach where it is assumed that that the entire population within the study area are of uniformly high sensitivity to changes in air quality, the effect is still negligible (not significant).</p> <p>The change in construction exposure of non threshold emissions, such as NO₂, PM₁₀ and PM_{2.5} at any receptor modelled is orders of magnitude lower than is required to quantify any manifest health outcome (be it adverse or beneficial). Sensitivity analysis is not required, and best demonstrated through the hypothetical assessment of risk for the LOOP backup generator emissions. Even when grossly overestimating population exposure (where it is assumed a quarter of East Suffolk live outside for an entire year in the highest process contribution), the relative change is still insufficient to result in an measurable health outcome. The proposed development does not materially impact upon air quality standards protective of health, and the relative change in concentration exposure remain orders of magnitude lower than is required to quantify any manifest health outcome. Sensitivity analysis is not required.</p> <p>Sensitivity testing was undertaken of the methods used to estimate future year emissions from road transport at the Stratford St Andrew Air Quality Management Area to confirm the assumptions on future vehicle emission rates used in the assessment. The methodology and sensitivity test is reported in Volume 3, Appendix 2.7.A of the ES Addendum [AS-127].</p>

ExQ1	Question to:	Question:
		<p>Emissions permitted under other regulatory regimes have been considered as part of the baseline modelling to which emissions from the proposed development have been added. Cumulative assessment with other projects that do not form part of the baseline assessment is presented within Volume 10, Chapter 4 of the ES [APP-578].</p> <p>Fetal doses related to the fishing family are also considered in the Human RIA but are not discussed in Para 25.6.21 - It needs to be clear from which site and discharge route (aqueous, gaseous or both) the doses relate to.</p> <p>The Radiological Considerations Chapter (Volume 2, Chapter 25 of the ES [APP-340]) provides a summary of the results from the Human Radiological Impact Assessment, and as such not all results are included. A copy of the full radiological impact assessment is included within Volume 2, Appendix 25B of the ES [APP-371]. This ensures that the reader can have access to both a summary and the full assessment.</p> <p>Fetal doses were only assessed in terms of a Screening Assessment and as such was not included as part of the main summary. The results of the Screening Assessment showed that the dose to a foetus from discharges of Aqueous and Gaseous Effluent from Sizewell C would be 17 $\mu\text{Sv}/\text{year}$. This constitutes less than 6% of the statutory (source and site) dose constraints of 300 and 500 $\mu\text{Sv}/\text{year}$ and is considered to be low.</p> <p>Para 25.6.47 states exposure from natural sources as 2700 microSv, but this includes medical radiation therefore is not correct. Vol 2 Chpt 25 App 25A-25C Para 1.1.12 states 2.7mSv as well.</p> <p>This is a typographical error and should have read <i>"...(0.4% of) the amount of radiation exposure from background sources in the UK (2700 $\mu\text{Sv yr}^{-1}$)..."</i></p> <p>In terms of paragraph 1.1.12 of Volume 2, Appendix 25A^o of the ES [APP-341], Background Dose is defined by the International Atomic Energy Agency as <i>'Dose or dose rate (or an observed measure related to the dose or dose rate) attributable to all sources other than the one(s) specified'</i>⁵⁰.</p>

50

International Atomic Energy Agency, "Terminology Used in Nuclear Safety and Radiation Protection," IAEA, Vienna, 2018.

ExQ1	Question to:	Question:
		<p>As defined by Public Health England, in the UK the average exposure to member of the public in UK is 2700 $\mu\text{Sv}/\text{year}$⁵¹. As such the statement is correct.</p> <p>Para 1.1.12 states RSR is delivered by EA on behalf of DECC...needs updating Noted this is now Department for Business, Energy and Industrial Strategy.</p> <p>App 25B Human RIA Para 30 should say "The different modules within PC-CREAM 08 model the contribution of radioactive decay chain products ('progeny') in slightly different ways. For the FARMLAND and RESUS modules only the first progeny that is not in secular equilibrium over a period of one year is modelled explicitly. In PLUME the first progeny, even if it is short-lived, is modelled explicitly so its contribution to dose at short distances downwind can be determined. DORIS considers all radionuclides in the decay chain and progeny that are not in equilibrium with the immediate parent are modelled explicitly [Ref 29]"</p> <p>We note the comment raised by Public Health England. Both the original and revised statement are equivalent.</p> <p>Table 2-4 Footnote 7 reference needs to be checked This is a typographical error and should have read Reference 29.</p> <p>Para 124 – this paragraph discusses skyshine but does not reach a conclusion about whether the conclusions of the sensitivity analysis should be applied. This is discussed further in Paragraphs 145-147 and Table 3-2 of Volume 2, Appendix 25B of the ES [APP-371]. It should be noted that the low level of radiation dose to the public from Sizewell C is dominated by Gaseous and Aqueous Discharges, and Skyshine and Direct Dose.</p> <p>Would it not be more appropriate to refer to the skin dose limit given in EPR 2016 Schedule 23 Part 4 (1) Para 2 (a)? Schedule 23 Part 4(1) Paragraph 2 (a) refers out to the Basic Safety Standards Directive. In the UK the Dose Limits specified in the Basic Safety Standards Directive are enshrined</p>

⁵¹ Public Health England, "Ionising Radiation: Dose Comparisons," Public Health England, 18 March 2011. [Online]. Available: <https://www.gov.uk/government/publications/ionising-radiation-dose-comparisons/ionising-radiation-dose-comparisons#:~:text=In%20the%20UK%2C%20Public%20Health,the%20body%20to%20differing%20degrees..> [Accessed 24 May 2021].

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

ExQ1	Question to:	Question:
		<p>in domestic legislation via the Ionising Radiations Regulations 2017. As such the statement is correct.</p> <p>Given importance of marine food pathway, has volumetric exchange rates been considered within the RIA?</p> <p>The sensitivity analyses were undertaken in line with joint guidance from the Environment Agency, Scottish Environment Protection Agency, Northern Ireland Environment Agency, Health Protection Agency and Food Standards Agency on "Principles for the Assessment of Prospective Public Doses arising from Authorised Discharges of Radioactive Waste to the Environment"⁵². This identified the three specific areas noted in the comments.</p> <p>Although this does not explicitly consider the marine dispersion, the following text is provided in paragraph 34 of Volume 2, Appendix 25B of the ES [APP-371] in relation to the conservatism used in the volumetric exchange rates. This is summarised below.</p> <p><i>All marine dispersion parameters 'are the PC-CREAM default values, except for the volume of the local compartment, which has been increased from 3.00E+08 m3 to 4.00E+08 m3 to ensure that the discharge point (roughly 3.5 km from the coast) is within the local compartment. Sediment distribution coefficients and all properties of the other ocean compartments modelled within PC-CREAM were also default values. The default volumetric exchange rate corresponds to a local compartment volume of 3.00E+08 m3. This has been retained as a new volumetric exchange rate cannot be derived without hydrographical data relevant to the area [Ref 29]. A local compartment of 4.00E+08 m3 would have a higher exchange rate, which would result in lower doses, so it is conservative to retain the default value [Ref 17]. The change in volume is small compared to the volume of the regional compartment, so the impact on the regional compartment is expected to be small'.</i></p>
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</p>

⁵² EA, SEPA, NIEA, HPA, FSA, "Principles for the Assessment of Prospective Public Doses arising from Authorised Discharges of Radioactive Waste to the Environment," Environment Agency, Cumbria, 2012.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		application proposals in a manner which adequately ensures the safe, secure and environmentally sound decommissioning of the Sizewell A Nuclear Site.”
	Response	These matters are considered further within the Statement of Common Ground between SZC Co. and the Nuclear Decommissioning Authority (NDA) and Magnox Limited (Doc Ref. 9.10.19). SZC Co. intends to enter into a series of technical agreements with the NDA and Magnox which will ensure the safe, secure and environmentally sound decommissioning of the Sizewell A Nuclear Site alongside the construction and operation of the Sizewell C nuclear power station.
R.1.31	The Applicant	Planning Act 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.
	Response	<p>Waste facilities, including the Interim Spent Fuel Store (ISFS) and the Intermediate Level Waste (ILW) Store, are an integral part of the Sizewell C Project and fall to be determined as part of the submitted application. The application does not seek to distinguish between the elements of the project that comprise the NSIP and those that comprise associated development. However, it is clear that the ISFS and ILW Store are either part of the NSIP or associated development.</p> <p>i) On the latter, the ISFS and ILW Store satisfy the tests for associated development set out in the Planning Act 2008: Guidance on associated development applications for major infrastructure projects, April 2013⁵³. In particular, the Guidance states that when deciding whether development should be treated as associated development, the Secretary of State will take into account the following core principles:</p> <ul style="list-style-type: none"> • There should be a direct relationship with the principal development – in this case the ISFS and ILW Store are proposed only to serve the principal development. • It should not be an aim in itself – in this case the ISFS and ILW Store are entirely dependent on and exist solely to provide storage facilities for the principal development.

⁵³

Department for Communities and Local Government, “Planning Act 2008: Guidance on associated development applications for major infrastructure projects,” Crown, London, 2013.

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> • It should not only be necessary as a source of additional revenue to cross-subsidise the cost of the principal development – in this case, the storage facilities represent a substantial, necessary cost. • It should be proportionate to the nature and scale of the principal development – in this case Volume 2, Chapter 7 of the ES [APP-192] explains how the waste facilities have been sized to meet the requirements of the principal development. • It should be typical of development brought forward alongside the relevant type of principal development – comparable nuclear power station projects have applied for comparable facilities as part of their DCO applications (for example at Hinkley Point C). <p>The appropriateness of this relationship is made even stronger by reference to the specific terms of the Guidance and the requirements of the NPS:</p> <ol style="list-style-type: none"> a. The Guidance provides examples at Annex B of associated development specific to individual types of NSIPs. For on-shore generating stations, the list includes ‘<i>waste storage facilities</i>’. b. NPS EN-6 at paragraph 2.11.5 explicitly states that spent fuel and intermediate radioactive waste is required to be stored on-site until the availability of a geological disposal facility. <p>The DCO application would not be complete without the storage facilities proposed and they properly and appropriately fall to be considered as part of the application.</p> <p>The ISFS and ILW Store do not meet the criteria in the Planning Act 2008 for NSIPs in their own right under section 14. However, even if the criteria for an NSIP was met and the ISFS and/or ILW Store were NSIPs in their own right, it would still be appropriate for these facilities to form an integral part of this application. It is not uncommon for DCO applications to comprise more than one NSIP and the relevant guidance is clear that: “<i>A single application can cover more than one project requiring development consent under the Planning Act. Applicants are encouraged, as far as is possible, to make a single application where developments are clearly linked</i>” (Planning Act 2008: Guidance on associated development applications for major infrastructure projects, April 2013, paragraph 7).</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021



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

- Chapter 23 SE.1 [Socio-economic](#)
- Chapter 24 TT.1 [Traffic and Transport](#)
- Chapter 25 W.1 [Waste \(conventional\) and material resource](#)

ExQ1	Question to:	Question:
Chapter 23 - SE.1 Socio-economic		
SE.1.0	All relevant local authorities	<p>Assessment of Socio-Economic Effects</p> <p>The NPS at paragraph 5.12.3 sets out what an assessment of socio-economic affects should cover. Are there any shortcomings within the assessment that require further assessment or clarification?</p>
	Response	No response from SZC Co. is required.
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	<p><u>Response to (i) and (iii)</u></p> <p>Both Sizewell B and Sizewell C are pressurised water reactors which can only refuel when the plant is shutdown – this shutdown period is termed a refuelling outage. A refuelling outage occurs once every 18 months per reactor and lasts up to 2 months and involves taking apart the reactor components to replace depleted fuel. During a refuelling outage, components that cannot be accessed during its power cycle are inspected or replaced and tested, in addition statutory testing and routine maintenance is carried out. During this period over 10,000 separate activities are carried out at respective plants. These activities are planned two years in advance and involve contracts being awarded to numerous firms to assist and work in unison with the permanent staff.</p> <p>When the refuelling, maintenance and statutory work is complete, the plant is reassembled and tested to ensure it meets its safety, functional and operational requirements and then returned to service. The Office for Nuclear Regulation reviews the performance of outages and when satisfied with the performance and condition of the station, including the activities of the relevant independent insurance inspectors and Sizewell B's / C's internal Independent Nuclear Safety Assessors, will issue a licence</p>

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

ExQ1	Question to:	Question:
		<p>instrument to allow the reactor to be re-started for a further 18 months' generation. The issue of the licence instrument concludes the Refuelling Outage and the plant returns back to full power generation.</p> <p>On occasion, component parts of the plant break down resulting in additional 24-hour maintenance activities. These so-called 'mini outages' or 'forced outages' are, where possible, planned for before they occur, reducing downtime and out of hours working. Work associated with mini outages and forced outages is normally limited to a small number of specialist staff and the relevant issue tends to be resolved in a relatively short period of time. Longer unplanned outages are rare but are sometimes necessary to ensure the safety of the public and workforce, and to ensure that the relevant repairs are of a permanent nature and meet or exceed all international standards for nuclear power generation.</p> <p>The outages at Sizewell B and Sizewell C would operate independently but co-ordination between the two power stations would be sought between the two power stations to try to stagger refuelling outages if possible.</p> <p>During the construction phase, some Sizewell C workers may move temporarily to Sizewell B during an outage, particularly those who have specialist skills. This could lead to a dip in accommodation demand from Sizewell C. In addition, Sizewell C would offer any spare campus or caravan site accommodation to Sizewell B outage workers (the latter will have a similar level of vetting to Sizewell C workers so there would be no security concerns in this respect).</p> <p>During the operational phase, Sizewell C refuelling outages will aim not to be concurrent with Sizewell B refuelling outages, for example through careful output management to enable the operating cycle to be planned to avoid a clash. It is normal working practice within the existing nuclear fleet to try to stagger outages so that key skilled teams are available for sites and not "double booked". However, SZC Co. cannot guarantee that Sizewell B and Sizewell C outages will not occur simultaneously, and this may occur due to either forced outages or delays during outages causing overlap.</p> <p>Currently Sizewell B is the only pressurised water reactor in the UK. However, this will increase to five with the addition of Hinkley Point C (2) and Sizewell C (2). It is expected that more outage expertise will be developed nationally, with outage workers potentially residing within commuting distance of the Sizewell nuclear power station complex due to</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>demand (from the non-home-based (NHB) workforce) and supply of accommodation by sector. It is not possible to predict with certainty the dynamics of property purchase and rental prices, but it is possible to assess the potential effects, notably demand, of the workforce on accommodation supply. This too is not without uncertainty, and as such a flexible approach to mitigation has been developed as set out in the Accommodation Strategy [APP-613] and Draft Deed of Obligation, Schedule 3 (Doc Ref. 8.17(C)).</p> <p>The Housing Fund, as set out in the Draft Deed of Obligation, Schedule 3 will be made available to provide financial assistance across a number of initiatives including increasing the supply of bedspaces in private housing in accordance with a Private Housing Supply Plan. This Plan will, amongst other measures, support rent and deposit guarantee schemes, and provide equity loans to residents to enable them to secure suitable accommodation in the owner-occupied, private rented and social rented sectors.</p> <p>The methodology for the socio-economic assessment of the potential effects of the Sizewell C Project on the accommodation and housing markets is set out in Volume 2, Chapter 9, paragraph 9.4.47 (Socio-Economics) of the ES [APP-195], while the assessment of potential effects on accommodation is explained in paragraphs 9.7.109 to 9.7.139. This includes potential effects on the owner-occupied sector and the private rented sector and the potential effects on Westleton Parish are captured within the data and forecasts for Yoxford ward within this part of the assessment.</p> <p>SZC Co. considers that the mitigation proposed in the form of the appropriately sized and located accommodation campus (see responses in questions CI.1.4 and CI.1.6 and AI.1.8) and LEEIE caravan park contributes substantially to reducing the significance of effects, and the Housing Fund is capable of fully mitigating for the effects on private rented and tourist accommodation in the local area. The Housing Fund, as set out in the Draft Deed of Obligation (Doc Ref. 8.17(C)), will be made available to provide financial assistance across a number of initiatives including increasing the supply of bedspaces in private housing in accordance with a Private Housing Supply Plan. As set out in response to question CI.1.4, evidence from Hinkley Point C suggests that the Housing Fund (which has delivered 2,533 bedspaces in Somerset) is more than capable of being effective here.</p>
SE.1.3	The Applicant	Accommodation Strategy

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	<p>Response</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> <p>SZC Co. notes that Westleton Parish Council [RR-1264] is concerned that ‘EDF expects to import most of the supply chain and workforce from Hinkley Point whilst most of the ‘local’ people to be employed are expected to fill the lower-skilled/paid jobs in “Site Support” and consider that the scale of the development would “disrupt the local economy’ but no specific reference is made in that representation to effects on the supply and provision of local trades people.</p> <p>Some local employees in relevant skilled trades are likely to gain work on the Sizewell C Project, however SZC Co. has considered the labour market for relevant skills, not repairs and maintenance, with key areas of demand being for civil construction positions, as set out in Volume 2, Appendix 9A (Technical Note 1 – Workforce Profile) of the ES [APP-196].</p> <p>The construction industry is peripatetic, and it is the decision of any person whether to accept contract work for any employer or client. The nature of labour markets is that in cases where economic activity is in demand, that demand is often filled by existing firms expanding to undertake work, or new firms arriving in the area to fill the gap in supply, and this is likely to be the case here.</p> <p>Nonetheless, SZC Co. is cognisant that there is concern related to the availability of skilled labour, whereby it is suggested that some local firms may experience vacancies being harder to fill. This is not displacement, and is a normal function of a positive economic intervention to which labour markets respond, and as such is not considered a significant adverse effect.</p> <p>SZC Co. has designed a range of measures, to be secured through the Draft Deed of Obligation (latest draft Doc Ref. 8.17(C)), to reduce the risk of increased labour market churn leading to adverse effects, and to boost the supply of relevant skills in the labour market. Principles for these measures are set out in the Economic Statement [APP-610] and the appended Employment, Skills and Education Strategy [APP-611], and further details of the scope, implementation, governance and monitoring related to the specific initiatives is set out in the Draft Deed of Obligation (Doc Ref. 8.17(C)).</p>
SE.1.4	The Applicant	Workforce Skills Enhancement

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	<p>Response</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> <p>SZC Co. has been working closely with SCC, ESC, New Anglia Local Enterprise Partnership (NALEP) and regional stakeholders to develop a programme of workforce skills enhancement focused on bringing people closer to the labour market, and then enhancing the existing skills infrastructure in the region to ensure these people's progression from 'work ready' to 'job ready'. This programme will focus on the legacy skills that the region has identified as a priority for sustainable economic growth in the context of the wider infrastructure delivery pipeline for Norfolk and Suffolk.</p> <p>Subject to further review and agreement, the position with regard to the scope, governance and implementation of these measures is set out within the Draft Deed of Obligation, Schedule 7 (Doc Ref. 8.17(C)).</p> <p>SZC Co. and stakeholders recognise the long-term nature of the construction of Sizewell C, and that this brings both opportunities (for example the ability to deliver social value through outreach, then develop skills in individuals and support them through different roles on the project) and risks (in responding to a changing economic baseline).</p> <p>As such, SZC Co. has proposed a robust, flexible and responsive approach to governance and implementation of initiatives, based on real-time intelligence from the Sizewell C Project and its contractors through regularly reviewed Workforce Delivery Strategies (WDS), and Annual Workforce Delivery Implementation Plans led and implemented by regional stakeholders.</p> <p>Full details of the suite of measures to be secured are explained in response to question SE.1.17.</p>
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. 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>

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

ExQ1	Question to:	Question:
	Response	<p>Sizewell B began construction in 1988 and started generating electricity in 1995. It provides 770 permanent jobs in the region, many of which are in high-skilled, high-output energy generation sectors, but others include administrative and entry-level jobs². Without the current and former nuclear power stations at Sizewell, these jobs would not exist. Analysis of the 2011 Census shows that of the jobs supported in Sizewell's Workplace Zone (a statistical spatial definition including Sizewell campus and surrounding areas, but not including Leiston or other urban areas), 77% are taken by residents of Suffolk and nearly 300 by residents of Leiston, suggesting strong local retention of economic benefits during the operational phase of Sizewell B.</p> <p>While parts of Leiston remain within the most deprived areas of England and Wales, there is no evidence to suggest that a counterfactual position without the intervention of Sizewell B or Sizewell C would result in better or worse economic conditions locally or across the region. In the case of wider areas, any effect would be impossible to disentangle from the wider economy. A review of public datasets suggests that:</p> <ul style="list-style-type: none"> • Claimant rates in East Suffolk have been consistently lower than the national average, with even lower rates in Leiston since the construction of Sizewell B. • East Suffolk has an occupational skill profile weighted more towards higher skilled occupations than the national average and has done in the past two Censuses (2001 and 2011), and a higher proportion of residents with higher level qualifications. <p>A review of the socio-economic effects of construction of Sizewell B by Glasson and Chadwick³ summarises that:</p> <ul style="list-style-type: none"> • Some policy measures were undertaken by Nuclear Electric and contractors at Sizewell B including recruitment of school-leavers to apprenticeships, setting up an on-site Jobs Centre and sponsorship of unemployed adults to undertake short training courses.

² EDF Energy (2021) Sizewell B power station and visitor centre. Available at: <https://www.edfenergy.com/energy/power-stations/sizewell-b#:~:text=Sizewell%20B%20is%20a%20nuclear%20power%20station%20on,It%20is%20the%20UK%E2%80%99s%20only%20Pressurised%20Water%20Reactor>.

³ Glasson, J and Chadwick, A. The local socio-economic impacts of the Sizewell B PWR power station construction project 1987–1995: Summary report. Impacts Assessment Unit: Oxford Brookes University. 1995

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> • Unemployment rates in the local economy during the early 90’s recession were far lower than wider averages as a result of Sizewell B, and have not increased above average for the majority of the period since. Only a small minority of people leaving the Sizewell B project at the end of construction were surveyed to have experienced lengthy periods of unemployment. • The Central Electricity Generating Board made grants available to local community projects, having spent £575,000 on 38 individual projects during the construction phase, over half of which were in Leiston. • Nuclear Electric provided £1.86m funding for the construction of Leiston Leisure Centre / swimming pool which opened in 1992. <p>The Sizewell B public inquiry was held in the 1980s and - as set out above - the construction period ran from 1988-1995. It was almost 35 years ago that the design of the scheme and associated employment and economic benefits were appraised and tested. The permission did not include a comprehensive set of long-term commitments for sustainable economic, social and environmental change such as are proposed for the Sizewell C Project. There was limited focus on designing training and employment schemes, not least as the construction industry was structured very differently with respect to qualifications, competencies and the promotion of sustainable development.</p> <p>As the only pressurised water reactor to be built in the UK and the first (and only) new nuclear build of that era, the design of Sizewell B did not benefit from any learnings accrued from comparable projects; the Sizewell C Project has been designed with the benefit of learnings from a range of national precedents, notably Hinkley Point C. Sizewell B did not come forward as part of a co-ordinated and complementary plan for new nuclear development, nor did it benefit from NALEP support for the Energy Coast and a raft of energy infrastructure construction projects leading to agglomeration benefits and policy support for sustainable investment in skills and training.</p> <p>The Draft Deed of Obligation (Doc Ref. 8.17(C)) includes measures to provide resilience and long-term legacy to the areas likely to experience the most change as a result of the Sizewell C Project, such as Leiston. This includes a ring-fenced Community Fund, Housing Fund, Tourism Fund, physical investment in transport infrastructure and public rights of ways and cycleways and sports facilities in Leiston, as well as employment, skills and training investment set out above that will focus on areas, where it will provide the greatest social value.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>The Sizewell C Project will result in 900 more permanent jobs for the region, many in high-skilled, high-output sectors. The Economic Statement [APP-610] sets out further detail on economic benefits for Sizewell C - see Section 3.2 for headline benefits during the operational phase.</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	Please see response to question AR.1.24 .
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> <p>[RR-0123] - impact on retail sales reliant on tourism/visitors</p> <p>[RR-0050] - adverse effect on caravanning and camping due to development</p> <p>[RR-1023] – adverse effect on livery businesses in the local area</p> <p>Please respond to these concerns and set out how if justified mitigation would be provided for each of these businesses.</p>
	Response	<p>The Interested Parties referenced in this question identify wider effects resulting in perceived changes to their business operation – namely that the Sizewell C Project would result in fewer visitors to the area and reduced spend – and more site-specific effects on business operations related to land.</p> <p><u>Wider Tourism Economy Effects</u></p> <p>SZC Co. recognises the importance of the inbound tourist economy within and around the Suffolk coast, and has undertaken an assessment of the effects of the Sizewell C Project on tourism at the regional economy scale, in-line with the requirements of National Policy Statement EN-1, as part of Volume 2, Chapter 9 (Socio-economics) of the ES [APP-195], which includes reference to experience at Hinkley Point C and Sizewell B, the</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>inherent flexibility of the tourist sector, and limitations on the use of ex-ante perception surveys to predict changes in behaviour accurately.</p> <p>This sets out that there is limited empirical evidence that the Sizewell C Project would lead to a quantifiable reduction in visitor numbers, a change in visitor behaviour, expenditure or business viability in the sector over and above normal variation, particularly when a Tourism Fund is applied.</p> <p>It may be most appropriate to consider evidence of the difference between anticipated/perceived and actual effects, and the positive influence of a Tourism Fund, using Hinkley Point C as a case study. At Hinkley Point C, similar concerns of effects were raised by Interested Parties, but have not manifested into actual effects on tourism in Somerset – has provided evidence for the positive effect of a Tourism Fund used to promote and market the area and provide information to visitors and prospective visitors. Monitoring of business confidence through governance (via SEAG), as well as public datasets such as tourist-sector employment⁴ and tourism spend⁵, has shown no adverse effect on the Somerset tourist economy from the construction activity at Hinkley Point C where a Tourism Fund has been applied.</p> <p>A paper setting out further details on SZC’s consideration of experiential evidence of the effectiveness of a Tourism Fund drawing on Hinkley Point C evidence is included as an Appendix 23A of this chapter (Response Paper – Tourism – Ex-ante Stated Preference Surveys and Hinkley Point C Evidence].</p> <p>SZC Co. and stakeholders recognise the need for the Tourism Fund to ensure that stated intention based on perceptions of the project’s effects does not materialise into actual changes in visitor behaviour. As such, the Tourism Fund should be used to promote, enhance and market the area. The Tourism Fund would be secured through the Draft Deed of Obligation (latest draft Doc Ref. 8.17(C)).</p> <p>The Sizewell C construction phase offers opportunities for local accommodation providers to increase business – if they are minded to – by accepting bookings from construction workers as well as or instead of tourists. This offers year-round occupancy potential. In these instances, businesses may also benefit from the tourist accommodation element of</p>

⁴ ONS (2019) Business Register and Employment Survey. Accessed via NOMIS (<https://www.nomisweb.co.uk/>) on 21/5/21

⁵ Visit Britain / Visit England (2018) Great Britain Tourism Survey. Available at <https://www.visitbritain.org/>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>the Housing Fund, details of which are set out at Draft Deed of Obligation, Schedule 3, Sections 1 and 2.7 (Doc Ref. 8.17(C)).</p> <p>For further information relating to this question please refer to responses to questions SE.1.13, SE.1.36, SE.1.35 and G.1.27.</p> <p><u>Land / Effects on Individual Businesses</u></p> <p>SZC Co. recognises that the project may result in instances of localised effects on individual businesses where there is a loss of land or a permanent, irreversible change to the nature of business operations (subject to the statutory Compensation Code being applied). Effects on individual land holdings, including changes to activity, loss of land and severance are set out in Volume 2, Chapter 17 (Soils and Agriculture) [APP-277] and Volumes 3-9, Chapter 10 (Soils and Agriculture) of the ES [APP-371, APP-402, APP-435, APP-470, APP-502, APP-531 and APP-563]. These note that further consultation with landowners will be undertaken to reduce the impacts on the farm businesses, as far as practicable. This will include agreement of assurances and obligations that SZC Co. will accept upon entering the land, and compensation, where applicable.</p> <p>People who own and occupy property (including small business premises with an annual value below a set amount) that has been reduced in value by physical factors (e.g. noise and vibration) caused by the use of a new or altered road may be able to claim compensation under the terms of the Land Compensation Act 1973.</p>
SE.1.8	The Applicant	<p>Fishing Industry</p> <p>[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	<p>As described in Volume 2, Chapter 6 (Alternatives) of the ES [APP-190], an Acoustic Fish Deterrent, and other biota exclusion techniques, are not feasible at Sizewell C. However, no significant impacts on commercial fish stocks are predicted due to Sizewell C operating without an acoustic fish deterrent system (see Report TR406 in Volume 3, Appendix 2.17.A of the ES Addendum [AS-238]), so no commercial or socio-economic impacts are predicted either.</p> <p>The Sizewell C cooling water system has been designed to minimise environmental impacts on fish and other marine biota by means of the siting of the intake and outfalls,</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>the specially designed Low Velocity Side-Entry (LVSE) intake head affording fish the opportunity to avoid abstraction, and the Fish Recovery and Return (FRR) system.</p> <p>A FRR system is designed to return robust species (particularly flatfish, eels, lampreys and crustacea and to a lesser extent demersal species such as bass, cod and whiting) that are impinged onto the station drum and band screens safely back to sea.</p> <p>Studies of impingement reduction technologies for the Sizewell C Project demonstrated that both LVSE and FRR are feasible and likely to reliably deliver significant reductions in the predicted losses of fish and crustacea. With these measures fitted at Sizewell C, the predicted reduction in impingement mortality compared with an unmitigated station based upon the expected performance of the LVSE and the FRR system are shown in Report TR406 submitted as part of Volume 3, Appendix 2.17.A of the ES Addendum [AS-238].</p> <p>Seabass, sole, herring, thornback ray, smooth-hound, cod and plaice all contribute towards the highest landings and first sale value of fin-fish regionally (the commercially important species in a regional context are summarised below). Acoustic fish deterrent (AFD) systems have varying efficiency for different fin-fish species. Impingement predictions indicate no significant effects for these species. For example, herring is the second most commonly impinged fish at Sizewell B after sprat and as a hearing specialist would benefit most from all the commercial species following the introduction of an AFD. Unmitigated effects on herring are predicted to be equivalent of less than 0.02% of the North Sea spawning stock biomass and less than 1% of landings of the species. Note though that herring would benefit from mitigation provided by the LVSE head.</p> <p>Similarly low unmitigated estimates are predicted for cod, thornback ray, sole and plaice, but all would, in fact, benefit from the mitigation provided by the FRR system. Seabass impinged at the station are predominantly juvenile fish below catch limits. The location of the Sizewell C intakes in deep water coupled with the FRR system is predicted to reduce impingement to levels with no significant bearing on the population (see Report TR406 in Volume 3, Appendix 2.17.A of the ES Addendum [AS-238]).</p> <p>Following consultation with the Eastern Inshore Fisheries Conservation Authority (EIFCA), a local level assessment was produced to identify the potential for depletion of fish in the immediate vicinity of the Greater Sizewell Bay (GSB) (see Report SPP103 provided in Volume 3, Appendix 2.17.A of the ES Addendum [AS-238]). The assessment was designed to be complementary to the stock assessment that provides the most robust</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>assessment of effects at the population level. In summary, the report concludes that, with the proposed mitigation measures in place, the station would cause minor local depletion of fish, orders of magnitude below natural variability in abundance. As such it is concluded that Sizewell C without an AFD would not cause significant effects at the population level or significant local level depletion. With the additional mitigation provided by the LVSE and FRR, potential impacts would be reduced further. Given this, no socio-economic impacts are expected for commercial fishing.</p> <p>For information, a full assessment of the effects on commercial and recreational fisheries is provided in Volume 2, Chapter 22, Section 2.11 of the ES [APP-317]. Paragraphs 22.11.13 and 22.11.14, and Table 22.145 describe those species accounting for the greatest proportion of first sale value and landed weight in a regional context. Seven species contribute to almost 95% of the first sale value of landings from ICES rectangle 33F1 (which the proposed development is within).</p> <p>Cod, plaice and scallops are also considered in the list of important species for commercial fishing interests regionally (Table 22.145 of Appendix 22F of Volume 2 of the ES [APP-323]).</p>
SE.1.9	<p>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>	<p>Effect on business operations</p> <p>Please provide more detail in respect of your concern on the impact that the Proposed Development would have on your business.</p>
	<p>Response</p>	<p>No response from SZC Co. is required.</p>
SE.1.10	<p>Nacton Parish Council [RR-868]</p>	<p>Effect on business operations</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		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.
	Response	No response from SZC Co. is required.
SE.1.11	The Applicant	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.
	Response	Mill Hill Farm Caravan & Camping Site is located off Westleton Road, approximately 1.5km to the east of the northern park and ride. It lies outside of the study area for the assessments of noise and vibration, air quality, amenity and recreation, terrestrial historic environment, soils and agriculture, geology and land quality and groundwater and surface water due to its distance from the site, and the receptor is not relevant to the terrestrial ecology and ornithology assessment. Mill Hill Farm Caravan & Camping Site was including within the landscape and visual assessment. However, as show on Volume 3, Figure 6.3 of the ES [APP-362], no effects on the character of the landscape are anticipated here although some glimpsed views would arise, visibility would be minimal or very infrequent. Mill Hill Farm Caravan & Camping Site may also wish to consider accommodating Sizewell C workers, as they are well placed for access to the northern park and ride. As part of the Housing Fund, loans and grants for local accommodation providers are proposed, within the terms of the Tourist Accommodation Management Strategy, in order to increase capacity and resilience (see Draft Deed of Obligation, Schedule 3, Sections 1 and 2.7 (Doc Ref. 8.17(C))).
SE.1.12	The Applicant	Two Village Bypass (TVB) [RR 812] Indicates the TVB would adversely affect the holiday business, water supply and drainage at Mollett's Partnership. Please respond to these concerns and explain how the scheme would avoid or mitigate for adverse effects.
	Response	<u>Holiday business</u>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>The buildings within Mollett’s Farm are located approximately 150m from the site boundary.</p> <p>It was assessed within the noise and vibration assessment (as a residential receptor) and moderate adverse (significant) effects were identified (with the accepted changes) during the typical and busiest days in 2028. At night in 2028 and in the long-term in 2034 (daytime and night-time), the changes in noise level were identified as minor adverse or negligible, which are not significant effects. The noise effects are set out in Volume 5, Chapter 4 of the ES [APP-415] and updated in Volume 1, Chapter 5 of the ES Addendum [AS-184] and its associated appendices in Volume 3, Appendices 5.3.A to 5.3.C of the ES Addendum [AS-245]. Further mitigation will be considered as part of the detail design of the road, including, for example, quiet road surfaces.</p> <p>The landscape and visual assessment concluded that small scale effects would arise in on the landscape character in the fields around the farm (not significant) during construction. Mollett's Partnership is located between groups 1 and 2 within the visual assessment and is likely to experience significant impacts during construction, but would be not significant during operation. These effects are set out in Volume 5, Chapter 6 of the ES [APP-421]. The General Landscape Strategy for the landscape proposals for the proposed development has been designed to minimise potential effects on ecological, heritage and landscape and visual receptors through provision of appropriate planting and will follow the design principles set out in the Associated Development Design Principles document (Doc Ref. 8.3(A)). In addition, planting would seek to mitigate the potential impacts of the proposed development as set out in Volume 5, Chapter 2 of the ES [APP-411].</p> <p>No significant effects on air quality are predicted.</p> <p>SZC Co. has met with Mollett's Partnership a number of times to discuss their concerns and potential opportunities associated with workers looking for good quality year-round accommodation in the area. While SZC Co. is unable to advise on the choices for businesses to make on their business going forward. Mollett's Partnership may wish to consider accommodating Sizewell C workers, as they are well placed for access to the main development site or for workers constructing the associated development sites, including the two village bypass. As part of the Housing Fund, loans and grants for local accommodation providers are proposed, within the terms of the Tourist Accommodation</p>

ExQ1	Question to:	Question:
		<p>Management Strategy, in order to increase capacity and resilience (see Draft Deed of Obligation, Schedule 3, Sections 1 and 2.7 (Doc Ref. 8.17(C)).</p> <p><u>Water supply and drainage</u></p> <p>SZC Co. is currently working with Mollett's Partnership to understand the arrangements for water abstraction and how these coincide with the two village bypass. SZC Co. is committed to work with the relevant landowner and business to ensure that the route and presence of the 2VB will not impede their ongoing rights and ability to abstract water to the current scale and frequency.</p> <p>Volume 5, Chapter 12 (Groundwater and Surface Water) of the ES [APP-441] includes for the assessment of the surface drainage network in the vicinity of the proposed two village bypass. The incorporation of sustainable drainage methods for the management of surface water, capacity for design storm conditions and an allowance for climate change, reached in agreement with Suffolk County Council, will enable locally produced flows from the highway to be managed locally and primarily by infiltration. The inclusion of culverts beneath the bypass will enable the continued flow of the existing drainage network. Overall, with these measures in place, the impacts are not judged to be significant.</p>
SE.1.13	The Applicant	<p>Displacement of Visitors</p> <p>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	<p>A response on the adequacy of assessment of visitors, addressing additional pressure from displaced recreational visitors and the potential for construction workers to visit RSPB Minsmere is set out in response to question AR.1.12.</p> <p>SZC Co. recognises the importance of the inbound tourist economy within and around the Suffolk coast, and has undertaken an assessment of the effects of the Sizewell C Project on tourism, in-line with the requirements of National Policy Statement EN-1, as part of Volume 2, Chapter 9 (Socio-economics) of the ES [APP-195].</p> <p>This sets out that there is limited empirical evidence that the Sizewell C Project would lead to a quantifiable reduction in visitor numbers, a change in visitor behaviour, expenditure</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>or business viability in the sector over and above normal variation, particularly when a Tourism Fund is applied.</p> <p>The use of a Tourism Fund for marketing, promotion, and other projects to the benefit of the image of tourism at the Suffolk coast is considered an effective way of providing precautionary mitigation for perceived risks as demonstrated by experience at Hinkley Point C – where similar concerns of effects were raised by Interested Parties, but have not manifested into actual effects on tourism in Somerset – has provided evidence for the positive effect of a Tourism Fund used to promote and market the area and provide information to visitors and prospective visitors. Monitoring of business confidence through governance, as well as public datasets such as tourist-sector employment⁶ and tourism spend⁷, has shown no adverse effect on the Somerset tourist economy from the construction activity at Hinkley Point C where a Tourism Fund has been applied.</p> <p>A paper setting out further details on Sizewell C’s consideration of ex-ante stated preference surveys, and experiential evidence of the effectiveness of a Tourism Fund drawing on Hinkley Point C evidence is included as an Appendix 23A of this chapter (Response Paper – Tourism – Ex-ante Stated Preference Surveys and Hinkley Point C Evidence).</p> <p>In some cases, where effects on sensitive receptors cross-cut socio-economic and environmental topic areas and there are multiple potential effects which would benefit from comprehensive and holistic mitigation, separate Resilience Funds (see Draft Deed of Obligation, Schedule 13 (Doc Ref. 8.17(C)) are proposed, including one for RSPB Minsmere and one for National Trust Dunwich Heath. This will ensure that the activities funded through those measures do not overlap but can complement the plans, programmes and projects supported by the proposed Tourism Fund (and other funds, where applicable).</p> <p>Regular discussions are ongoing with RSPB and it is understood that they would like their Resilience Fund to focus on paying visitors. The scope and quantum of potential measures has not yet been agreed but is under discussion.</p>

⁶ ONS (2019) Business Register and Employment Survey. Accessed via NOMIS (<https://www.nomisweb.co.uk/>) on 21/5/21

⁷ Visit Britain / Visit England (2018) Great Britain Tourism Survey. Available at <https://www.visitbritain.org/>

ExQ1	Question to:	Question:
SE.1.14	The Applicant	<p>Potential Effects on Tourism</p> <p>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	<p>SZC Co. understands that the Relevant Representation referred to in this question identifies two concerns regarding tourism:</p> <ul style="list-style-type: none"> - <i>"There has been no direct reference to Snape village, and no recognition of the potential impact on tourism on the village; a major cultural destination for the County"; and</i> - <i>"The present accommodation strategy envisages significant numbers of the workforce in the construction phase renting local accommodation and this is bound to directly impact local tourism"</i> <p>SZC Co. recognises the importance of the inbound tourist economy within and around the Suffolk coast, and has undertaken an assessment of the effects of the Sizewell C Project on tourism at the regional economy scale, in-line with the requirements of National Policy Statement EN-1, as part of Volume 2, Chapter 9 (Socio-economics) of the ES [APP-195].</p> <p>This sets out that there is limited empirical evidence that the Sizewell C Project would lead to a quantifiable reduction in visitor numbers, a change in visitor behaviour, expenditure or business viability in the sector over and above normal variation, particularly when a Tourism Fund is applied.</p> <p>SZC Co. recognises the importance of Snape, including the cultural facilities at Snape Maltings, as an important asset to the area's tourist economy. However, whilst significant adverse effects on Snape are not anticipated, as an important asset, it is well-placed to utilise the proposed Tourism Fund (subject to agreement through governance of the Tourism Fund to be set out within the Draft Deed of Obligation (latest draft Doc Ref. 8.17(C)), to promote itself and the wider region.</p> <p>For clarity, Table 4.4 of the Accommodation Strategy [APP-613] sets out the anticipated local effect of demand for accommodation at a ward-scale, prior to mitigation, which identifies that Sizewell workers may reasonably be expected to occupy around 5% of tourist accommodation in the ward. Table 4.7 [APP-613] identifies the ward-level</p>

ExQ1	Question to:	Question:
		<p>estimated demand for private rented accommodation, representing around 7% of bedspaces in Snape. In both cases, the effect on accommodation prior to mitigation is considered to be of negligible or low significance.</p> <p>Nonetheless, in order to account for uncertainty, SZC Co. has designed a Housing Fund with a Tourist Accommodation element (see Draft Deed of Obligation, Schedule 3 (Doc Ref. 8.17(C))), which could be used to provide resilience to tourist accommodation provision across the area most likely to be affected by demand from Sizewell C's NHB workforce.</p>
SE.1.15	The Applicant	<p>Pressure for skilled labour</p> <p>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 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.</p>
	Response	<p>The in-combination effects on the regional labour market have been addressed in Volume 10, Chapter 4 (Assessment of Cumulative Effects with Other Plans, Projects and Programmes), Section 4.3 (Socio-economics) [APP-578]. Further detail to that assessment has also been provided specifically on the demand for sub-elements of construction skills in Appendix 23B - Response Paper – Cumulative Effects (Skills and Labour Market).</p> <p>This summarises that – in terms of the labour market of construction skills:</p> <ul style="list-style-type: none"> - There is not considered to be a significant in-combination effect on demand for construction skills within the labour market - In part, this position is supported by the raft of employment, skills and education initiatives for the Project and the wider region set out at Schedule 7 of the Draft Deed of Obligation (Doc Ref. 8.17(C)), and within relevant skill plans for other regional infrastructure projects. - Notwithstanding this, SZC Co recognises the Project's responsibility to work collaboratively with regional partners to plan for legacy skills and has built this in to governance and implementation measures within Schedule 7 of the Draft Deed of Obligation (Doc Ref. 8.17(C)).

ExQ1	Question to:	Question:
		<p>SZC Co. has also developed a Supply Chain Strategy [APP-611] as part of the DCO application, which is intended to support the regional business community to compete for and win work on the Project, with the effect of securing economic benefits and avoiding 'shortages'.</p> <p>Please also see the response to question SE.1.39.</p>
SE.1.16	The Applicant, relevant local authorities	<p>Potential Effects on Tourism</p> <p>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>
	Response	<p>Essex CC states [AoC-003]:</p> <p><i>"Previously at Stage 3 the Council has raised issues about the true impact the development would have on the tourist industry in this sensitive rural location asking that any future DCO application includes a tourism strategy and proposed specific mitigation measures to reduce any potential impact. This does not feature in the submitted Stage 4 documentation and therefore cannot be considered pre the DCO process"</i>.</p> <p>SZC Co. notes that:</p> <ul style="list-style-type: none"> • This is a representation specifically referring to the adequacy of consultation (Stage 4 Consultation materials) rather than the content of the DCO application. It requests that <i>'any future DCO application includes a tourism strategy and proposed specific mitigation measures to reduce any potential impact'</i> and does not consider the assessment and mitigation for effects on tourism set out in the DCO. • No reference is made in that representation specifically to tourism effects related to Bradwell B – SZC Co.'s view is that there is no evidence to support an in-combination or cumulative effect on the Suffolk coast's tourist economy related to Bradwell B (and in any case, Bradwell B falls without the scope of the assessment of cumulative effects as described in Volume 10, Chapter 4 (Assessment of Cumulative Effects with Other Plans, Projects and Programmes), Section 4.3 (Socio-economics) [APP-578]). <p>For clarity, the following references set out the approach to assessment and mitigation for potential effects on tourism (as required by EN-1, paragraph 5.12.3):</p>

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> • Volume 2, Chapter 9 (Socio-economics) of the ES [APP-195]. • Economic Statement [APP-610]. • Draft Deed of Obligation, Schedule 15 (Doc Ref. 8.17(C)). <p>SZC Co. considers the effects assessed on tourism, and the approach to mitigation, to represent a robust and sound consideration of potential significant effects – noting that there is inherent uncertainty, and as such as a precautionary principle the scope, implementation and governance of a Tourism Fund has been developed in collaboration with local stakeholders.</p>
SE.1.17	The Applicant	<p>Employment Skills and Education Strategy</p> <p>[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;</p> <p>(ii) How these interventions would be secured;</p> <p>(iii) What monitoring would be in place to assess their effectiveness, and</p> <p>In the event they were not proving successful, what further arrangements may be put in place and to what timetable.</p>
	Response	<p>The Employment, Skills and Education Strategy [APP-611] identifies ‘<i>core priorities</i>’ for the Sizewell C Project’s approach to employment, skills and education enhancement and mitigation - creating economic benefit and social mobility while minimising workforce and project risk relating to skills availability. It sets out (at a high level) the measures that will be funded through financial mitigation and managed by a governance and reporting process, noting that both the scope and scale of financial measures and their governance processes would be secured through the Draft Deed of Obligation (latest draft Doc Ref. 8.17(C)).</p> <p>Following submission of the DCO, SZC Co. and regional stakeholders including SCC (Regional Skills Coordinator), NALEP and ESC have been meeting regularly to develop the scope of employment, skills and education initiatives to support the delivery of the Sizewell C Project.</p> <p>Subject to on-going discussions and agreement of detail, the Draft Deed of Obligation (Doc Ref. 8.17(C)) sets out SZC Co’s current position regarding:</p>

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> • Details of the dedicated skills and employment interventions proposed. • The method for securing, implementing, and governing measures. • An outline approach to monitoring – which will be flexible and bespoke, defined through Annual Workforce Delivery Implementation Plans – to assess effectiveness of measures and inform subsequent of direction of funded and non-funded activities delivered by SZC Co. or stakeholders. • How governance will be in place, through the development and review of Workforce Delivery Strategies for each phase, and closely monitored and reviewed Annual Workforce Development Implementation Plans to re-direct and implement measures each year if required. <p><u>Response to (i)</u></p> <p>The Draft Deed of Obligation (Doc Ref. 8.17(C)) (Schedule 7) explains the suite of measures and their purpose in delivering support for employment, skills and education. Together, these will deliver social mobility to bring people closer to the labour market, and grant them opportunities for work on the Sizewell C Project but also support their employability and technical skills for sustainable careers in sectors identified by the region’s stakeholders as ‘<i>legacy</i>’ sectors (i.e. skills that are needed for the region as a whole, including the Sizewell C Project and the raft of other infrastructure construction activity).</p> <p>This includes the following funded measures:</p> <ul style="list-style-type: none"> • A Sizewell C Employment Outreach Fund to deliver initiatives provided by Suffolk County Council (or in partnership with not-for-profit organisations, where deemed appropriate) which are intended to support the delivery of measures and/or programmes that increase the pool of ‘<i>Work Ready</i>’ individuals within the region’s talent pool or deliver social value by bridging the gap to the labour market and increasing the supply of people ready to access ‘<i>Job Ready</i>’ programmes in relation to: (a) existing skills and training infrastructure; (b) outreach programmes; (c) partnership working with successful third sector organisations; and (d) the requirements identified by the relevant Workforce Delivery Strategies and Annual Workforce Delivery Implementation Plans. The Outreach Fund will support initiatives with a focus on hard-to-reach groups and communities in geographical areas within Suffolk experiencing relative deprivation.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<ul style="list-style-type: none">• A Sizewell C Bursary Scheme aimed at supporting the removal of barriers for employment pathways into the Project for local people and students that either haven't reached the required entry level requirements, or need some support to successfully complete their course, particularly in areas of relative deprivation.• An Asset Skills Enhancement and Capability Fund supporting initiatives to enhance the supply of skills related to the Project and regional needs and aspirations, by investing in skills and training provision (such as apprenticeships) within the region's existing further education, training provider and higher education sectors, including: (a) revenue projects like curriculum development, development and retention of specialist trainers, (b) working capital projects, such as equipment to deliver courses, re-fit for existing facilities as required to meet the needs of the workforce at each phase of the Project, with the aims of: generating local provision of skills infrastructure to satisfy joint ambitions of regional stakeholders; delivering the requirements of the Project's Workforce Delivery Strategies at each phase of the Project; and effectively supporting the skills infrastructure needed to make the 'Work Ready' individuals supported by the Sizewell C Employment Outreach Fund "Job Ready".• A contribution to a Regional Skills Coordination Function throughout the construction period, which shall be responsible for developing initiatives to help ensure a sufficient supply of skills and capabilities are available at the right time to enable the growth of the energy industry in Suffolk; promoting the creation of inclusive growth by working to ensure the right provision and opportunities are made available to the residents of Suffolk; acting as a transparent and centralised contact and providing links and coordination between SZC Co, supply chain, contractors, skills/training providers, and wider regional stakeholders. <p>In addition to these funded activities, SZC Co has committed to the following measures which will be paid for by the Project and delivered, where appropriate, collaboratively with regional partners:</p> <ul style="list-style-type: none">• A Sizewell C Jobs Service established and run by SZC Co (although it may be linked to local or regional infrastructure for employment brokerage where considered practicable, effective and relevant) during the Construction Period that builds, maintains and manages a talent pool of local people to drive local employment for the Sizewell C Project (as well as being made available to other related regional

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>projects and employers), which shall: (a) deliver employment (via a talent pool of relevant skills) needed for the Project; (b) provide re-brokerage within the Project and its supply chain to reduce churn and promote sustainable careers; (c) be capable of being accessed by: (i) local businesses that may be part of the Sizewell C supply chain or offer goods/services needed for the Project; and (ii) wider regional infrastructure, (iii) where SZC Co consider (acting reasonably) that re-brokerage may be beneficial for backfilling vacancies in existing firms where there is an identified risk of increased labour market churn as a result of the Project making such vacancies harder to fill; (d) link to appropriate existing activities relating to employment brokerage as well as other measures provided by SZC Co in this Schedule; (e) offer vacancies created by the Sizewell C supply chain, including apprenticeships; (f) generate Labour Market Intelligence for the purposes of Project and Regional analytical benefit, in order to support the effective implementation of other measures set out in Schedule 7 of the Draft Deed of Obligation (Doc Ref. 8.17(C)).</p> <ul style="list-style-type: none">• Production and regular review of detailed Workforce Delivery Strategies and Skills Prospectuses, including an Apprenticeship Strategy, all capable to providing vast detail on the skills demands and opportunities for each phase of the Project.• Young Sizewell C - including a suite of measures to support the creation of clearer pathways into jobs, building on and enhancing existing measures in the region. The Young Sizewell C Programme (for those aged 16-21) will essentially be the bridge between education and the workforce for those that opt in, and help to progress and motivate those that are interested. The Young Sizewell C Programme will:<ul style="list-style-type: none">○ Make sure young people understand size and scale of opportunity - creating a pipeline into the Project or to backfill other positions.○ Provide young people with the first opportunity to see and access apprenticeships on the Sizewell C Project.○ Provide links to the supply chain through work experience, advice and information.○ Work with a regional development team and cross-cut different existing platforms such as DWP, JCP, Councils and Education sector representatives.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> ○ Be relevant to the region and its skills needs and programmes - for example using integrated platforms like ICanBeA. ○ Generate Labour Market Information and intelligence in order to capture those most at risk of NEET ("not in education, employment or training"). <p><u>Response to (ii)</u> As set out above, these interventions would be secured through the Deed of Obligation (Doc Ref. 8.17(C)).</p> <p><u>Response to (iii)</u> Together, the measures described above will generate a huge amount of valuable labour market information that will be shared and reviewed openly through the governance structure detailed in Schedule 7 of the Draft Deed of Obligation (Doc Ref. 8.17(C)). This is all controlled by a governance system that allows regional stakeholders (via the Regional Skills Co-ordination Function) to generate Annual Workforce Delivery Implementation Plans each year which set the direction of funding, generate bespoke monitoring / KPIs and review specific funding and effectiveness of all measures for each phase of the Project. The Regional Skills Co-ordination Function would report on performance against these bespoke KPIs to the ESEWG which shall meet at least every six months. This would therefore enable any underperforming initiatives to be identified and the Annual Workforce Delivery Implementation Plan for the following year to be amended as necessary to identify alternative initiatives to be funded.</p> <p>In addition, as set out in the Draft Deed of Obligation (Doc Ref. 8.17(C)), SZC Co. shall review the Workforce Delivery Strategy for each phase of the Project at least every three years in consultation with the ESEWG. This would include a review of the Sizewell C Skills Prospectus, Local Supply Chain Skills Programme and the Apprenticeship Strategy.</p>
SE.1.18	The Applicant	<p>Employment Skills and Education Strategy</p> <p>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?</p>
	Response	SZC Co. has been working jointly with regional stakeholders throughout the development of the Sizewell C Project, in order to contribute proactively to the regional skills infrastructure for the benefit of Sizewell C and to ensure that the largest single investment

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

ExQ1	Question to:	Question:
		<p>in the <i>'Energy Coast'</i> results in outcomes for local people that are aligned with the region's forecast demand for skills, employment and training. SZC Co. has:</p> <ul style="list-style-type: none">• Collaborated with SCC on the Technical Skills Legacy Study⁸, providing information about the Sizewell C Project's workforce in order to aid the region's forecasts for skills demand.• Developed and shared a 'criticality grid of skills' with regional stakeholders, which identifies the labour demand for Sizewell C and aids forward-planning for skills and training providers.• Supported an Energy Skills Coordinator Role, embedded in SCC, with the remit of providing synergy between local plans and policies and the infrastructure projects being developed across the region - and has committed to continue funding such a function for the duration of the construction phase for Sizewell C (see Draft Deed of Obligation, Schedule 7 (Doc Ref. 8.17(C)) - Regional Skills Co-ordination Function). SZC Co. has contributed financially to this function since the end of 2019.• Proactively contributed to regional skills planning as a member of the NALEP's Skills Advisory Panels, including chairing a group focused on breaking down barriers to employment.• Recently launched the Sizewell C Jobs Service (see SE.1.22), Skills Prospectus and Young Sizewell C.• Shared information from Hinkley Point C's Employment Affairs Unit to work with the region to shape the Sizewell C Project's approach to enhancing the benefits – adopting successful measures and providing feedback on lessons learnt from Somerset.• Launched a conveyor between Hinkley Point C and Sizewell C, which has already been successful in recruiting apprentices from colleges in Suffolk to gain vital experience at Hinkley Point C, potentially leading on to skilled roles in the construction of Sizewell C – see response to SE.1.22.

⁸ Pye Tait Consulting (2020) The Technical Skills Legacy for Norfolk and Suffolk.

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> Opened a link between Suffolk businesses and the Hinkley Point C Supply Chain Portal - enabling local firms to gain experience and competencies of the nuclear construction sector for future use at Sizewell C. <p>EDF Energy also works at a national level, linking in with regional plans, to support resilience and provide labour market intelligence for civils and MEH construction skills, including as a member of the Nuclear Skills Strategy Group and through joint-working with the Construction Industry Training Board (CITB) and Engineering Construction Industry Training Board (ECITB).</p>
SE.1.19	The Applicant	<p>Employment Skills and Education Strategy</p> <p>As part of the Guiding Principles set out in para 1.3 of [APP-611] you refer to maximising the fleet effect.</p> <p>The final sentence of the 4th 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.</p>
	Response	<p>Harnessing the fleet effect for workforce, people and skills across projects has the potential to deliver significant and tangible benefits to the region. There are several aspects of the Project's approach to skills, jobs and supply chain that build on learning or structures in place from Hinkley Point C. That means that more confidence can be placed in the Project's ability to deliver regional benefits at Sizewell C. For example:</p> <ul style="list-style-type: none"> Re-creating the Hinkley Point C Jobs Service – using a national platforms known to be successful and applying it regionally for the Sizewell C Jobs Service. Re-brokering between the projects using an integration between Sizewell C and Hinkley Point C's Jobs Services. Recreating successful supply chain engagement activities in order to match Tier 1 contractors with local firms for certain contracts and support the building of consortia. Starting a 'Young Sizewell C' in the same vein as 'Young Hinkley Point C'. Introducing a conveyor model, to support young people gain skills and qualifications – like apprenticeships – on Hinkley Point C's active civils and MEH phases in order for those people to return to Suffolk with a well-developed skills base for Sizewell C and the region's other infrastructure projects.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> • Standardisation of common competence and qualifications between projects meeting Nuclear Site Licence conditions. • Linking skills forecasting between the projects and applying lessons learned from Hinkley Point C to maximise the effectiveness of the proposed interventions for Sizewell C currently set out in Schedule 7 of the Draft Deed of Obligation (Doc Ref. 8.17(C)). • For supply chain, a common governance model and approach to the management and delivery of Industrial Relations strategy. <p>SZC Co. has undertaken the following activities so far to link the skills and supply chain resources for the two projects:</p> <ul style="list-style-type: none"> • Launched the conveyor between Hinkley Point C and Sizewell C – see response to question SE.1.22. • Opened a link between Suffolk businesses and the Hinkley Point C Supply Chain Portal - see response to question SE.1.18. <p>Shared information from Hinkley Point C’s Employment Affairs Unit to work with the region to shape the project’s approach to enhancing the benefits – see response to question SE.1.18.</p>
SE.1.20	The Applicant	<p>Employment Skills and Education Strategy</p> <p>(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?</p> <p>(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?</p>
	Response	<p><u>Response to Part (i)</u></p> <p>At Hinkley Point C, EDF Energy provided capital funding for new physical facilities including the Energy Skills Centre and Construction Skills Centre, with the intention of providing new facilities that were not already available in the region, spearheading the approach to the wider low-carbon economy in Somerset and the south west.</p> <p>Through engagement with stakeholders, in the context of the available physical infrastructure already in the region, it has been agreed by SZC Co., ESC, SCC, NALEP and regional skills and training providers that revenue funding for existing or proposed capital</p>

ExQ1	Question to:	Question:
		<p>projects in the region would be more valuable than direct capital investment for the Sizewell C Project.</p> <p>The approach to addressing effects and enhancing benefits for the Sizewell C Project is based on different underlying economic conditions in Suffolk and the East of England – as well as nationally and temporally (in terms of the economic cycle) – but also draws on lessons learnt from the approach at Hinkley Point C. The approach to economic development mitigation/enhancement at Hinkley Point C was driven by local characteristics and was heavily influenced by the agreement at the site preparation works stage with Councils.</p> <p>Feedback from Hinkley Point C's Employment Affairs Unit has led to several lessons that influence the proposed Sizewell C package:</p> <ul style="list-style-type: none"> • Investment in capital and fixed assets is not difficult to find for most colleges and institutions. Revenue and funding for curriculum development creates a much greater challenge, as does the working capital required to support specific interventions. Future investments should therefore focus more on these elements, as opposed to fixed capital for buildings, land and training equipment. • Partnership working is also important and more effectively delivered through revenue funding – for example – if a welding centre is required, it would benefit from multiple contributors across the wider range of infrastructure developments in the region, rather than being led by a single investor, which may provide less resilience for the ability of providers to deliver long-term, sustainable courses. <p>Through engagement with stakeholders, SZC Co. has sought to understand the relative need for revenue funding and capital funding, and while capital funding is not excluded from the scope of measures proposed, revenue funding for existing or proposed capital projects in the region may be a more effective outcome. For example, SZC Co.'s proposed ASEC (Asset Skills Enhancement Capability) Fund could be invested in existing centres to deliver a sustainable future/legacy and fill gaps in revenue, working capital (kit) and curriculum development.</p> <p>For context, SZC Co. has worked with NALEP and local providers who have already set up physical capital infrastructure akin to the Energy Skills Centre and Construction Skills Centre at Hinkley Point C – these are already up and running, supporting the offshore wind sector. Overall, the LEP has invested £17.5m in these facilities:</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> • £9m to West Suffolk College for an Advanced Engineering Centre (VINTENZ centre) – an approved provider for the National College for Nuclear. • £8.5m to East Coast College for an Energy Skills Centre. • A site has been procured at Lound for a Construction Skills Centre (privately, using Council and LEP Support). <p>It is intended that the ASEC Fund would be used to enhance the supply of skills related to the Sizewell C Project and regional needs and aspirations, by investing in skills and training provision (such as apprenticeships) within the region’s existing further education, training provider and higher education sectors, including:</p> <ul style="list-style-type: none"> • Revenue projects like curriculum development, development and retention of specialist trainers; and • Working capital projects, such as equipment to deliver courses, re-fit for existing facilities as required to meet the needs of the workforce at each phase of the Sizewell C Project. <p>This has aims of generating local provision of skills infrastructure to satisfy joint ambitions of the Sizewell C Project and regional stakeholders; delivering the requirements of the project’s Workforce Delivery Strategies at each phase and effectively supporting the skills infrastructure needed to make the ‘<i>work ready</i>’ individuals supported by the Sizewell C Employment Outreach Fund ‘<i>job ready</i>’. Further information is set out in the Draft Deed of Obligation, Schedule 7 (Doc Ref. 8.17(C)).</p> <p><u>Response to Part (ii)</u></p> <p>As set out in responses to questions SE.1.18 and SE.1.23, SZC Co. has provided, where practicable, the foundation for supporting skills, training and education for the Sizewell C Project within the region’s wider skills and training infrastructure in the form of contribution to regional studies and launching of the Sizewell C Jobs Service, Young Sizewell C and the Sizewell C Skills Prospectus.</p> <p>As set out in response to question SE.1.22, feasibility testing is underway to develop early training and assessment infrastructure in the region for civils construction, which would support the HPC-SZC conveyor, wider regional skills needs, and then Sizewell C’s civils phase enabling the Project to hit the ground running at the start of construction.</p>
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:
	Response	<p>Please advise what progress has been made in investigating the potential for a National College for Nuclear hub in the East of England?</p> <p>West Suffolk College is an Approved Provider for the National College for Nuclear (NCN), effectively providing a 'hub' for the provision of nuclear skills and training in the East of England. The college accommodates a (NALEP-funded) Advanced Engineering Centre, which effectively makes it a 'hub' for the skills base that NCN provides, noting that NCN no longer has funding from the Department for Education for future such hubs. West Suffolk College can therefore effectively roll-out the same provision of courses as the NCN hub at Bridgwater and Taunton College.</p>
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> <p>Response</p> <p><u>Response to (i)</u></p> <p>The HPC-SZC conveyor principle has already started, and has already been successful in recruiting apprentices from colleges in Suffolk to gain vital experience at Hinkley Point C, leading them on to skilled roles in the construction of Sizewell C. So far, eight apprenticeships have been offered on Hinkley Point C to people from East Coast College (Lowestoft) out of a cohort of 25 for MEH roles and all apprenticeships will be made available to students at the college in the future in order to gain skills at Hinkley Point C for the future of Sizewell C.</p> <p>So far, the Sizewell C Jobs Service has 921 registered users (as of 30th April) since its launch on 6th April 2021, of which 616 have fully completed their registrations and are interested in work on either Sizewell C or both Sizewell C and Hinkley Point C.</p> <p>Measures will continue to link the two projects primarily through integration of Workforce Delivery Strategies for the major construction phases of the projects. Hinkley Point C is currently in its civils phase with MEH work starting to ramp up. The plan is for Suffolk residents to access training and opportunities at HPC in order for them to gain sustainable skills with enough lead-in time to return to higher skilled roles at Sizewell C when the time comes.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>In terms of civils skills, SZC Co. is investigating the potential for further co-ordination of skills and training for civils construction roles between Hinkley Point C and Sizewell C, with the ultimate goal of generating sustainable skills pipelines for the region. There may be potential to use resources in Suffolk to support already existing demand for civils recruitment, assessment and upskilling at Hinkley Point C. This would initially aid Hinkley Point C and support local Covid-19 recovery plans, but would then support wider regional demand in Norfolk and Suffolk, before then being ready to support the Sizewell C enabling and civils phase. This work is currently in feasibility testing phase.</p> <p><u>Response to (ii)</u></p> <p>The Sizewell C Project has not set targets or limitations on the number of places on the HPC-SZC Conveyor for residents of Norfolk and Suffolk (NALEP). However, interventions are inherently targeted to residents and through skills and training providers in the NALEP area, and particularly on areas of relative deprivation where social mobility has the greatest barriers (e.g. rural Leiston, Lowestoft and Ipswich).</p> <p>Furthermore, SZC Co. will benefit from facilitating Suffolk residents into Hinkley Point C roles, as this will enable them to gain skills and competencies in MEH roles but also transfer good working behaviours and new nuclear build experience back into higher skilled Suffolk-based roles as MEH demand from Hinkley Point C reduces and demand at Sizewell C grows, offering those residents a competitive advantage and improving project efficiency for Sizewell C.</p>
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	<p>As set out in response to question SE.1.18, SZC Co. has been proactive in the region in terms of sharing information, participating in local and regional skills governance, and engaging with stakeholders to develop a suite of measures that meet joint objectives for the Sizewell C Project and the region's aspirations for developing skills, employment and social mobility.</p> <p>The third bullet point of paragraph 1.6.12 of the Employment, Skills and Education Strategy [APP-611] refers specifically to <i>'the launch of Hinkley Point C opportunities to</i></p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p><i>residents of Suffolk / Norfolk through enhancements to the Hinkley Point C Jobs Service. This will be timed to coincide with the MEH phase at Hinkley Point C with most opportunities becoming available from January 2021'.</i></p> <p>SZC Co. launched the Sizewell C Jobs Service and Skills Prospectus in April 2021. The Jobs Service has 921 registered users (as of 30th April) since its launch on 6th April, of which 616 have fully completed their registrations and are interested in work on either Sizewell C or both Sizewell C and Hinkley Point C.</p> <p>The Sizewell C Jobs Service's primary scope/objective is to grow, build, maintain and manage a talent pool of local people to drive local employment for the SZC Project and related regional projects and employers.</p> <p>The Jobs Service will:</p> <ul style="list-style-type: none">• Primarily aim to deliver employment (via a talent pool of relevant skills) needed for the Sizewell C Project and to provide re-brokerage within the Project and its supply chain to reduce churn and promote sustainable careers.• Be capable of being accessed by local businesses that may be part of the Sizewell C supply chain or offer goods/services needed for the Project and wider regional infrastructure, where re-brokerage may be beneficial for backfilling where there is a risk of increased labour market churn making some vacancies harder to fill in existing firms.• Be intrinsically linked to activities already in place, and in-place in the future (via the Sizewell C Project, wider EDF Energy activities and regional projects/activities where appropriate) including Young Sizewell C for school-leavers and the HPC-SZC Conveyor.• Offer vacancies created by the Sizewell C supply chain, including apprenticeships.• Generate LMI for the purposes of Project and Regional analytical benefit, and to support the effective implementation of other measures set out in the Draft Deed of Obligation (Doc Ref. 8.17(C)) <p>SZC Co. may seek to link the Jobs Service to local or regional infrastructure for employment brokerage where considered practicable, effective and relevant.</p> <p>The Sizewell C Jobs Service will use lessons learned from the existing successful national Jobs Service structure used for Hinkley Point C, and if considered effective, may also draw on the support of regional infrastructure/existing services to deliver it during the</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>Construction Period. The Jobs Service will need to operate differently in different phases - so its approach and outputs will be reviewed in-line with the programme of Workforce Delivery Strategies developed through governance.</p> <p>These programmes link in closely with other measures that will be secured via the Draft Deed of Obligation (latest draft Doc Ref. 8.17(C)), particularly Young Sizewell C which has also launched in Suffolk. Those inspired to access Young SZC would be channelled into the Jobs Service.</p> <p>Young Sizewell C includes a suite of measures to support the creation of clearer pathways into jobs, building on and enhancing existing measures in the region. The Young Sizewell C Programme (for those aged 16-21) will essentially be the bridge between education and the workforce for those that opt in, and help to progress and motivate those that are interested.</p> <p>The Young Sizewell C Programme will:</p> <ul style="list-style-type: none">• Make sure people understand size and scale of opportunity - creating a pipeline into the Project or to backfill other positions.• Provide young people with the first opportunity to see and access apprenticeships on the Sizewell C Project.• Provide links to the supply chain through work experience, advice and information.• Work with a regional development team and cross-cut different existing platforms such as DWP, JCP, Councils and Education sector representatives.• Be relevant to the region and its skills needs and programmes - for example using integrated platforms like ICanBeA.• Generate Labour Market Information and intelligence in order to capture those most at risk of NEET ("not in education, employment or training"). <p>Young Sizewell C will continue throughout the construction period. The priorities of the programme will be flexible, changing over time as guided by the Workforce Delivery Strategies and Annual Implementation Plans, with long-lead in times essential to get the most out of the programme.</p> <p>The Workforce Delivery Strategies would be used to identify the areas of opportunity for Young Sizewell C, and to communicate those opportunities to people in education who are motivated to join the workforce with skills relevant to Sizewell C at each phase of construction.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>The Annual Implementation Plans would be used to track successes / outcomes and LMI generated by Young Sizewell C and set reasonable KPIs for the programme, as well as identifying complementary platforms that could be combined with Young Sizewell C each year (e.g. ICanBeA).</p> <p>To-date, eight apprentices from the East of England have been provided with opportunities for MEH roles at Hinkley Point C as part of the HPC-SZC Conveyor – see response to question SE.1.22.</p>
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>Proposed details of governance and application of the Asset Skills Enhancement Capability Fund (ASEC) are set out in the Draft Deed of Obligation (Doc Ref. 8.17(C)). It is intended that:</p> <ul style="list-style-type: none"> • SZC Co. would (in consultation with the Employment, Skills and Education Working Group, comprising SZC Co., ESC, SCC and NALEP) develop Workforce Delivery Strategies (WDS) for each phase of the Sizewell C Project; • These WDS would then inform the direction of funding from the ASEC Fund, which would be released proportionately with each phase of construction, and managed through the Annual Workforce Delivery Implementation Plans. • The Annual Workforce Delivery Implementation Plans would be developed by the Regional Skills Co-ordination Function within SCC and agreed annually through the Employment, Skills and Education Working Group. <p>The ASEC Fund would be applied by the Regional Skills Coordination Function to the provision of the Asset Skills Enhancement and Capability Initiatives, subject to Schedule 7, Section 2.5 of the Draft Deed of Obligation (Doc Ref. 8.17(C)), and for the purposes set out under the definition at Schedule 7, Section 1.1 of the Draft Deed of Obligation (Doc Ref. 8.17(C)).</p>
SE.1.25	The Applicant	<p>Employment Skills and Education Strategy</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<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	<p>Please see response to question SE.1.21 for the current position with regard to the National College for Nuclear. It is noted that West Suffolk College is already an Accredited Provider of the National College for Nuclear.</p> <p>Sub-heading 1.6 c) of the Employment Skills and Education Strategy [APP-611] notes that the integrated network of colleges and training providers in the region – including West Suffolk College - provides a potential delivery mechanism for Sizewell C's proposed skills initiatives.</p> <p>This remains the case, and has been made more concrete – the Draft Deed of Obligation, Schedule 7 (Doc Ref. 8.17(C)) identifies several funds and initiatives that would be available to local colleges and training providers in order for them to develop curriculum, assessment and capital projects. This includes courses currently part of the National College for Nuclear curriculum, and any relevant course identified in the current or future curriculum that is relevant to the construction skill needs of the Project (and the wider region, where appropriate).</p> <p>A key element is the Asset Skills Enhancement and Capability Fund (ASEC Fund) that would enhance the supply of skills related to the Project and regional needs and aspirations, by investing in skills and training provision (such as apprenticeships) within the region's existing further education, training provider and higher education sectors. This would include:</p> <ul style="list-style-type: none"> • revenue projects like curriculum development, development and retention of specialist trainers, and • working capital projects, such as equipment to deliver courses, re-fit for existing facilities, as required to meet the needs of the workforce at each phase of the Project, with the aims of generating local provision of skills infrastructure.
SE.1.26	The Applicant	Training and Assessment

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<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>
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>
	<p>Response</p>	<p><u>Response to (i) and (ii)</u></p> <p>The Supply Chain Strategy [APP-611], sets out the principles that SZC Co. and its contractors will implement to support local and regional supply chain engagement to enable businesses in the east of England to compete for opportunities on the Sizewell C Project, but does not specify how this will be delivered.</p> <p>The Supply Chain Strategy [APP-611], states (at paragraph 1.1.3) that '<i>measures – including engagement and activities, governance processes and, an approach to reporting of local and regional supply chain spend - will be secured by the Section 106 agreement</i>'.</p> <p>The Draft Deed of Obligation, Schedule 7 (Doc Ref. 8.17(C)) provides details on delivery and monitoring mechanisms, setting out that:</p> <ul style="list-style-type: none"> • SZC Co. shall implement or procure the implementation of the measures described in the Supply Chain Strategy [APP-611] with effect from Commencement until the end of the Construction Period. • A Supply Chain Working Group (including SZC Co., SCC, ESC, NALEP and the Suffolk Chamber of Commerce) will meet at least once per year (but with the ability to meet more frequently) to share information and allow stakeholders the opportunity to plan wider activities that align with and maximise benefits beyond the Sizewell C Project. • SZC Co. will monitor and share supply chain data with the Supply Chain Working Group as listed in Schedule 7, paragraph 3.2 of the Draft Deed of Obligation (Doc Ref. 8.17(C)). At a minimum, this will correspond to the level of data that it is currently shared with the Socio-Economic Advisory Group and provided to the Department for Business, Energy & Industrial Strategy (BEIS) at HPC. Examples of this data can be found in SEAG dashboards on supply chain indicators (example can be found here); Hinkley Point C's report to BEIS in 2021 is here; and an interactive map showing the location of contracts let can be found here. SZC Co. is also

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

ExQ1	Question to:	Question:
		<p>seeking to develop the ability to monitor and share data (where practical) beyond the top tier of contracts, to enable thorough analysis of Tier 2 and 3 contracts in the local and regional area.</p> <ul style="list-style-type: none">• SZC Co. will request evidence from its Tier 1 contractors that credible local business engagement has taken place by means of tender short lists and tender assessments prior to formally approving / rejecting sub-contractor nominations, in order to measure and monitor the extent and effectiveness of local supply chain engagement by Tier 1 – 3 contractors during the development of supply chains and after contracts have been awarded. <p>Following the good progress of Hinkley Point C in the south west, the policy for the construction of Sizewell C is to promote '<i>intelligent replication</i>'. Working in partnership with Suffolk Chamber of Commerce, SZC Co. will utilise support from, as far as practicable, local sources of labour, service providers and materials/components with due cognisance being given to the capacity, capability and competitiveness of these local suppliers. This strategy will be reflected in contract tender documentation, the Civil Works Alliance (CWA) scope, and instructions given to bidders.</p> <p>While Tier 1 contractors will not be formally appointed until FID, SZC Co. is undertaking early contractor engagement and has also engaged the Suffolk Chamber of Commerce to undertake certain supply chain engagement activities, which will develop into measures that will promote the potential for local and regional businesses to join the supply chain. This includes:</p> <ul style="list-style-type: none">• Developing and improving local business capability maps and lists to aid Tier 1 and 2 contractors seeking local suppliers.• Providing pre-qualification questionnaire (PQQ) and technical advice regarding contractor capabilities.• Defining the engagement process to be adopted by Tier 1-3 contractors when engaging with the Suffolk Chamber of Commerce and the local business community for the purpose of developing their supply chains for work at Sizewell C.• Providing sufficient work package detail through the Suffolk Chamber of Commerce to relevant supplier groups early enough in order to communicate requirements in advance and to pro-actively identify opportunities of relevance to local capability.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> • Enabling contractors to contact and assess appropriate local and regional suitably experienced and competent suppliers identified in the prepared supplier maps against work package requirements. • Funding a Business Advisor within the Suffolk Chamber of Commerce to develop the local supply chain to align with the needs and specifications of the contract requirements. • Holding (or requiring Tier 1 Contractors to hold, when appointed), 'Meet the Buyer' events facilitated by the Suffolk Chamber of Commerce. • Requiring Tier 1 Contractors to contribute expertise and specialist knowledge, supported by Suffolk Chamber of Commerce, to supplier development programmes that will prepare local suppliers for specific identified work package elements. <p>It is also anticipated that, subject to contractual agreement, Tier 1 contractors and bidders would be mandated to identify opportunities for the provision of goods and services by local consortia bringing stability within the supply chain and help to provide a legacy of business development in the region.</p> <p><u>Response to (iii)</u></p> <p>SZC Co. considers that the measures set out in the Draft Deed of Obligation (Doc Ref. 8.17(C)), alongside the activity already being undertaken by the Suffolk Chamber of Commerce on behalf of the Sizewell C Project, would deliver a strong and effective supply chain strategy.</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>The implications of the Sizewell C Project's demand for home-based (HB) construction labour on the regional and local labour market are explained within:</p> <ul style="list-style-type: none"> • The Economic Statement [APP-610]; and • Volume 2, Chapter 9 (Socio-economics) of the ES [APP-195]. <p>The primary effect on the local and regional labour markets is expressed through job creation and increased economic output in the construction sector during construction, and permanent provision of operational jobs. The DCO documents set out assumptions on the proportion of effects that are estimated to lead to long-term employment and skills</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>benefits for existing residents, and measures to secure and enhance these benefits through employment, skills and education interventions are set out in the Draft Deed of Obligation, Schedule 7 (Doc Ref. 8.17(C)).</p> <p>When considering the potential impact of an intervention on the labour market, it must be recognised that the UK labour market is incredibly flexible - lots of people change job and move in and out of work every month, so it is important to consider its dynamism, not just static at a point in time.</p> <p>The Sizewell C Project's effect on job creation and skills enhancement are overwhelmingly positive and include a commitment to joint-working with regional stakeholders to enhance existing skills pipelines in order to generate a legacy effect. But SZC Co. recognises that some stakeholders are concerned about the potential for 'displacement', where the economic activity generated by the Sizewell C Project may make some vacancies harder to fill. The response to question SE.1.37 sets out SZC Co's position on 'displacement'.</p> <p>In recognition of this, SZC Co. has been working with ESC, SCC, NALEP and Suffolk Chamber of Commerce on measures which are set out in the Draft Deed of Obligation (Doc Ref. 8.17(C)), including:</p> <ul style="list-style-type: none">• A Sizewell C Jobs Service will be open to local employers, who will be able to access the skilled pool of labour generated by the Sizewell C Project to assist in backfilling. Monitoring will be undertaken via supply chain engagement to make sure opportunities for local firms are not missed. Jobs Service analytics may be used to monitor a sub-section of movement between the Sizewell C project and wider employment market.• Local firms will be supported through local supply chain engagement activities to improve competencies to win work on the Sizewell C Project, helping them to retain staff while benefiting from the project. SZC Co., NALEP and the Suffolk Chamber of Commerce are also working on plans to develop skills, competencies and qualifications within the supply chain.• Upskilling will benefit the Sizewell C Project and the wider market – focus will be on 'legacy' roles (as determined by SCC's research base) that the region and the project both need for the long term. <p>SZC Co., ESC and SCC are meeting on a regular basis to develop the scope, implementation plans and governance proposals for the measures set out in the</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>Employment, Skills and Education Strategy [APP-611]. Broad scope and implementation has been agreed for most of the key measures - including the ASEC Fund, Outreach Fund, Sizewell C Bursary, and a Contribution to Funding for Regional Skills Coordination. The scope for each measure has been based around existing measures in the region - for example providing revenue funding to deliver on existing capital investment in skills centres in the region. These will be secured in the Deed of Obligation (see Draft Deed of Obligation, Schedule 7 (Doc Ref. 8.17(C))).</p>
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	No response from SZC Co. is required.
SE.1.30	The Applicant	<p>Labour Market</p> <p>ESC in paragraph 1.149 [RR-0342] express concern that the '<i>dynamic labour market is not evidence based</i>'</p> <p>Please respond to this concern and explain what assumptions have been made concerning the dynamic nature of the labour market.</p>
	Response	<p>SZC Co. notes that ESC agree that the local labour market is dynamic, as set out in their relevant representation at paragraph 1.157 [RR-0342]:</p> <p><i>"The Council consider we do have a dynamic workforce and that it will be possible to achieve a number of these additional roles through local employment if the appropriate investment in skills improvement is provided by the project".</i></p> <p>The Economic Statement, Section 5.4 [APP-610] sets out the evidence for the dynamism of the labour market in the UK and at local and regional levels, in terms of labour market slack, movement between economic activity, inactivity and employment,</p>

ExQ1	Question to:	Question:
		<p>employment tenure (and the peripatetic nature of the construction sector in particular), and how this changes over the economic cycle.</p> <p>The DCO sets out the central assumptions about workforce recruitment which reflect primary and secondary data – please refer to:</p> <ul style="list-style-type: none"> • The Economic Statement [APP-610]; • Volume 2, Chapter 9 (Socio-economics) of the ES [APP-195]; and • Volume 2, Chapter 9, Appendix 9A (Technical Note 1 – Workforce Profile) of the ES [APP-196].
SE.1.31	The Applicant, all relevant local authorities	<p>Labour Market</p> <p>(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?</p> <p>(ii) How could this be secured through the DCO?</p>
	Response	<p><u>Context</u></p> <p>The Economic Statement [APP-610] provides an estimate of the number of HB workers anticipated at peak by work type (Table 3.2), and provides some information on the detailed skill sets that these workers are anticipated to require. Further information underpinning these estimates is set out in Volume 2, Chapter 9, Appendix 9A (Technical Note 1 – Workforce Profile) of the ES [APP-196].</p> <p>This highlights that, with the proposed skills interventions in place, at peak the following HB roles are anticipated:</p> <ul style="list-style-type: none"> • 460 roles in civil construction, comprising roles at all occupational skill levels including supervisory, management and skilled trades; • 650 MEH roles, which require specific accredited training and are often high skilled in nature; • 150 professional and management roles; and • 1,100 roles in site services, project support and operation of the associated development – these are not limited to elementary or process-based occupational skill levels – they also include management, supervision, and higher skilled administrative positions.

ExQ1	Question to:	Question:
		<p>At the peak, there would also be around 200 roles in pre-operation/commissioning categories, some of which are likely to be HB.</p> <p><u>Response to (i)</u></p> <p>Following submission of the DCO, SZC Co. and regional stakeholders including SCC, NALEP and ESC have been meeting regularly to develop the scope of employment, skills and education initiatives to support the delivery of the Sizewell C Project.</p> <p>Subject to on-going discussions and agreement of detail, the Draft Deed of Obligation (Doc Ref. 8.17(C)) sets out the SZC Co.'s current position regarding:</p> <ul style="list-style-type: none"> • the detail of dedicated skills and employment interventions proposed; and • the method for securing, implementing, governing, monitoring the effectiveness, and (if required) re-directing these interventions. <p>Maximising the number of local people that could aspire to and achieve higher paid skilled employment is important to the core priorities set at paragraph 1.2.1 of the Employment, Skills and Education Strategy [APP-611] which include improving social mobility and leaving a legacy of sustainable careers. Specifically, the following measures are intended to target the parts of the labour market that are furthest from employment and raise aspirations, removing barriers to higher-skilled employment and enabling sustainable careers:</p> <ul style="list-style-type: none"> • The Sizewell C Outreach Fund - intended to support the delivery of measures that increase the pool of "Work Ready" individuals within the region's talent pool and deliver social value by bridging the gap to the labour market and increasing the supply of people ready to access "Job Ready" programmes, with a focus on hard-to-reach groups and communities in deprived areas. • The Sizewell C Bursary Scheme - aimed at supporting the removal of barriers for employment pathways into the Sizewell C Project for local people and students that either have not reached the required entry level requirements for training/qualifications, or need some support to successfully complete their training/qualifications, particularly in areas of relative deprivation. • Young Sizewell C - please see response to SE.1.23. <p>As set out in response to SE.1.23 and SE.1.18 in this Part, some of these measures have been enacted early in order to develop the 'lead-in' time for young people currently in education to meaningfully engage with forthcoming job opportunities in the civils</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>construction phase, and this will continue through the MEH phase, in particular utilising the HPC Conveyor (see response to SE.1.22) to encourage young people to gain skills at HPC during its MEH phase in order for them to later return to MEH phase employment at Sizewell C, at a more senior level.</p> <p><u>Response to (ii)</u></p> <p>The proposed measures would be secured through the Draft Deed of Obligation (latest draft Doc Ref. 8.17(C)).</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>
	Response	<p><u>Response to (i)</u></p> <p>The Economic Statement [APP-610] reviews primary and secondary data on the source of labour for new jobs created – this draws on:</p> <ul style="list-style-type: none"> • Research by the Resolution Foundation⁹ that shows that depending on the economic cycle, between 40% and 52% of new jobs are filled each year by people not currently working - including those entering the labour market for the first time or moving from a period of economic inactivity or unemployment. The corollary is that the rest of the new jobs created each year across the economy are filled by those moving job (between 48% and 60%). By its nature, this research does not consider

⁹ Gregg, P and Gardiner, L for Resolution Foundation. A Steady Job? The UK's record on labour market security and stability since the millennium. July 2015. Available at: <https://www.resolutionfoundation.org/app/uploads/2015/07/A-steady-job.pdf>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>specific interventions which would result in new jobs being filled by people already in work, but whose work changes as their firm wins a contract on the Sizewell C Project.</p> <ul style="list-style-type: none">• Experience from Sizewell B¹⁰, which notes that around 20% of locally recruited employees had previously been unemployed or economically inactive and around 30% (600 of 2,200) recruited in the peak recruitment year had come from other local employers – the corollary being that the remaining 50% would move to work on the Sizewell C Project without changing jobs (i.e. moving with their existing employer). <p>Using these data, it is reasonable to expect that depending on the point in the economic cycle, between 48% and 80% of HB recruits would already be in employment, and between 20% and 52% could come from unemployment, economic inactivity, or be new entrants to the workforce.</p> <p><u>Response to (ii)</u></p> <p>SZC Co. understands that the concern raised here may be twofold:</p> <ul style="list-style-type: none">• That the number / proportion of workers recruited from unemployment/economic inactivity/new entrants to the labour market is too high, and therefore that;• The assessment does not properly consider the subsequent effects of those recruited from existing employment on displacement/churn in the labour market. <p>SZC Co. considers that using a lower end of the evidenced range of recruitment from unemployment/economic inactivity/new entrants to the labour market set out above (20%, or 480 people at peak) means that the remaining proportion from existing employment (80%) is a conservative approach to addressing potential displacement and labour market churn effects.</p> <p>The former is considered to be achievable when considering:</p> <ul style="list-style-type: none">• The evidence from Sizewell B and the Resolution Foundation set out above;• The fact that there is consistently around 35,000-40,000 people in Suffolk meeting the ILO definition of unemployment (see Plate 5.2 in the Economic Statement

¹⁰ Glasson, J and Chadwick, A. The local socio-economic impacts of the Sizewell B PWR power station construction project 1987–1995: Summary report. Impacts Assessment Unit: Oxford Brookes University. 1995

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>[APP-610] (and this does not include new entrants to the labour market – especially those being targeted by SZC Co.’s proposed measures such as Young Sizewell C; and</p> <ul style="list-style-type: none"> • That there will be substantial intervention in outreach and skills and education, as set out within Schedule 7 of the Draft Deed of Obligation (latest draft Doc Ref. 8.17(C)). <p>As such, the assessed proportion of HB workers moving from existing employment is considered to represent a conservative approach and thereby does represent a proper assessment of the likelihood of effects on labour market churn.</p> <p><u>Response to (iii) and (iv)</u></p> <p>Bringing people into work from worklessness is an important part of the drive for sustainable employment and upskilling linked to improved social mobility – SZC Co. and regional stakeholders including SCC, ESC and NALEP are collaborating to develop the scope, implementation plans and governance proposals for the measures set out in the Employment, Skills and Education Strategy [APP-611].</p> <p>The approach to developing project assumptions, and then developing enhancement measures with flexible and responsive governance, takes into account that the Sizewell C Project has long construction phase, likely to pass through at least one economic cycle. The development of Workforce Delivery Strategies and Annual Workforce Delivery Implementation Plans would allow stakeholders to develop the approach to implementation of enhancement measures secured in the Draft Deed of Obligation (latest draft Doc Ref. 8.17(C)) reactively to the phase of the project and the economic climate.</p> <p>As such, SZC Co. acknowledges that throughout the construction phase, different proportions of the workforce will be drawn from those currently in work and those that are unemployed or economically inactive, and there could be a range of different proportions at different points within the construction phase. The assessment case has used a reasonable worst-case in terms of consequent socio-economic effects in order to be conservative in terms of development of mitigation.</p>
SE.1.33	The Applicant, all relevant local authorities	<p>Home Based Workers</p> <p>ESC suggest they are seeking 36% of workers to be homebased[para 1.157 RR-0342].</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>(i) Please explain why this figure is being sought, and upon what evidence this is based.</p> <p>(ii) Should this figure be regarded as a minimum for the whole project, or particular phases?</p> <p>(iii) How should this be secured?</p> <p>(iv) In the event the figure were to be lower for either the whole project, or particular phases what would the implications be?</p>
	<p>Response</p>	<p><u>Response to (i)</u></p> <p>In early stages of consultation, SZC Co. assumed there would be a peak of 5,600 workers, of which 36% (2,000) would be HB. That was based on an assessment of the needs of the project, the local labour market, available skills, and the effect of Sizewell C's training interventions.</p> <p>However, as explained in Sections 1.4. and 1.5 of Volume 2, Appendix 9A (Technical Note 1 – Workforce Profile) [APP-196] of the ES, the workforce profile has been subsequently developed through consultation, including developing assumptions about the proportion of the workforce that would be HB. When the predicted peak workforce number increased to 7,900, based on lessons learnt from Hinkley Point C, the available local workforce did not change. This is because, whilst some jobs will almost automatically be taken by HB workers (e.g. because no subsistence or travel allowance is offered and/or because they are entry level so have no barriers to entry), many will not.</p> <p>Assumptions about the workforce profile, including the number each year and at the peak likely to be drawn from existing labour markets (i.e. home-based (HB)), are set out and evidenced within Appendix 9A [APP-196]. The assumed level of HB recruitment is based on an assessment of available labour, plus the ability to enhance local recruitment through measures set out in the Employment, Skills and Education Strategy and Supply Chain Strategy [APP-611].</p> <p>Estimates of the total, HB and NHB employment for each year of construction, by phase/work package are set out in Table 1.9 of Appendix 9A [APP-196] with supporting text to evidence the assumptions.</p> <p>Appendix 9A [APP-196] identifies that at the peak of the workforce profile, an estimated 2,410 (including construction roles at the main development site and operational roles at associated development sites) are expected to be home-based (HB) workers – equivalent</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>to 28.4% of the workforce (if considered to be the 7,900 workforce profile peak plus 600 operational staff at AD sites).</p> <p>Depending on labour market conditions at the time, a higher number and proportion of HB workers may be achievable. As set out in response to G.1.24, at Hinkley Point C, the proportion of HB workers is currently 36%, and has been above 50% in early years. SZC Co, ESC and SCC are working to develop iterative and responsive governance for the implementation of employment, skills and training interventions (set out in draft in the Draft Deed of Obligation (Doc Ref. 8.17(C))). These interventions would take into account real data from contractors for each Workforce Delivery Strategy at each phase of the Project, and review data to understand the effectiveness of such interventions, in order to maximise local labour market benefits and local recruitment.</p> <p>Therefore, based on Hinkley Point C, this estimate of 2,410 HB workers at peak could be a conservative assessment case. However, SZC Co think that it is prudent to apply this conservative assessment case in order to ensure sufficient mitigation for the corresponding NHB element of the workforce.</p> <p><u>Response to (ii)</u></p> <p>The proportion of home-based workforce is expected to vary over time during the Sizewell C Project, as it depends on the broad occupations within the workforce profile. For example, it is expected that site services roles would have a relatively high proportion of home-based labour, whilst professional and management roles would have a relatively low proportion. This expected variation is reflected in the assessment case. Volume 2, Chapter 9, Figure 9.3 (Sizewell C Construction Workforce (Home-Based/Non-Home-Based Workforce Breakdown) of the ES [APP-197] shows how the HB and NHB workforce varies over the construction period, while Appendix 9A, Table 1.9 (Predicted average breakdown of home-based and non-home-based workers by year of construction period by role (non-operational)) [APP-196] provides additional detail.</p> <p>Given this expected variation, it cannot be assumed that the same number or proportion of HB workers would be achieved for each phase of the Project. However, to ensure a conservative assessment case for the Project, the peak workforce profile has been identified and assessed.</p> <p><u>Response to (iii)</u></p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>The proportion of HB workers described above and in the ES [APP-196] is an assessment case and there is no need (nor would it be feasible) for it to be secured as a minimum standard. - If no additional HB workers want to work on the Sizewell C Project, the project could not be brought to a halt.</p> <p>The correct approach, which is what SZC Co., SCC and ESC have agreed, is for a robust package of measures to be put in place to try to maximise the HB workforce (as set out in the Draft Deed of Obligation, Schedule 7 (Doc Ref. 8.17(C))), as well as mitigation to deal with the impacts of additional NHB workers, such as set out in the Accommodation Strategy [APP-613] for example.</p> <p><u>Response to (iv)</u></p> <p>An assessment case has been used based on the peak scale of effects related to the NHB workforce, which occurs at the overall peak. This assessment case assumes that 28.4% of the workforce would be HB and 71.6% would be NHB.</p> <p>This conservative assessment case for assumptions about HB and NHB workers has been used in Volume 2, Chapter 9 (Socio-economics) of the ES [APP-195] to ensure mitigation for the NHB component is sufficiently robust throughout the construction phase of the Sizewell Project. Some of the additional workforce (resulting from changing assumptions about the scale of workforce required as presented through Stage 2 and Stage 3 Consultation) may be HB, but the ES [APP-195] has taken a reasonable 'worst case' position with regards to effects on socio-economic factors related to the NHB element of the workforce in order to provide appropriate mitigation in this regard. SZC Co. does not consider it likely that the effects of the Project (overall or at any phase) will be more significant than those assessed.</p> <p>SZC Co. considers that the proposed mitigation for the effects of the NHB workforce – for example the Housing Fund, Public Services Resilience Fund, Emergency Services Contribution and others - is robust and flexible enough to address the Sizewell C Project's effects.</p>
SE.1.34	<p>The Applicant, all relevant local authorities</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>Response</p>	<p>SZC Co. has committed to the production or commissioning of a Workforce Delivery Strategy for the operational phase, as set out in the Draft Deed of Obligation, Schedule</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		7, paragraph 2.1.2 (Doc Ref. 8.17(C)). This Strategy would set out the strategic approach for developing the operational workforce requirements for the Sizewell C Project, while shaping a legacy for the region (see Schedule 7, section 1.1 of the Draft Deed of Obligation (Doc Ref. 8.17(C))).
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	<p><u>Response to (i)</u></p> <p>SZC Co. has worked closely with stakeholders to agree that a Tourism Fund has the potential to be an appropriate form of precautionary mitigation subject to detailed agreement of scale, scope, governance and implementation. The purpose of the Tourism Fund is to provide resilience to the tourist sector and promote and market the Suffolk coast and subsidise events and projects in order to reduce the risk of perceptions of behavioural change of visitors manifesting. Details are set out in the Draft Deed of Obligation, Schedule 15 (Doc Ref. 8.17(C)). In summary, it would be managed and governed as follows:</p> <ul style="list-style-type: none"> • SZC Co. will provide a Tourism Fund to ESC, to be applied in accordance with the principles set out in the Draft Deed of Obligation, Schedule 15, Section 1 (Doc Ref. 8.17(C)). • SZC Co. will provide financial contributions for the funding of a Tourism Programme Manager within ESC and the cost of administering the Tourism Fund and the Tourism Working Group. • The Tourism Programme Manager would develop an Annual Tourism Fund Implementation Plan which sets out how the instalment of the Tourism Fund for that year would be allocated, subject to a proportion being ring-fenced for promotional, marketing and monitoring activities. • On approval of the Annual Tourism Fund Implementation Plan by the Tourism Working Group, the Tourism Programme Manager would then procure tourism plans, projects and programmes and implement them.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>The Tourism Fund is not proposed to be used to compensate businesses that could be affected, but to fund measures that promote or enhance the tourist offer at the Suffolk coast. This includes providing funding for marketing and promotion, and projects including capital and revenue investment, which could be accessed by local businesses that meet the principles for allocation of the fund. To secure funding, businesses would bid into the fund. Part of the Tourism Programme Manager role would be to provide outreach to local businesses to help them understand what funding is available and how the bid process will operate.</p> <p><u>Response to (ii)</u></p> <p>The management and governance proposals for the Tourism Fund have been designed so that they allow ESC's appointed Tourism Programme Manager and other stakeholders, as members of the Tourism Working Group, a degree of control over how the fund is most effectively used. The Tourism Programme Manager would be able to effectively distribute funding to appropriate recipients each year, governed by the principles of the fund and reviewed by the Tourism Working Group. Part of this role would be to ensure that the Tourism Fund does not duplicate other measures within the Deed of Obligation (Doc Ref.8.17(C)) that could contribute positively to tourism (indirectly), but allows it to complement them wherever practicable – for example in light of Resilience Funds for RSPB Minsmere and National Trust Dunwich Heath, transport, recreation and amenity and Community Fund.</p> <p>The Tourism Programme Manager will monitor and report to the Tourism Working Group on the delivery and effectiveness of the tourism plans, projects and programmes funded through the Tourism Fund. The Tourism Working Group will in turn report on expenditure of the Tourism Fund and its effectiveness to the Economic Review Group.</p>
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	<p>SZC Co. has undertaken an assessment of the effects of the Sizewell C Project on tourism, in-line with the requirements of National Policy Statement EN-1, as part of Volume 2,</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>Chapter 9 (Socio-economics) of the ES [APP-195] from paragraph 9.7.63 which includes reference to experience at Hinkley Point C and Sizewell B, the inherent flexibility of the tourist sector, and limitations on the use of ex-ante perception surveys to predict changes in behaviour accurately.</p> <p>The Relevant Representations listed here as examples refer to a range of perceived effects of the Sizewell C Project on the tourist economy, including concerns about traffic congestion, noise and air quality, and perceptions of tranquillity leading to a reduction in visitor numbers and spend.</p> <p>The night-time appraisals that are appended to the landscape and visual assessments for the northern park and ride (see Volume 3, Appendix 6B of the ES [APP-361]) and the main development site (see Volume 2, Appendix 13B [APP-218 and APP-219]) both consider the effects of the proposed developments at night and make reference to effects on the Dark Sky Discovery Sites. The Dark Sky Discovery Site at Haw Wood Caravan Park is specifically mentioned in relation to the northern park and ride, but is outside the study area for the main development site assessment. In addition, SZC Co. has met with local astronomical societies who have acknowledged that best practice approaches to lighting will be undertaken to minimise effects on dark skies, as well as offered to provide inputs on mitigating effects from an astronomical perspective.</p> <p>In some instances, reference is made to a quantified reduction in visitors each year and subsequent reduction in visitor spend, based on information provided by SZC Co. (Volume 2, Appendix 9F (Ipsos MORI Suffolk Coast Visitors Survey) [APP-196] and a survey undertaken by BVA BDRC on behalf of the Suffolk Coast Ltd. (Destination Management Organisation). SZC Co. considers that it is not possible to obtain meaningful quantified impacts from a survey that asks people how they will change their holiday plans in seven years time on the basis of some photos and a video. Very few people could reliably forecast their plans or behaviour that far ahead.</p> <p>A paper setting out further details on SZC Co.'s consideration of ex-ante stated preference surveys, and experiential evidence of the effectiveness of a Tourism Fund drawing on Hinkley Point C evidence is included as an Appendix 23A (Tourism – Ex-ante Stated Preference Surveys and Hinkley Point C Evidence) to written responses.</p> <p>SZC Co.'s assessment concludes that there is limited empirical evidence that the Sizewell C Project would lead to a quantifiable reduction in visitor numbers, a change in visitor</p>

ExQ1	Question to:	Question:
		<p>behaviour, expenditure or business viability in the sector over and above normal variation, particularly when a Tourism Fund is applied.</p> <p>Nonetheless, SZC Co. has been cognisant of the economic special qualities of the AONB in developing its plans for the Sizewell C Project – SZC Co. has considered the impact of the Project on the natural beauty and special qualities indicators of the AONB as part of the landscape and visual assessment for the main development site at Volume 2, Chapter 13 of the ES [APP-216], and notwithstanding the sensitivities identified, the AONB Partnership also recognises the importance of the Sizewell campus and the wider Energy Coast¹¹:</p> <p><i>“The landscape is an important contributor to the local economy. The coast in particular is a major tourist destination. Other notable contributors to the local economy are recreational sailing (with associated boatyards and moorings), farming, energy generation at Sizewell and attractions/events in and close to the AONB such as Minsmere RSPB Reserve, Snape Maltings, Latitude Festival and Aldeburgh Festival”.</i></p> <p>It is clear that the AONB Partnership recognises that Sizewell’s energy generation is a notable contributor to the local economy and the ‘energy coast’ is part of the branding of the area, but that this needs to retain balance with the other key contributors – coastal tourism, recreation and attractions and events including RSPB Minsmere in the ES.</p> <p><u>How effects could be mitigated:</u></p> <p>SZC Co. and stakeholders recognise the need for the Tourism Fund to ensure that stated intention based on perceptions of the Project’s effects does not materialise into actual changes in visitor behaviour. As such, the Tourism Fund should be used to promote, enhance and market the area, and reduce perceptions that perceived effects known to be sensitivities for returning visitors are actually happening (where the EIA concludes that they are not significant). The Tourism Fund would be secured through the Deed of Obligation (see Draft Deed of Obligation, Schedule 15 (Doc Ref. 8.17(C))). For further information relating to this question:</p> <ul style="list-style-type: none"> • The response to question SE.1.35 explains how the Tourism Fund would be secured, managed and governed transparently and robustly to be effective; and

¹¹ LDA Design (2016) Suffolk Coast and Heaths Area of Outstanding Natural Beauty (AONB) Natural Beauty and Special Qualities Indicators. Available at: <https://www.eastsuffolk.gov.uk/assets/Planning/Sizewell/Suffolk-Coast-and-Heaths-AONB-Natural-Beauty-and-Special-Qualities-Indicators.pdf>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>The response to question G.1.27 explains how and why the Tourism Fund is considered effective precautionary mitigation to avoid risks of changes in visitor behaviour from manifesting, and how complementary mitigation in the form of Resilience Funds for RSPB Minsmere and National Trust Dunwich Heath would be secured.</p>
SE.1.37	The Applicant	<p>Displacement 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	<p>Displacement in this context has a very precise definition. It is defined by HM Treasury Green Book¹² as: <i>"the degree to which an increase in economic activity promoted by an intervention is offset by reductions in economic activity elsewhere"</i>. In the context of the Sizewell C Project, that means that if displacement were to occur, economic activity would reduce or cease elsewhere in the local area as a direct result of Sizewell C going ahead. There is no evidence that displacement will occur at any significant level. Only some of the workforce would be recruited from another companies and move to work on the Sizewell C Project - many will get work through their existing employer, with that firm having been awarded a contract and becoming part of the project in this way. Some of the workforce will be entering or re-entering the labour market. The construction industry is peripatetic. Workers spend relatively short periods on a site and then move to another - typically only between 13% and 23% expect to be working on the same site for more than a year, and up to half less than six months . A worker moving from one site to another is not displacement as defined above, and whilst Sizewell C is a large individual project, it's demand for home-based construction employment is a small proportion of construction activity in the CDCZ, even at the peak (around 5% of all construction sector jobs in the CDCZ). A worker or a contractor moving company to work at Sizewell C is not itself displacement - the jobs or contract they left behind would have to cease to exist for it to be</p>

¹² HM Treasury (2018) The Green Book: Central government Guidance on Appraisal and Evaluation.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>displacement. The likelihood of that activity ceasing to exist is very low - if a local business lost a worker to a Sizewell C, that employer could fill that vacancy by recruiting a new worker, by promoting from within, or by increasing the hours of existing staff. They are highly unlikely to allow profitable activity to stop because they have a vacancy. That vacancy may be harder to fill, but that is still not displacement.</p> <p>Further detail on this is set out in the Economic Statement [APP-610] and in Volume 2, Chapter 9 (Socio-economics) of the ES [APP-195].</p> <p>Furthermore, measures are proposed to address the risk of harder-to-fill vacancies: SZC Co. has been working with ESC, SCC, NALEP and the Suffolk Chamber of Commerce on the following measures which are set out in draft in the Draft Deed of Obligation (Doc Ref. 8.17(C)):</p> <ul style="list-style-type: none">• A Sizewell C Jobs Service will be open to local employers, who will be able to access the skilled pool of labour generated by the project to assist in backfilling. Monitoring will be undertaken via supply chain engagement to make sure opportunities for local firms are not missed. Jobs Service analytics may be used to monitor a sub-section of movement between the Sizewell C Project and wider employment market.• Local firms will be supported through local supply chain engagement activities to improve competencies to win work on the Sizewell C Project, helping them to retain staff while benefiting from the project. SZC Co., NALEP and the Suffolk Chamber of Commerce are also working on plans to develop skills, competencies and qualifications within the supply chain.• Upskilling will benefit the Sizewell C Project and the wider market – focus will be on ‘legacy’ roles (as determined by SCC's research base) that the region and the project both need for the long term. SZC Co., ESC and SCC are meeting regularly to develop the scope, implementation plans and governance proposals for the measures set out in the Employment, Skills and Education Strategy [APP-611], that will be secured by the Draft Deed of Obligation (latest draft Doc. Ref 8.17(C) - see Schedule 7). Broad scope and implementation has been agreed for most of the key measures - including the ASEC Fund, Outreach Fund, Skills and Student Bursary, contribution for Funding for Regional Skills Coordination. The scale of financial contributions has still to be discussed.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>Notwithstanding this, SZC Co notes that for a similar project – Hinkley Point C – the Examination Panel concluded in its Recommendation Report¹³ that in terms of displacement ‘we find little evidence to support fears of worker displacement and conclude that this is not a factor that should attract significant weight in the Secretary of State’s decision as to whether or not to make the DCO’ (paragraph 4.123). To-date no evidence has been produced to demonstrate that displacement has occurred.</p>
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	<p><u>Response to (i)</u></p> <p>It would not be appropriate to commit to a proportion of contracts (by type, number or value) to be provided through local suppliers. Doing so would risk the delivery of the Sizewell C Project and would be in contravention of competition rules. Depending on the funding mechanism for the Sizewell C Project, it may need to comply with the Construction Playbook¹⁴ which sets out key policies and guidance for how contracts and sub-contracts are assessed, procured and delivered.</p> <p>Notwithstanding the above, SZC Co. estimates that a proportion of contract value is likely to be won locally and regionally (see Economic Statement [APP-610]). This is based on the following broad factors:</p> <p>Tier 1 contractors will not have the resource capacity to deliver all of the work packages directly – they will need to draw on local firms at Tier 2 and Tier 3 in the supply chain across a range of construction and non-construction contracts. Local and regional firms have a competitive advantage in winning work – they have shorter travel times, smaller carbon footprints, and logistical benefits that translate into economic advantages.</p> <p>Interventions to be secured by the Deed of Obligation (latest draft Doc Ref. 8.17(C)) are focused on local and regional firms, and support is being provided to local / regionally-</p>

¹³ DECC (2013) Secretary of State Letter for Hinkley Point C. Available at: https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010001/EN010001-000017-130319_EN010001_SoS%20HPC%20Decision%20Letter.pdf

¹⁴ Cabinet Office (2020) The Construction Playbook. Available at: <https://www.gov.uk/government/publications/the-construction-playbook>

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

ExQ1	Question to:	Question:
		<p>focused bodies such as the Councils, NALEP and Suffolk Chamber of Commerce to facilitate this.</p> <p>The Sizewell C Project approach replicates (with lessons learnt) the successful approach to supply chain engagement currently being enacted for Hinkley Point C in the south west, which has yielded positive results. At January 2021 (as reported by Hinkley Point C to SEAG and BEIS) Hinkley Point C had spent c. £2.7bn with regional supply chain businesses.</p> <p>Independent assessment of the potential local and regional supply chain benefits has been undertaken by the Sizewell C Consortium, a collection of more than 200 leading companies and organisations from across the country, leading to a Memorandum of Understanding being signed between the group, MPs and regional stakeholders. The consortium considers that the Sizewell C Project may exceed the local/regional supply chain benefit estimated by SZC Co. within the Economic Statement [APP-610], predicting that £4.4bn may be retained in the East of England¹⁵. This demonstrates market confidence in the supply chain capacity available, and proves that potential Tier 1 contractors are willing to make a commitment to local and regional investment.</p> <p>SZC Co. has engaged the Suffolk Chamber of Commerce to actively promote opportunities for the provision of goods and services by local consortia as these will provide stability within the supply chain, help reduce carbon footprint, and provide a legacy of business development in the region. Initial work is underway between SZC Co., the Suffolk Chamber of Commerce, and the Sizewell C Civil Works Alliance to identify which work packages will go to competitive tender in order for SZC Co. and Suffolk Chamber of Commerce to work together to look at regional capacity and to encourage companies to sign up to the Sizewell C Supply Chain Portal¹⁶.</p> <p>Some measures are already being enacted, including the on-going operation of the Sizewell C Supply Chain Portal and other supply chain engagement activities by the Suffolk Chamber of Commerce on SZC Co.'s behalf. SZC Co. is also working with the</p>

¹⁵ Sizewell C Consortium (2021) Sizewell C A catalyst for jobs and growth in the East of England. Available at: <https://static1.squarespace.com/static/5ee0f82bb675f263359da8ab/t/6059d3600964dd598c7bfa49/1616499556506/EY+report+-+A+catalyst+for+jobs+and+growth+in+the+East+of+England.pdf>

¹⁶ Suffolk Chamber of Commerce (2021) Sizewell C Supply Chain Portal - Suffolk Chamber of Commerce. Available at: <https://www.suffolkchamber.co.uk/business-opportunity-alert/sizewell-c-supply-chain-portal/>

ExQ1	Question to:	Question:
		<p>Councils, NALEP and Suffolk Chamber of Commerce to finalise governance and monitoring arrangements for the local supply chain engagement activity during the construction phase (see Draft Deed of Obligation, Schedule 7 (Doc Ref. 8.17(C)).</p> <p>As set out in the Supply Chain Strategy [APP-611], this will include 'on the ground' activities for potential local suppliers including 'meet the buyer' events and information sharing. SZC Co and the Suffolk Chamber of Commerce are also working on plans to develop skills, competencies and qualifications within the supply chain.</p> <p><u>Response to (ii)</u></p> <p>As set out in response to (i), it would not be appropriate to commit to a proportion of contracts (by type, number or value) to be provided through local suppliers. The outcome cannot be secured itself through the DCO - it depends on local and regional businesses wanting and being able to take advantage of the opportunity.</p> <p>However, SZC Co.'s commitments to support the process can and will be secured through the Draft Deed of Obligation (latest draft Doc Ref. 8.17(C)).</p>
SE.1.39	The Applicant, SCC, ESC, New Anglia LEP	<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>
	Response	<p>Appendix 23B - Response Paper – Cumulative Effects (Skills and Labour Market) - sets out, in response to questions Cu.1.24, Cu.1.17, Cu.1.16, SE.1.15 and this question SE.1.39:</p> <ul style="list-style-type: none"> • That the assessment of cumulative effects on the regional labour market are considered within Volume 10, Chapter 4 (Assessment of Cumulative Effects with Other Plans, Projects and Programmes), section 4.3 (Socio-economics) [APP-578], and that this is based on a list of projects determined the value of the Technical

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>Skills Legacy Study¹⁷ and contributed proactively to it by providing data on skill requirements for the Sizewell C Project, but notes that its scope is necessarily different from the scope through the application of EIA regulations, which has been agreed with SCC and ESC;</p> <ul style="list-style-type: none">• That SZC Co. recognises of an EIA-led cumulative impact assessment in terms of selection of plans, projects and programmes.• Further detailed assessment of cumulative schemes to provide an assessment (where possible) of:<ul style="list-style-type: none">○ Updated timescales for the delivery of EA3 in particular and any other infrastructure projects where assumptions may have materially changed since submission of the DCO for the Sizewell C Project;○ Illustrative consideration of schemes that were not included within the original assessment as a result of their location, but where overlapping labour market demand is feasible; and○ Consideration of different skillsets needed over time from the regional labour market for cumulative schemes.• How mitigation has been developed (and will be secured within the Draft Deed of Obligation (latest draft Doc Ref 8.17(C)) to contribute towards the wider effects of labour / skills demand on the regional workforce from other infrastructure construction projects, acknowledging that other NSIPs also have their own mitigation packages for employment, skills and education.• Volume 10, Chapter 4 (Assessment of Cumulative Effects with Other Plans, Projects and Programmes), paragraph 4.3.41 [APP-578] sets out: <i>"SZC Co.'s proposed mitigation / enhancement of benefits in terms of supply chain, employment, skills and education are inherently cumulative, as they work within the framework of development, plans and growth sector strategies (e.g. construction and energy) set by regional bodies such as Suffolk County Council and NALP for the region".</i>

¹⁷ Suffolk Growth Partnership (2021) Technical Skills Legacy for Norfolk & Suffolk. Available at: <https://www.suffolkgrowth.co.uk/technical-skills-legacy>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>Appendix 23B - Response Paper – Cumulative Effects (Skills and Labour Market) - concludes that the proposed scope of the original assessment is appropriate, and that the provision of additionally granular information related to skills provides no change in significance compared to the original assessment.</p>
SE.1.40	The Applicant	<p>Beach Landing Facility (BLF) 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>
	Response	<p>The assessment of the likely significant effects of the enhancements to the permanent beach landing facility and the provision of a temporary beach landing facility are set out in Volume 1, Chapter 2 (Main Development Site) of the ES Addendum [AS-181]. Section 2.4 sets out an addendum to the socio-economics assessment. Paragraph 2.4.2 states that <i>"The proposed changes do not alter the socio-economics assessment, and, therefore, have not been considered further within this section"</i>. This includes the assessment of the effects on the tourism industry.</p> <p>SZC Co. notes that the proposals for enhancing the design of the permanent BLF and options for providing a new temporary BLF would reduce HGV movements, which has been identified through previous consultation and research within Volume 2, Appendix 9F (Ipsos MORI Suffolk Coast Visitors Survey) [APP-196] as a concern related to tourism. In this way, potential concerns about the effect on tourism may be alleviated to some extent by these changes.</p> <p>Volume 1, Chapter 2, Section 2.10 (Amenity and Recreation) of the ES Addendum [AS-181] provides the assessment of likely significant effects in relation to some specific receptors which may be of interest to ExA in their consideration of potential concern relating to locally sensitive receptors relevant to the tourist economy, summarising that even at the local scale effects of the changes result in no change to the level of significance of the effects on amenity and recreational receptors reported in Volume 2, Chapter 15 (Amenity and Recreation) of the ES [APP-267].</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>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	<p>As summarised out in Volume 2, Chapter 9, Table 9.52 (Summary of effects of the socio-economic assessment) of the ES [APP-195], the economic effects of the Sizewell C Project are predicted to be largely beneficial. The Economic Statement [APP-610] sets out that these derive from job creation, workforce spend and use of the local and regional supply chain. The modal split would not affect the result of the economic assessment. See response to SE.1.42 regarding the effect of modal split on tourism.</p> <p>Social effects derive largely from the influx of the non-home based workforce; their demand for accommodation and services and potential effects on community cohesion. The modal split would not affect the assessment of effects on accommodation, population dynamics, public services or inter-relationship effects, as set out in Table 9.52 [APP-195].</p> <p>Volume 1, Chapter 2 (Main Development Site) of the ES Addendum [AS-181], paragraph 2.4.2 confirms that '<i>The proposed changes do not alter the socio-economics assessment</i>'.</p> <p>Notwithstanding the above, the socio-economic stakeholders are largely supportive of reducing HGV movements on local roads, so increased use of sea and rail would be preferable on this basis.</p>
SE.1.42	The Applicant, ESC, SCC	<p>Freight Management Strategy</p> <p>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>SZC Co. recognises through engagement with the Tourism Working Group and from the results of the Ipsos MORI Suffolk Coast Visitors Survey (Volume 2, Appendix 9F of the ES [APP-196]) that traffic congestion is a key sensitivity to existing and potential visitors. The result of an increase in rail and seaborne freight is a decrease in the proportion of materials being transported by road (HGV) and therefore traffic flows and any severance effects would decrease in absolute terms. Therefore, while an increase in rail or seaborne freight would not change the socio-economic assessment as set out in Volume 2,</p>

ExQ1	Question to:	Question:
		<p>Chapter 9 of the ES [APP-195], this would result in one of the key sensitivities of potential visitors to tourism being ameliorated to an extent.</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>
	Response	<p><u>Response to (i)</u></p> <p>SZC Co.'s rail freight proposals for four freight trains per day would not have a detrimental impact on passenger train services on the East Suffolk line as seven of the train movements would operate overnight, after the last passenger train of the evening and before the first passenger train the following morning. The eighth train movement would take place in the existing daytime nuclear flask path, without disruption to the existing passenger train service.</p> <p><u>Response to (ii)</u></p> <p>Feasibility work undertaken by Network Rail established that in order to run freight trains during the day additional rail capacity was required due to the extended length of single track rail. The length of single track could be split with a passing loop which would increase the capacity on the line. Such a proposal was consulted on through to the Stage 4 consultation for the rail-led freight strategy. In addition to a passing loop, it would also be required to operate freight trains at 40mph along the line rather than the current maximum speed of 20mph. in order to avoid disrupting the passenger service. The combination of adding the additional freight services to the line, and required speed increases, would result in increasing the risk to level crossings on the East Suffolk line. In order to mitigate the increased risk, 45 level crossings on the East Suffolk line between Ipswich and Saxmundham would require interventions. At the Stage 3 consultation it was</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>proposed to close 12 footpath crossings and upgrade a further 33 level crossings to mitigate the increase in risk. As a result of further work undertaken by Network Rail it was decided that this option was not deliverable within the timescales required for the Sizewell C Project.</p> <p>Following this decision, the focus was to maximise the utilisation of the East Suffolk line overnight, outside of the passenger service where trains could operate within the current speed restrictions along the line.</p> <p>Sizewell C freight trains would only operate on the southern portion of the East Suffolk line between Ipswich and Saxmundham. For a freight train to operate from the Lowestoft each service would require a two locomotives, at the front and rear of the train, and two train drivers to access the Branch line from that direction.</p> <p><u>Response to (iii)</u></p> <p>Only those interventions which would be required to deliver Sizewell Co.'s freight strategy have been considered.</p>
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	<p>SZC Co. believes the concern is in relation to <i>"We do not consider that this is an appropriate approach, and we suggest that such local effects need to be considered against a much more local population"</i> in [RR-0348].</p> <p>Comments on acoustic fish deterrent systems specifically are discussed in response to question SE.1.8 and the ExA is respectfully directed there for further information.</p> <p>Through ongoing consultation with the Eastern Inshore Fisheries Conservation Authority (EIFCA) a local level assessment was produced to identify the potential for depletion of fish in the immediate vicinity of the GSB (see Report Number SPP103 (Volume 3, Appendix 2.17.A of the ES Addendum [AS-238])). This assessment was designed to be complementary to the stock assessment that provides the most robust assessment of effects at the population level. In summary, the report concludes that with the mitigation</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>measures already proposed for Sizewell C (i.e. the LVSE intake head and FRR system), the station would cause minor local depletion of fish, orders of magnitude below natural variability in abundance. As such it is concluded that Sizewell C without an AFD would not cause significant effects at the population level or significant local level depletion.</p> <p>Aside from the aforementioned local effects assessment that has been provided to the EIFCA, SZC Co. believes a full assessment of the impacts on commercial and recreational fishing interests has been completed in Section 22.11 of Volume 2, Chapter 22 (Marine Ecology and Fisheries) of the ES [APP-317]. Fisheries concerns were also assessed in the Change Request in Volume 1, Chapter 2 of the ES Addendum [AS-181]) where SZC committed to providing a Fisheries Liaison Officer (FLO) in post for the duration of the installation and use of the temporary BLF (see paragraph 2.17.251 of Volume 1, Chapter 2 of the ES Addendum [AS-181]).</p> <p>The FLO is secured as part of the Fisheries and Liaison and Coexistence Plan (FCLP) which is a Condition (20) of the Marine Licence (see Schedule 20 of the draft DCO (Doc Ref. 3.1(C)).</p> <p>Commercial and recreational fisheries assessments were informed following the characterisation of the commercial and recreational fishery in respect to the proposed development (see Appendix 22F of Volume 2 of the ES [APP-323]). Throughout the planning process the EIFCA has been consulted through the Marine Technical Forum and preliminary environmental information on fisheries baselines and predicted effects were provided for public consultation in Section 2.16 (Marine Ecology and Fisheries) of the Stage Three Pre-Application Consultation [APP-076]. Where gaps were identified SZC Co. has sought to respond, for example the production the local effects assessment (Report Number SPP103; Volume 3, Appendix 2.17.A of the ES Addendum [AS-238]).</p>
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? (ii) Have these alternatives been considered?</p> <p>Response</p> <p>It is possible to operate trains from ABP Ipswich although the existing rail head may need to be enhanced. Trains would be able to utilise the rail capacity available overnight on the East Suffolk line.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>Rail feasibility work undertaken by Network Rail concluded that the following interventions were required to operate trains from Lowestoft during the day:</p> <ul style="list-style-type: none"> • A passing loop situated between Oulton Broad South and Beccles. • An increase in freight line speed between Saxmundham and Oulton Broad South from 20mph to 55 mph. • The alteration of all automatic level crossings between Halesworth and Oulton Broad South to allow a freight train to approach at 55mph. • Two locomotives are required, front and rear, providing power between Lowestoft and Halesworth in the 'Up direction service'. • Two drivers present in every freight train arriving at Saxmundham to enable turn back into the Sizewell branch line. <p>As a result of these constraints the decision was made to focus on routing trains from the Ipswich direction only.</p>
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	<p><u>Response to (i)</u></p> <p>The Sizewell B visitor centre offers a unique insight into the UK's most modern nuclear power station and only Pressurised Water Reactor (PWR). It is designed as an educational environment for all ages and offers an interactive exhibition, a classroom facility and the opportunity to pre-book a tour of the power station.</p> <p>Since it opened in December 2012, it has welcomed over 50,000 visitors, averaging 5,000 visitors per year.</p> <p>In 2019, there were over 6,200 visitors of which 70% were schools and 30% public. In addition, over 20,000 people were engaged via outreach events (such as careers fairs, school visits).</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>The visitor centre is free of charge and run by paid part-time Visitor Centre Guides. Sizewell B does not specially calculate the economic benefits of the visitor centre but the wages of the Visitor Centre Guides will form part of the £40m/year economic benefits that Sizewell B provides to the local economy.</p> <p>In addition, the Ipsos MORI Suffolk Coast Visitors Survey (Volume 2, Appendix 9F) [APP-196] indicated that only 3% of respondents had visited the Visitor Centre on their previous visit, suggesting that it is not a key destination in terms of attracting visitors to the Suffolk coast.</p> <p><u>Response to (ii)</u></p> <p>The economic assessment does not include any economic values for the visitor centre.</p> <p><u>Response to (iii)</u></p> <p>It is intended that the visitor centre will be open during construction so far as is possible. If necessary, the existing technical training centre would be refurbished and would temporarily house the Sizewell B visitor centre until the permanent new facility is constructed in the Coronation Wood development area. As set out in Volume 2, Chapter 2, paragraphs 2.5.9-2.5.12 [APP-180], the visitor centre would typically operate the same hours as the existing visitor centre, usually 09:00 to 16:00 hours from Monday to Saturday, but may extend beyond these hours for specific events. The occupancy of the building would vary daily, depending on visiting groups and events but it is anticipated that the total maximum occupancy would be approximately 135 people. Groups would be predominantly pre-booked to visit, however the facility would also be open to walk-in visitors.</p>
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> <p>(ii) If this is incorrect, please explain what the accommodation consists of and what would be made available for the on-site workforce.</p>
	Response	<p>(i) Yes, this is correct.</p> <p>In addition, the response to question CI.1.6 sets out what communal facilities will also be provided which will include areas where workers can prepare their own snacks e.g. with microwaves and toasters.</p>

ExQ1	Question to:	Question:
Chapter 24 TT.1 Traffic and Transport		
TT.1.0	The Applicant	<p>Freight Management Strategy - Concrete Materials</p> <p>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.</p>
	Response	<p>Table 2.1 of the Freight Management Strategy [AS-280] records the total bulk materials import for the enabling works and main plant concrete production (circa 4.8M t). The materials noted in paragraphs 2.1.6 and 2.1.7 refer to the concrete material supply which will replicate Hinkley Point C sources from south-west England (circa 3.89M t). It is SZC Co.'s intention that local sources for aggregates will be used for the enabling and temporary works i.e. non Quality Related Activity ('QRA') nuclear grade concrete. These non-QRA materials equate to circa 920,000t of aggregate which is in addition to the materials noted in paragraphs 2.1.6 and 2.1.7 of the Freight Management Strategy [AS-280]. Therefore the total concrete materials for the project is forecast as 3.89 + 0.92 = 4.8 Mt as noted in Table 2.1 of the Freight Management Strategy [AS-280].</p> <p>Engagement with the supply chain is ongoing to understand the existing supply infrastructure within the local area and its suitability to supply these early works concrete materials. There are several potential sources for the early, non-QRA aggregate sources, including Hanson, Birch Quarry and Tarmac, Stanway Quarry or Barhan Sand and Gravel Quarry.</p>
TT.1.1	The Applicant	<p>Freight Movement Modal Split by Rail</p> <p>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?</p>
	Response	<p>It has been assessed that 40% of imported material requires road transport due to its original point or material type, including the relatively small volumes of some materials (paragraph 2.1.8 – 2.1.12 of the Freight Management Strategy [AS-280]). The remaining 60% generally represents bulk materials which are suited to either rail or marine transport.</p> <p>The rail import will be the primary means of import for concrete aggregate due to the need for a robust material supply all year round which cannot be offered by the marine</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>imports. Depending on the capacity for both the rail and marine infrastructure, bulk imported backfill material can be allocated at differing proportions between the two transport modes. The current forecast assumes all concrete aggregate and 50% of the fill aggregate are imported by rail with the remaining 50% of fill aggregate imported by marine. This results in rail representing circa 46% of imports, marine accounting for circa 14% and road imports remaining at circa 40%.</p> <p>The reason for the range of rail imported proportion noted in Table 2.2 [AS-280] is if 100% of the backfill materials was imported by marine the corresponding proportions would be closer to rail 31%, marine 29% and road 40%. The modal split of materials and their proportions via rail and marine continue to evolve as the supply chain engagement continues to ensure the most efficient import method is used. The different potential sources have a range of existing infrastructure and supply routes to suit rail or marine. Depending on the source the proportions between rail and marine many change.</p>
TT.1.2	The Applicant	<p>Marine Freight Quantities</p> <p>Table 2.1 [AS-280]. Indicate where the following are accounted for:</p> <ul style="list-style-type: none"> (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	<ul style="list-style-type: none"> (i) Table 2.1 of the Freight Management Strategy [AS-280] does not include the Abnormal Indivisible Loads (AILs) arriving either via the Beach Landing Facility or by road. Table 2.1 only summarises bulk material quantities. AILs are classified as equipment rather than bulk material quantities. Further details with regards to the forecast number of AILs via the BLF and road are provided in response to question TT.1.8 of this chapter. (ii) The permanent Hard Coastal Defence Feature (HCDF) rock armour is included in 'other' within Table 2.1 of the Freight Management Strategy [AS-280].
TT.1.3	The Applicant, Network Rail	<p>Provision of Additional Rail Capacity</p> <p>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:</p> <ul style="list-style-type: none"> (i) Explain what GRIP stage proposals are currently at; and

ExQ1	Question to:	Question:
	<p>Response</p>	<p>(ii) Set out the delivery timescale for the necessary improvement works.</p> <p>The current additional rail proposals are based on ongoing development of the Network Rail (NWR) GRIP 2 report. The GRIP 2 report considered two scenarios:</p> <ul style="list-style-type: none"> • Operating 2 trains per day (tpd) overnight, outside of the passenger service, within the existing track capability and regulations; • Operating 5 tpd during the day, taking into account the passenger service timetable and considering what additional infrastructure or operating requirements would be necessary. <p>These led to two freight management strategy options being consulted on at the Stage 3 pre-application consultation:</p> <ul style="list-style-type: none"> • Road-led strategy – based on 2 tpd operating overnight on the East Suffolk line. This included proposals on the Saxmundham to Leiston branch line but not on the East Suffolk line; • Rail-led strategy – based on 5 tpd operating during the day. This included proposals for a passing loop on the East Suffolk line and the required interventions at level crossings to reduce safety risks as well as proposals on the Saxmundham to Leiston branch line. <p>The rail-led option was not taken forward once it became clear that the scale and complexity of the upgrades required on the East Suffolk line would have posed a significant risk to the required timescale for completing the development works.</p> <p>Further assessment of existing rail capacity identified the potential to achieve a third train per day without the need for upgrade works on the East Suffolk line; so this additional path was incorporated into an integrated freight strategy proposed at Stage 4 pre-application consultation.</p> <p>Further consultation and development of the Sizewell C Project logistics strategy identified that the infrastructure included within the DCO could enable the operation of up to four freight trains per day in each direction.</p> <p>The current rail proposals are as described in Part 1 of the Proposed Changes to the Application, dated January 2021, section 2.2, “Change 1: Potential to increase the frequency of freight train movements to facilitate bulk material imports by rail” [AS-281].</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:				
		<p>This document describes the potential to increase the number of rail deliveries to the main development site during the peak construction phase, thus reducing the number of Heavy Goods Vehicles (HGV) movements on local roads.</p> <p>It is proposed to initially operate up to 2 trains in each direction to and from the Land east of Eastlands Industrial Estate (LEEIE) per 24-hour period (i.e. 4 train movements). Once the Green Rail Route is operational, the number of train movements are proposed to increase to up to 7 overnight movements and 1 daytime movement to and from the temporary construction area, with the potential to also run trains on a sixth night, assumed to be Sunday nights into Monday mornings.</p> <p>The proposals are currently being developed to GRIP 3 stage, in line with SZC Co.'s response to question G.1.51 in Chapter 2, Part 1. SZC Co.'s response to question G.1.51 also provides a timeline for the delivery of the necessary rail infrastructure.</p>				
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	<p>The Suffolk County Council's report (entitled Sizewell C DCO application, Rail Proposals, 17 September 2020 by SCC, Aecom and Cadenza Transport Consulting)¹⁸ does not include a defined list of issues to respond to. However, a summary of the key issues and responses is provided in the table below.</p> <table border="1" data-bbox="763 1027 2051 1366"> <thead> <tr> <th data-bbox="763 1027 1032 1062">Issue</th> <th data-bbox="1032 1027 2051 1062">Response</th> </tr> </thead> <tbody> <tr> <td data-bbox="763 1062 1032 1366">Why was the possibility of operating 5 trains during the day not pursued further (timetable operations, level</td> <td data-bbox="1032 1062 2051 1366"> <p>The detailed timeline for why this option was discounted is detailed in the Statement of Common Ground with Network Rail (Doc. Ref. 9.10.10).</p> <p>Please see the answer to AI.1.14, which explains that there is insufficient rail capacity available on the East Suffolk line during the day to provide more than one rail path, and that upgrades to increase capacity are not deliverable within the timescales required.</p> </td> </tr> </tbody> </table>	Issue	Response	Why was the possibility of operating 5 trains during the day not pursued further (timetable operations, level	<p>The detailed timeline for why this option was discounted is detailed in the Statement of Common Ground with Network Rail (Doc. Ref. 9.10.10).</p> <p>Please see the answer to AI.1.14, which explains that there is insufficient rail capacity available on the East Suffolk line during the day to provide more than one rail path, and that upgrades to increase capacity are not deliverable within the timescales required.</p>
Issue	Response					
Why was the possibility of operating 5 trains during the day not pursued further (timetable operations, level	<p>The detailed timeline for why this option was discounted is detailed in the Statement of Common Ground with Network Rail (Doc. Ref. 9.10.10).</p> <p>Please see the answer to AI.1.14, which explains that there is insufficient rail capacity available on the East Suffolk line during the day to provide more than one rail path, and that upgrades to increase capacity are not deliverable within the timescales required.</p>					

¹⁸ Suffolk County Council (2020) Sizewell C DCO application: Rail Proposals.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:	
		crossing alterations)	<p>In particular, the option of 5 trains during the day was primarily discounted due to the volume of level crossing upgrades which would be required based on Network Rail's assessment of the increased risk of operating freight trains at 40mph during the day.</p> <p>Network Rail's response to the Stage 3 consultation in 2019 stated: <i>"as noted in the consultation documents Network Rail has identified a number of risks to the rail-led solution that could potentially impact the programme in terms of the submission date for the DCO. Therefore, EDF and Network Rail recognise that this could affect their decision as to which strategy to pursue. We continue to work closely with EDF to understand the necessary timescales and impact on the programme."</i></p> <p>Key to SZC Co.'s freight management strategy was to ensure it would be deliverable. Both Network Rail, and Aecom's assessment (para 2.3) identify the delivery risks of such a large programme of level crossing upgrades. This risk was considered unacceptable by SZC Co., and could lead to greater environmental impacts (in the situation that the 5tpd solution would not be delivered in time for the peak years of construction and the required highways mitigations for higher HGV numbers would not have been in the project's scope).</p>
		Programme constraints and delivery risk of the major programme of works (e.g. length of time to agree BSA and BAPA)	<p>As Network Rail are the asset owner, maintainer and operator of the East Suffolk line, the usual process would be for them to undertake upgrades to their own assets, and that Network Rail resource constraints, outside of the control of SZC Co. could impact on the delivery of the works. Section 4.1 of the Aecom report identifies that this would be a risk to delivering a large programme of level crossing upgrades.</p> <p>The liability for managing level crossing risk sits with Network Rail as the asset owner. Taking into account the finite level crossing resource within Network Rail, and the relatively small safety benefits the upgrades would provide, it would be in Network Rail's interests (and accounting for their role as a taxpayer funded organisation) to deploy their specialist level crossing resource to projects which would deliver a greater safety benefit. As an example section 2.3 of the Aecom report details that only Network Rail can complete ALCRM reports, and this could take 6 months or more to complete and has become a critical path issue on other projects.</p>

ExQ1	Question to:	Question:												
		<p data-bbox="1043 244 2051 339">Section 4.3 of the Aecom report also identifies the complexity of the legal agreements required to facilitate work on the rail network, along with the protracted timescales for putting these in place.</p> <p data-bbox="763 395 2112 464">The Aecom report also identified some potential options to increase the volume of material moved by rail freight, as follows:</p> <p data-bbox="763 475 2112 651"><i>"Work with Network Rail as early as possible to consider each level crossing against different permutations of timing, frequency and speed of freight trains to determine what might be possible without major changes to level crossings infrastructure. This would be 'reverse engineering' to determine what the level crossings are able to accommodate, and design the timetable around this in order to minimise impacts on the programme."</i></p> <p data-bbox="763 662 2112 799">In parallel SZC Co. were independently doing this and where possible these opportunities to operate more trains without the need for significant works to level crossings on the East Suffolk line were incorporated in the Transport Assessment Addendum [AS-266]. Further detail is set out below.</p> <table border="1" data-bbox="775 855 2040 1476"> <thead> <tr> <th data-bbox="775 855 1093 887">Proposal</th> <th data-bbox="1093 855 2040 887">Current status</th> </tr> </thead> <tbody> <tr> <td data-bbox="775 887 1093 978">Run all five freight trains at night</td> <td data-bbox="1093 887 2040 978">Operational modelling indicates this is not possible without causing disruption to the passenger timetable.</td> </tr> <tr> <td data-bbox="775 978 1093 1069">Run longer trains</td> <td data-bbox="1093 978 2040 1069">SZC Co. intends to operate trains up to the permitted train length on the East Suffolk line, which is 339m. It is understood that this due to the existing infrastructure constraints on the route.</td> </tr> <tr> <td data-bbox="775 1069 1093 1137">Run trains night and day</td> <td data-bbox="1093 1069 2040 1137">It is intended to utilise the existing morning nuclear flask path which provides enough time to run a freight train. This is included in [AS-266].</td> </tr> <tr> <td data-bbox="775 1137 1093 1292">Run trains at weekends</td> <td data-bbox="1093 1137 2040 1292">Network Rail undertake maintenance of the East Suffolk line overnight, when SZC Co.'s trains are planned to operate. To balance the need for maintenance access, with the requirement to maximise the use of rail freight, Sizewell Co. propose to operate trains up to six days per week, further to discussions with Network Rail.</td> </tr> <tr> <td data-bbox="775 1292 1093 1476">Recast passenger timetable</td> <td data-bbox="1093 1292 2040 1476">Greater Anglia's responded to the change consultation and stated: <i>"In principle, we are supportive of rail freight playing a significant role in the construction programme. However, we are opposed to any detrimental impact on the passenger services on the line. As a direct consequence of introducing an hourly service on the line we have generated an increase in passenger journeys of over 100%. With new trains now in place, we have the</i></td> </tr> </tbody> </table>	Proposal	Current status	Run all five freight trains at night	Operational modelling indicates this is not possible without causing disruption to the passenger timetable.	Run longer trains	SZC Co. intends to operate trains up to the permitted train length on the East Suffolk line, which is 339m. It is understood that this due to the existing infrastructure constraints on the route.	Run trains night and day	It is intended to utilise the existing morning nuclear flask path which provides enough time to run a freight train. This is included in [AS-266].	Run trains at weekends	Network Rail undertake maintenance of the East Suffolk line overnight, when SZC Co.'s trains are planned to operate. To balance the need for maintenance access, with the requirement to maximise the use of rail freight, Sizewell Co. propose to operate trains up to six days per week, further to discussions with Network Rail.	Recast passenger timetable	Greater Anglia's responded to the change consultation and stated: <i>"In principle, we are supportive of rail freight playing a significant role in the construction programme. However, we are opposed to any detrimental impact on the passenger services on the line. As a direct consequence of introducing an hourly service on the line we have generated an increase in passenger journeys of over 100%. With new trains now in place, we have the</i>
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ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p><i>opportunity to grow patronage further in a manner that not only meets local community, social, tourism and economic needs, but also supports wider decarbonisation targets.</i></p> <p>Operating a fifth daily freight train to the main development site would only be necessary for 1-2 years at the peak of construction. There would be a direct impact on the passenger timetable if this was progressed which would require further discussions with Greater Anglia. SZC Co. is not progressing the option of a fifth train at this time.</p> <p>The Aecom / Cadenza report referred to in RR-1174 details a number of opportunities for SZC Co. to engage with Network Rail to improve the deliverability of rail. SZC Co. has been and continues to engage with Network Rail on all these opportunities to deliver additional materials by rail as detailed in the January 2021 submission. There is nothing within this report that suggests that the revised Freight Management Strategy with respect to rail cannot be delivered.</p>
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. <p>Response</p> <p>SZC Co.’s response to question G.1.51 provides a timeline for the delivery of the necessary rail infrastructure.</p> <p>The anticipated availability dates are as follows:</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): January 2024. (ii) The DCO baseline rail provision – 3 trains / day: Not being progressed. (iii) Enhanced rail provision – 4 trains / day: August 2024.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>(iv) The potential to run trains 6 days a week rather than the 5 proposed: August 2024.</p> <p>The potential to run 5 trains a day: not currently being progressed.</p>
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> <p>Response</p> <p>Assuming 1,250t per train as noted in the Freight Management Strategy [AS-280] paragraph 3.2.8 the below is the theoretical maximum. It should be noted however that these maximums might not be achieved as there may not be the demand for the full capacity of the rail each and every day.</p> <p>Maximum rail capacity (max tpd)</p> <p>Year 1: 0M t (no rail connection)</p> <p>Year 2: 0.78M t (2tpd to the LEEIE Q1-Q3, 4tpd Q4)</p> <p>Year 3: 1.27M t (4tpd to the main development site)</p> <p>Year 4: 1.26M t</p> <p>Year 5: 1.26M t</p> <p>Year 6: 1.26M t</p> <p>Year 7: 1.26M t</p> <p>Year 8: 1.27M t¹⁹</p> <p>Year 9: 1.27M t</p> <p>Year 10: 1.26M t</p> <p>Year 11: 1.27M t</p> <p>Year 12: 1.26M t</p>

¹⁹ The number of working / week days vary between 251 and 254 days per year, at 5,000t per day (4 trains) and rounding up there is a minor annual delta.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>TOTAL: 13.39M t</p> <p>Nominal rail capacity (as tpd shown in the Freight Management Strategy [AS-280], Table 3.1)</p> <p>Year 1: 0M t (no rail connection)</p> <p>Year 2: 0.78M t (2tpd to the LEEIE Q1 to Q3, 4tpd Q4)</p> <p>Year 3: 1.27M t (4tpd to the main development site)</p> <p>Year 4: 1.26M t</p> <p>Year 5: 1.26M t</p> <p>Year 6: 1.26M t</p> <p>Year 7: 1.26M t</p> <p>Year 8: 0.95M t (3tpd to the main development site)</p> <p>Year 9: 0.63M t (2tpd to the main development site)</p> <p>Year 10: 0.63M t</p> <p>Year 11: 0.63M t</p> <p>Year 12: 0.31M t (1tpd to the main development site)</p> <p>TOTAL: 10.25M t</p> <p>It should also be noted that the demand profile for the import of bulk materials is heavily weighted towards the first 5 years of the project, therefore the above maximum imports in the later years of the project may not be achieved due to the material demands of the project being below the above capacity.</p>
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>

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

ExQ1	Question to:	Question:
	Response	<p>if necessary, provide alternative calculations, using train numbers in Table 3.1 [AS-280], as required in previous question of revised rail capacity.</p> <p>For the purposes of the rail bulk import capacity an import payload of 1,250t per train has been assumed, this has been derived based on the published operational parameters of the rail infrastructure.</p> <p>The Network Rail Sectional Appendix states a Route Availability (RA) of the East Suffolk line and Saxmundham to Leiston branch line as RA7 and a trailing weight of 1,730t (rounded to 1,800t as route planning assessed in 200t increments) per train.</p> <p>The RA7 category limits the axle load of each wagon to 21.5t, resulting in a gross wagon load of 86t. There are several different types of rail wagons that could be used to haul bulk materials via rail, each of these has slightly differing capacities and tare weights which impact of payload available. A typical JNA open wagon has a tare weight of 23.7t, therefore a maximum payload of 62.3t can be carried before the axle load limit is exceeded. This results in the wagon being only partially filled as the design capacity of a JNA wagon is 77.9t payload (101.6t gross) i.e. the total capacity would exceed the permitted axle load of the branch line.</p> <p>An alternative HOA hopper wagon (bottom discharge) may also be used. This has a tare weight of 24.2t allowing a max payload of 61.8t. As with the JNA wagon, this wagon is only partially full as a HOA wagon has a design capacity of 77.8t payload (102t gross).</p> <p>The trailing weight restriction places a maximum gross weight of the wagons hauled by the locomotive to ensure sufficient traction and braking on the gradient of the line. The 1,800t limit on the Saxmundham to Leiston branch line results in a maximum of 20 wagons per train (20 x 86 = 1,720t).</p> <p>Therefore assuming 20 wagons this results in a rail import of between 1,236 and 1,246t, assumed as 1,250t per train.</p> <p>Considerable further rail enhancement beyond that being considered by the project, such as rail underbridge replacement and track bed renewals, would be required to permit the full capacity of the wagons to be utilised, therefore the maximum wagon payload capacity of 77.9t will not be achieved.</p> <p>For the purposes of noise and vibration assessment the theoretical maximum capacity of the rail wagons has been used, i.e. 77.9t payload. While this cannot be achieved due to</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>the condition of the rail infrastructure it represents a conservative worst case for the assessment.</p> <p>The 1,560t laden cargo weight referred in Associated British Ports (ABP) submission [AS-307] section 3.2.14 related to rail freight into the Port of Ipswich. This section of track is not under the same constraints as those detailed above and allows greater wagon payloads to be imported by rail.</p>
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	<p>Information with regards to AILs by marine and road is set out in the updated Construction Traffic Management Plan (CTMP) (Doc. Ref. 8.7(A)).</p> <p>There are two types of AILs: permanent equipment needed for the power station (referred to as permanent equipment AILs), and temporary equipment needed for the construction of the main development site such as excavators, cranes etc (referred to as temporary construction AILs).</p> <p>The permanent BLF has been designed to accommodate the permanent equipment AILs. As set out in paragraph 3.3.25 of Volume 2, Chapter 3 of the ES [APP-184], it was estimated that annual campaign periods (approximately April to October) for a total of approximately 4 years would result in approximately 120 beach landings at the permanent BLF, with each barge accommodating an average of 1.5 permanent equipment AILs. The DCO design of the permanent BLF could therefore accommodate up to 180 permanent equipment AILs during the construction phase.</p> <p>At the time of the DCO submission, the engineering team were basing the permanent BLF design on a high-level estimate of the required permanent equipment AILs of 178. Since the DCO submission, further work has been undertaken to derive an accurate forecast of the permanent equipment AILs, which are now forecast to be 389. Therefore, the design of the permanent BLF was enhanced to accommodate the increased number of permanent equipment AILs. As set out in paragraph 2.2.64 of Volume 1, Chapter 2 of the ES Addendum [AS-181], it is estimated that annual campaign periods (approximately April</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>to October) for a total of approximately 4 years would result in approximately 400 beach landings at the permanent BLF, with each barge accommodating an average of 1.5 permanent equipment AILs. The refined design of the permanent BLF has therefore been assessed to accommodate up to 600 AILs during the construction phase.</p> <p>With regards to the temporary construction AILs, as a worst case, these have all been assumed to be transported by road but SZC Co. will seek to utilise spare capacity within the enhanced permanent BLF to deliver some of the heavier / larger temporary construction AILs by sea aspects such as programme and weather allow.</p> <p>The total number of temporary construction AILs for the whole construction phase is unknown at this stage but the most accurate data available is from Hinkley Point C for the construction to date. A breakdown of estimated temporary construction AIL two-way movements to/from the main development site is provided in the updated CTMP (Doc. Ref. 8.7(A)) and shows that there is expected to be an average of circa 1,400 AIL two-way movements per annum to/from the main development site. The majority (77% on average) of the temporary construction AIL movements are 3.5m wide or less. Based on a construction period of 12 years and the Hinkley Point C data, there is estimated to be circa 16,800 temporary construction AIL movements (i.e. in or out of the main development site) over the construction phase.</p> <p>In summary, the enhanced design of the permanent BLF could potentially reduce the number of AILs that will need to travel by road, if any spare capacity can be utilised for some of the largest/heaviest temporary construction AILs. However, for the purposes of providing a worst-case assessment of AIL movement by road within the CTMP (Doc Ref 8.7(A)), it has been assumed that only the permanent equipment AILs would be delivered via the permanent BLF and that all of the temporary construction AILs would be delivered by road.</p>
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	<p>As set out in response to question TT.1.8 in this chapter there is potentially some spare capacity within the enhanced permanent BLF, which could be utilised to deliver some of the largest/heaviest temporary construction AILs by sea. However, for the purposes of</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>providing a worst-case summary of AIL movements by road within the CTMP (Doc Ref 8.7(A)), it has been assumed that only the permanent equipment AILs would be delivered via the permanent BLF and that all of the temporary construction AILs would be delivered by road.</p> <p>Any spare capacity within the permanent BLF lends itself best to being utilised by temporary construction AILs as they would be able to be rolled on and off the BLF in a similar way to the permanent equipment AILs and therefore no additional infrastructure would be required.</p> <p>The permanent BLF is not proposed to be utilised for bulk material deliveries as it would require additional off-loading infrastructure to off-load material from the barges. This off-loading infrastructure would require additional space, which is not available, and in addition the infrastructure required would impinge on the ability to receive the AILs for which the permanent BLF is designed. The permanent BLF also has to be demobilised during the winter period making it unavailable to receive other materials in this period. Therefore, the temporary and permanent BLFs have been designed to separately accommodate bulk materials and AILs respectively.</p>
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	<p>The DCO allows for the flexibility of the temporary BLF to meet the project requirements, with 8 years being the upper limit of the operational life of the temporary BLF. The operational period is limited by the construction and commissioning of the temporary BLF, currently resulting in the temporary BLF becoming available from 2025; then the need for the temporary BLF to be removed to allow the completion of the Permanent Sea Defence.</p> <p>The principal intent of the temporary BLF is to support the import of bulk fill materials during the earthworks period of the project which will predominantly occur during 2025 to 2027.</p>

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

ExQ1	Question to:	Question:
		<p>The temporary BLF use is stated as up to 400 vessel deliveries during the April-October season and potentially up to 200 visits during the November - March season, as set out in Volume 1, Chapter 2 of the ES Addendum [AS-181], paragraph 2.2.75.</p> <p>Assuming 4,500t per vessel, limited due to draft and swell heights, there is a maximum theoretical annual capacity of 1.8Mt if every tide had suitable weather conditions (based on 400 vessel deliveries between April – October). However due to the variable nature of the weather, including the wind and visibility as well as the sea conditions for wave / swell heights, an allowance for down time due to unsuitable weather has been made resulting in the stated 1,275,000t annual import capacity. Further opportunity for marine imports outside of the nominal campaign window (November to March) would be likely to experience a much higher proportion of down time due to unsuitable weather and therefore has not been included in the assessment.</p> <p>Maximum Marine capacity:</p> <p>Year 1: 0M t (temporary BLF not available) Year 2: 0M t (temporary BLF not available) Year 3: 0.90M t (temporary BLF available for majority of campaign season) Year 4: 1.275M t Year 5: 1.275M t Year 6: 1.275M t Year 7: 1.275M t Year 8 1.275M t Year 9: 1.275M t Year 10: 1.275M t Year 11 onwards – temporary BLF removal to allow for Sea Defence</p> <p>TOTAL: 9.825M t</p> <p>It should also be noted that the demand profile for the import of bulk materials is heavily weighted towards the first 5 years of the project, therefore the above maximum imports in the later years of the project would not be achieved due to the material demands of the</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>project being below the above capacity. For instance on completion of the earthworks phase of the project the requirement for bulk import reduces. Concrete aggregates would constitute the next largest volume of bulk material import demand, however as this material is required continuously alternative import means outside of the nominal marine campaign periods are required.</p>
TT.1.11	The Applicant	<p>Provision of Road Capacity – Heavy Goods Vehicle (HGV) Total Capacity 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> <ul style="list-style-type: none"> (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	<p>Using the assumption of 18.5t payload per HGV:</p> <ul style="list-style-type: none"> i) The theoretical HGV capacity per year, based on paragraph 1.2.4 of the Freight Management Strategy [AS-280] (i.e. Early years at 300 HGV deliveries per day and peak construction phase at 325 HGV deliveries per day (with busiest day at 500 HGV deliveries per day)) is as follows: <ul style="list-style-type: none"> Year 1: 1.39M t (300 daily HGV deliveries) Year 2: 1.41M t Year 3: 1.52M t (325 daily HGV deliveries) Year 4: 1.52M t Year 5: 1.52M t Year 6: 1.51M t Year 7: 1.52M t Year 8: 1.52M t Year 9: 1.52M t Year 10: 1.52M t

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>Year 11: 1.51M t Year 12: 1.51M t TOTAL: 17.95M t</p> <p>ii) The theoretical HGV capacity per year, based on paragraph 4.1.12 of the Freight Management Strategy [AS-280] (i.e. Early years at 300 HGV deliveries per day and peak construction phase at 250 HGV deliveries per day (with busiest day at 350 HGV deliveries per day)) is as follows:</p> <p>Year 1: 1.39M t (300 HGV daily deliveries) Year 2: 1.41M t Year 3: 1.17M t (250 HGV daily deliveries) Year 4: 1.17M t Year 5: 1.17M t Year 6: 1.16M t Year 7: 1.17M t Year 8: 1.17M t Year 9: 1.17M t Year 10: 1.17M t Year 11: 1.16M t Year 12: 1.16M t TOTAL: 14.46M t</p> <p>However, the above does not represent the true annual import capacity or profile. The HGV payload derived in Paragraph 3.2.8 of the Freight Management Strategy [AS-280] compares the import by train to an equivalent number of HGVs with an assumed payload capacity of 18.5t. As rail is solely used to import bulk aggregate this assessment related to a typical HGV for aggregates. Larger HGVs for bulk materials / aggregates are available and SZC Co. has revised the HGV profile, as shown in Plate 4.2 of the Freight</p>

ExQ1	Question to:	Question:
		<p>Management Strategy [AS-280] to take into consideration payloads of 27t for aggregate deliveries rather than the original 18.5t.</p> <p>The actual payload capacity of HGVs varies considerably depending on the type of material being transported. The daily HGVs arriving to site will constitute a mixed fleet ranging from 3.5t vans and flat beds (classified as HGVs in the CTMP (Doc Ref 8.7(A)) up to low loaders and 28t tankers. Therefore, the above assessments using an 18.5t per HGV payload will not reflect the actual HGV import of the project.</p> <p>In the 'Early Years' (Years 1 and 2) there will be a bias towards bulk materials when the rail and marine import infrastructure are available. Following this, as bulk materials will predominantly be imported by rail or marine the typical payload of the HGVs will drop. This has been taken into account in the HGV profile at Plate 4.2 of the Freight Management Strategy [AS-280].</p>
TT.1.12	The Applicant	<p>Change to Percentage of Freight by Road</p> <p>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?</p>
	Response	<p>Table 2.1 of the Freight Management Strategy [AS-280] provides an indicative total material import of 12.1Mt. Using the anticipated 40% by road results in an expected tonnage of 4.84Mt by road. With the assumption of 18.5t per HGV this would equate to 261,620 HGVs. However, these would not be distributed evenly across the construction period and the actual payload will vary considerably from 3.5t to 28t depending on the material.</p> <p>The HGV movement histogram shown in Plate 4.2 of the Freight Management Strategy [AS-280] illustrates the forecast profile of HGVs over the construction phase based on 4 trains per day and the provision of the temporary BLF.</p>
TT.1.13	The Applicant	<p>HGV Higher Capacity Potential</p> <p>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?</p>
	Response	<p>The comment in the ABP submission within the Consultation Report Addendum - Annex A: Unredacted Statutory Consultee Responses [AS-307], section 3.2.14</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>relates to road haulage of powders, mainly cement and ground granulated blast furnace slag (GGBS). The assumptions initially used in the Sizewell C HGV movements allow for 18.5t per HGV, in a standard 4 axle rigid tipper truck, for bulk aggregate / aggregates and 28t per HGV for powders via a road tanker.</p> <p>SZC Co. is therefore in agreement with ABP regarding the size of road haulage for powder materials and the current HGV movements forecast reflect this.</p> <p>Larger HGVs for bulk materials / aggregates are available and SZC Co.'s HGV profile in Plate 4.2 of the Freight Management Strategy [AS-280] takes into consideration payloads of 27t for aggregate deliveries rather than the original 18.5t.</p> <p>Other materials delivered by road will be delivered on the most appropriately sized vehicle at the highest carrying capacity to ensure the overall number of vehicles is minimised.</p>
TT.1.14	The Applicant	<p>HGV - Associated Development Sites</p> <p>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:</p> <p>(i) Do the figures in Table 2.1 include all the Associated Development site material requirements; and</p> <p>(ii) Provide a breakdown of the quantities of materials for the main development site</p> <p>(iii) and for each of the associated development sites</p>
	Response	<p>(i) and (ii) The bulk material quantities in Table 2.1 [AS-280] are for the main development site and do not include associated development materials.</p> <p>(iii) The anticipated materials quantities for the associated development sites at the time of assessment are contained within:</p> <ul style="list-style-type: none"> • Northern Park and Ride – Table 2.3 [APP-350] • Southern Park and Ride – Table 2.3 [APP-380] • Freight Management Facility – Table 2.3 [APP-511] • Two Village Bypass – Table 2.2 [APP-411] • Sizewell Link Road - Table 2.2 [APP-446] • Yoxford Roundabout – Table 2.2 [APP-480]

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> • Other highway improvements – Table 2.3 [APP-480] Rail – Table 2.1 [APP-541]
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	<ul style="list-style-type: none"> (i) HGV forecasts for the off-site associated development schemes have been produced. These forecast annual movements for the schemes as noted below: <ul style="list-style-type: none"> • Northern park and ride facility: <ul style="list-style-type: none"> - Year 1 – 3,068 movements (1,534 deliveries) - Year 2 – 178 movements (89 deliveries) • Southern park and ride facility: <ul style="list-style-type: none"> - Year 1 – 3,040 movements (1,520 deliveries) - Year 2 – 460 movements (230 deliveries) • Freight management facility: <ul style="list-style-type: none"> - Year 1 - 3,262 movements (1,631 deliveries) - Year 2 – 192 movements (96 deliveries) • Two Village Bypass, TVBP: <ul style="list-style-type: none"> - Year 1 – 3,680 movements (1,840 deliveries) - Year 2 – 5,538 movements (2,768 deliveries) • Sizewell link road: <ul style="list-style-type: none"> - Year 1 – 5,350 movements (2,675 deliveries) - Year 2 – 19,519 movements (9,760 deliveries)

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> • A12/B1122 Yoxford roundabout: - Year 1 – 1,548 movements (774 deliveries) <p>The anticipated material quantities for these schemes are summarised in TT.1.14.</p>
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	<p>An updated histogram showing the forecast 'Minimum HGV numbers over the construction period', has been produced based on the latest project detail and programme information as well as the proposed freight strategy of 4 trains per day and the temporary BLF. This replaces the previous profile shown in Plate 4.2 [AS-280]. As with Plate 4.2 [AS-280] the updated histogram includes all HGV movements for construction within the main development site, including: site establishment and enabling works within the main construction area, temporary construction area and LEEIE, Sizewell B relocated facilities, green rail route and rail sidings, accommodation campus, site accesses / adoptable highways works and the main permanent works construction.</p> <p>This update aligns with the project years and indicative construction schedule commencing in Year 1. It has been developed from the various resource loaded programmes, with input and learning for similar elements of work at Hinkley Point C during the construction phase, up until the end of Year 6. Due to the programme maturity, the forecast beyond Year 6 is indicative based on the evolving Sizewell C design and programme, with forecasting from Hinkley Point C.</p> <p>This is a gross, un-mitigated forecast which indicates several discrete periods where the HGV limits would be breached. However these periods will be controlled in accordance with the CTMP (Doc Ref 8.7(A)) and the peaks eased to stay within the daily HGV limits. The delivery management system secured via the CTMP (Doc Ref 8.7(A)) will allocate a set number of daily delivery slots which are aligned with the HGV limits. Therefore any forecast periods which exceed the HGV limits will not be permitted and will be levelled to fill the residual movement capacity either side of the peaks.</p> <p>The updated Plate 4.2 [AS-280] is provided within Appendix 24A of the written responses.</p>

ExQ1	Question to:	Question:
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 HGV parking spaces are required to manage HGV movements in the event of a traffic management incident; and (iv) The proposed change places less reliance on road freight so is the level of provision still appropriate?
	Response	<ul style="list-style-type: none"> i) The delivery management system (DMS) is a virtual freight booking and tracking system. Contractors will be able to book delivery slots through the DMS for particular days and hours and would be required to input all of the delivery information that is required for compliance checks at the freight management facility as well as information for monitoring of the Construction Traffic Management Plan (CTMP) (Doc. Ref. 8.7(A)). The status of DMS bookings would be managed by the SZC Co. delivery team (e.g. pending approval, approved, completed). The DMS would also track HGV movements via GPS to/from the main development site to ensure compliance with the HGV routes. The DMS does not avoid the need for physical checks.

ExQ1	Question to:	Question:
		<p>The freight management facility has two functions. The primary day to day function of the freight management facility is to act as a physical and human control mechanism to further ensure compliance with the CTMP (Doc. Ref. 8.7(A)) requirements beyond the DMS. For example, compliance checks will be undertaken at the freight management facility to ensure that the delivery is in accordance with the DMS booking. Drivers would be able to utilise welfare facilities at the freight management facility and all drivers delivering to the main development site for the first time would be required to undertake a driver induction at the freight management facility to ensure understanding of the HGV Driver Rules, the HGV route to the main development site and process upon arrival at the plaza. The freight management facility would also enable the co-ordination between the main development site plaza and the freight management facility and release of deliveries onto the local highway network in accordance with the timing and vehicle limits in the CTMP (Doc. Ref. 8.7(A)). The secondary, and less frequent function of the freight management facility, is to enable HGVs to be held in the event of an incident on the highway network, which forms part of the management measures included in the Traffic Incident Management Plan (TIMP) (Doc. Ref. 8.6(A)).</p> <p>ii) As set out above in answer to (i), checking the HGVs is just one function of the freight management facility and HGV drivers would be able to park in one of the HGV spaces available at the freight management facility when using the welfare facilities, being inducted or waiting to be released onto the local highway network to route to the main development site. On a typical day not all of the HGV parking spaces would be utilised as it has been sized to allow for the holding of HGVs in the event of an incident on the highway network.</p> <p>The HGVs will be originating from numerous sources and therefore it would not be possible to undertake the compliance checks at the various points of origins and a central location is required. The location of the freight management facility enables the HGV deliveries arriving from numerous sources to be intercepted with minimal diversion (i.e. all of the HGVs arriving from the south, which are the majority of HGV deliveries, would route via the A14/A12 Seven Hills junction that the freight management facility is located by). It is located at the start of the local highway network and therefore enables HGVs to be intercepted at the interchange between</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>the strategic and local highway network and managed onto the local highway network in a controlled way.</p> <p>iii) In the event of an incident on the highway network HGVs as well as buses would be held off the highway network. Depending on the location of the incident, particular holding facilities would be able to be used to varying extents to hold HGVs and buses off the highway network. For example, the freight management facility would hold HGVs but would not hold Sizewell C buses as they would not be routing in this part of the highway network. The TIMA and plaza would hold buses and HGVs within this part of the network. The LEEIE could be used to hold HGVs in the event of an incident in the immediate vicinity of the main development site, such as on Lover’s Lane.</p> <p>iv) The holding facilities are for both buses and HGVs in the event of an incident on the highway network. The proposed changes do not place less reliance on buses but reduce the number of HGVs per day. The freight management facility and TIMA were sized for a range of HGV movements and the reduction in HGV movements in the Freight Management Strategy [AS-280] still means that the HGVs to be held in the event of an incident are within the range that the facilities were designed to hold.</p>
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	HGVs will be released from the freight management facility individually rather than in convoy.
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	As set out in response to question TT.1.17 of this chapter, there will be multiple sources of materials and therefore a central freight management facility is proposed at Seven Hills

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		to intercept all HGVs on the strategic road network with minimal diversion from their route. Having separate freight management facilities at individual ports such as ABP Lowestoft and Ipswich would be operationally more complex than a central facility and would not cater for all of the various sources of materials.
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	<p>Whilst Felixstowe docks could be a point of entry for some materials or equipment this will not be the predominant entry point. Felixstowe docks operates primarily as an intermodal container port and project cargoes like those required for the Sizewell C project are not best suited to this type of operation.</p> <p>As set out in response to question TT.1.17 of this chapter, there will be multiple sources of materials and therefore a central freight management facility is proposed at Seven Hills to intercept all HGVs on the strategic road network with minimal diversion from their route to the main development site. The proposed freight management facility at Seven Hills is ideally located to intercept HGVs from both A14 west and east as well as Felixstowe and the A12 south.</p>
TT.1.21	The Applicant	<p>Freight Modal Shares - Revised Freight Management Targets</p> <p>Provide:</p> <ul style="list-style-type: none"> (i) Explanation of how the revised modal targets for freight management and HGV numbers will be secured within the DCO; (ii) A revised CTMP to reflect the updated Freight Management Strategy?
	Response	<ul style="list-style-type: none"> (i) Meaningful and effective assurance is best secured through limits on HGV movements. It is the movement of HGVs (rather than the modal split) which is of particular concern to the highway authority and to many local communities. HGV limits are measurable and enforceable. It would be more complex to provide for modal shares for rail and marine transport. Contracts for materials will be procured on a long term basis with suppliers in order to achieve best price and quality assurance but also so that suppliers can invest in the necessary infrastructure.

ExQ1	Question to:	Question:
		<p>Provisions for securing HGV limits are explained in response to question TT.1.22 of this chapter.</p> <p>(ii) An updated CTMP (Doc. Ref. 8.7(A)) has been provided.</p>
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> <p>(i) What controls are suggested to ensure target HGV numbers and sizes are limited to those assessed in the application;</p> <p>(ii) The monitoring process to ensure compliance;</p> <p>(iii) Remedial actions should HGV numbers exceed any limits set; and</p> <p>(iv) How such controls, monitoring and remedial actions will be secured within the DCO.</p>
	Response	<p>Provisions are proposed in Schedule 9 of the Deed of Obligation (Doc. Ref. 8.17(C)) to ensure the bringing forward of the associated development – including new roads, road improvements, the freight management facility, rail and marine infrastructure – in a timely manner. Collectively these elements of associated development represent a comprehensive package of measures designed to facilitate and mitigate the impact of the operation of each principal mode of freight transport. A greater marine capacity through the construction of a full scale jetty has been examined but ruled out on environmental grounds, whilst more rail capacity is not achievable without a scale of intervention that is not practical or deliverable. The application provides the tools to enable the policies of the NPS to be met – particularly paragraph 5.13.10 of EN-1 which prefers water-borne or rail transport where cost effective.</p> <p>Against this background:</p> <p>(i) The updated Construction Traffic Management Plan (CTMP) (Doc. Ref. 8.7(A)) contains limits on HGV movements and details of monitoring and</p>

ExQ1	Question to:	Question:
		<p>reporting via a traffic monitoring report submitted to the Transport Review Group (TRG) quarterly or more frequently to monitor and ensure compliance with the terms of the CTMP.</p> <p>Monitoring provisions are explained in the updated CTMP (Doc. Ref. 8.7(A)), including the control inherent in the role of the freight management facility as a reporting, waiting and despatch site and the comprehensive nature of the delivery management system (DMS). The DMS is a virtual freight booking and tracking system, which will be used to monitor compliance with the CTMP (Doc. Ref. 8.7(A)). The DMS would enable compliance to be monitored with the HGV limits and timing limits as well as the tracking of HGV movements via GPS to/from the main development site to ensure compliance with the HGV routes.</p> <p>(ii) See above.</p> <p>(iii) The CTMP (Doc. Ref. 8.7(A)) makes clear the ability of the TRG to require corrective actions to ensure HGV numbers stay within the defined limits. Other measures available include a transport contingency fund which the TRG can direct be drawn down in the event that mitigation is required to address significant adverse transport impacts that were not mitigated through the DCO. The CTMP (Doc. Ref. 8.7(A)) is secured through the Deed of Obligation (Doc. Ref. 8.17(C)). Schedule 16 requires SZC Co. to implement the CTMP (Doc. Ref. 8.7(A)), which is annexed to the Deed of Obligation. Schedule 16 further requires SZC Co. to propose any necessary revisions to the CTMP for approval by the TRG if circumstances require.</p>
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>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	<p>The experience at Hinkley Point C (which has an identical Transport Review Group (TRG) structure in the Section 106 agreement) has been positive. The TRG works collaboratively in order to ensure the efficient construction of the project and the effective mitigation of effects. The parties have common objectives and voting is not necessary. At Sizewell C the engagement over transport issues has been close and constructive and a similar approach to the TRG is anticipated.</p> <p>However, in the event that disputes arise which cannot be resolved within the TRG, the Deed of Obligation (Doc. Ref. 8.17(C)) contains clear provisions for governance. Schedule 16 (Transport) provides for disputes to be escalated to the Delivery Steering Group – which is a comparable structure to the governance provisions at Hinkley Point C. To date no issues have arisen at Hinkley Point C which could not be resolved within the governance structure.</p> <p>However, in the event of continuing unresolved disagreement, the dispute resolution provisions set out in section 8 of the Deed of Obligation could also be called upon.</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	<p>The TMMS is the technical specification of the DMS rather than a separate system. Further details of the specification of the DMS have been provided in the updated CTMP (Doc. Ref. 8.7(A)). As secured through the CTMP, (Doc. Ref. 8.7(A)) the TMMS will be submitted for approval by Suffolk County Council and Highways England, as the local and strategic highway authorities, prior to commencement of construction.</p> <p>The DMS will have a dual purpose:</p> <ul style="list-style-type: none"> the system will enable active management of freight movements on a daily basis to meet the requirements of the CTMP (Doc. Ref. 8.7(A)) such as the number of HGV movements, timing and routing of HGV movements. The DMS will track HGVs to/from

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>the main development site using GPS technology and will alert the delivery team to any non-compliance of the HGV routes so that issues can be dealt with immediately.</p> <ul style="list-style-type: none"> the system will also allow for forward planning of freight movements as well as monitoring data to be collected for the transport monitoring report to be submitted to the Transport Review Group. <p>The DMS will be used to proactively manage the movement of freight vehicles in accordance with the CTMP (Doc. Ref. 8.7(A)) by restricting delivery slots to the HGV limits included in the CTMP (Doc. Ref. 8.7(A)). The active management available through the DMS will be used as a tool by the delivery team at the freight management facility and main development site plaza to comply with the CTMP (Doc. Ref. 8.7(A)).</p>
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.; (iii) Light Goods Vehicle (LGV) movements and routes; (iv) Bus movements and routes; (v) Route monitoring to ensure that HGV numbers did not exceed those modelled on specific routes; and (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?
	Response	<p>The updated CTMP (Doc. Ref. 8.7(A)) provides details of the vehicle movements that will be managed and monitored via the DMS.</p> <ul style="list-style-type: none"> (i) HGV movements to/from the associated development sites during their construction will be booked into the DMS and actively managed. A comparison of the actual movements with the assessed HGVs for the construction of the

ExQ1	Question to:	Question:
		<p>associated development sites will be included in the transport monitoring report provided to the Transport Review Group (TRG) for review.</p> <p>(ii) There are no schools on the proposed HGV routes during the early years or peak construction phase. HGV movements to/from the main development site are limited in terms of their arrival and departure at the start and end of the day in accordance with the assessment and adherence to the time limits will be actively managed through the DMS and reported to the TRG.</p> <p>(iii) LGV movements: LGV movements to/from the main development site will be booked into the DMS and actively managed. A comparison of the actual LGV movements with the assessed LGVs to/from the main development site will be included in the transport monitoring report provided to the Transport Review Group (TRG) for review. The Consolidated Transport Assessment (Doc Ref. 8.5(B)) includes evidence from Hinkley Point C to demonstrate that the level of LGV movements assessed to and from the main development site is robust.</p> <p>LGV routes: LGVs are not proposed to be tracked on their route to/from the main development site. The LGVs have been assigned to the highway network within the VISUM strategic model based on the observed distribution of LGVs in Suffolk. LGVs have route choice within the VISUM strategic model and therefore their impact has been assessed and mitigated. The number of LGVs to/from the main development site will be monitored to ensure it is within the assessed level of LGV movements.</p> <p>(iv) Buses will be routed on fixed routes in accordance with a timetable. The assessment of bus routes within the Consolidated Transport Assessment (Doc Ref. 8.5(B)) is based on the workforce profile and the distribution of workers based on the gravity model and provides a reasonable basis from which to assess the transport effects of the bus service. The bus strategy has been assessed for two points in time during the construction phase – the early years and the peak construction phase. In practice, the bus service will be aligned to the actual number of workers at any one time working on the Sizewell C project and the location of those workers. SZC Co. is committed to achieving the mode share targets in the Construction Worker Travel Plan (CWTP) (Doc Ref 8.8(A)) and to fund a bus service that meets the targets. Therefore, it is proposed to monitor compliance with the mode share targets rather than the number of buses provided.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>(v) The DMS will enable monitoring data to be provided to the TRG with regards to the number of HGVs on the HGV routes.</p> <p>(vi) The traffic modelling included in the Consolidated Transport Assessment (Doc Ref 8.5(B)) and the assessment of the environmental effects of Sizewell C traffic on the highway network in terms of transport, air quality and noise included in the Environmental Statement Addendum [AS-181 to AS-189] take account of the proposed arrival and departure times of HGV movements to/from the main development site and the effect on the surrounding highway network and receptors of the vehicles travelling on the wider highway network to/from the main development site during the hours before and after the time limits at the main development site. The delivery management system will provide delivery slots based on the proposed HGV movement and timing limits to ensure compliance with the controls set out in the CTMP (Doc Ref 8.7(B)).</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	<p>Yes, the transport monitoring reports issued to the Transport Review Group will be made publicly available via the East Suffolk Council website as secured through the CTMP (Doc Ref 8.7(A)) and CWTP (Doc Ref 8.8(A)).</p>
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	<p>(i) Please refer to the response to question TT.1.25 (iii) of this chapter with regards to the proposed monitoring of LGV movements.</p> <p>(ii) The CTMP (Doc Ref 8.7(A)) requires SZC Co. to prepare a transport monitoring report on a quarterly basis or other frequency to be agreed with the Transport</p>

ExQ1	Question to:	Question:
		Review Group. Therefore monitoring will be undertaken on more frequent basis than annually.
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> <ul style="list-style-type: none"> (i) Traffic incidents already covered in the plan; and (ii) Traffic delays created by movement of abnormal loads and their potential impacts on emergency services responses
	Response	<ul style="list-style-type: none"> (i) The Traffic Incident Management Plan (TIMP) (Doc Ref 8.6(A)) is a management plan, which sets out the protocols in the event of an incident within the Traffic Management Area. It focuses on how the TIMP ((Doc Ref 8.6(A)) will be activated, the communication between SZC Co. and the transport authorities and emergency services and the procedures that SZC Co. will follow in the event of an incident. The purpose of the TIMP (Doc Ref 8.6(A)) is not to replicate existing and detailed protocols already in place by the emergency services to respond to incidents on the highway network. (ii) It should be noted that there are a range of classifications of abnormal indivisible loads (AILs) depending on their width, length and weight. The level of delay on the highway network from AIL movements will be dependent on the AIL classification. The updated Construction Traffic Management Plan (CTMP) (Doc Ref (8.7(A)) provides a breakdown of the forecast number of AILs by classification and width. The majority (77% on average) of AIL movements by road will be <3.5m wide and a small proportion would be >5m wide (1% on average). As set out in response to question TT.1.8 of this chapter, SZC Co. will seek to utilise any spare capacity in the permanent BLF to move the largest temporary construction AILs via the BLF rather than road and this would further reduce delay on the highway network. To further reduce the effect of AIL movements on the highway network, the CTMP (8.7(A)) sets out protocols for the management of AIL movements to and from the main development site by road. This includes the statutory notification of AIL movements to the authorities, including the emergency services, police escort requirements for wide/long loads and time limits for AIL movements to be moved outside of the network peak hours in order to reduce their impact both on general

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>traffic and emergency service response times. In addition to the statutory notifications, the CTMP (Doc Ref 8.7(A)) sets out that the Community Safety Working Group, of which the emergency services will be members, will be provided with regular forecasts of AIL movements by road based on DMS bookings. The forecasts will be subject to refinement and confirmation but it will provide a helpful tool for emergency services forward planning. In addition, the two village bypass and Sizewell link road are being designed to cater for the AIL movements required for the Project and would bypass existing AIL constraints, such as the Farnham bend. For all these reasons, and the reasons set out in answer to (i), the movement of AILs is properly managed by the CTMP (Doc Ref 8.7(A)) rather than the TIMP (Doc Ref 8.6(A)).</p>
TT.1.29	The Applicant	<p>Construction Worker Travel Plan (CWTP)[APP-609] 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 chart shows a total workforce as high as 4000 at the end of construction of the Associated Development sites.</p>
	Response	<p>The workforce profile in Plate 1.1 of the Construction Worker Travel Plan (CWTP) (Doc Ref 8.8(A)) shows the total workforce profile for the construction phase, which is inclusive of the associated development construction workforce. It reaches around 4,000 workers towards the end of construction of the associated development sites.</p> <p>The early years assessment within the Consolidated Transport Assessment (Doc Ref 8.5(B)) is based on 1,500 construction workers travelling to the main development site (i.e. exclusive of associated development construction workers), which is expected to occur circa mid-Year 2. In addition to the 1,500 construction workers travelling to the main development site, the early years assessment includes a worst case assumption that all of the associated development sites will be constructed concurrently rather than phased, and assesses a total workforce of 730 workers constructing the associated development sites (i.e. a combined total of 2,230 construction workers for the construction of the main development site and associated development sites).</p> <p>The CWTP (Doc Ref 8.7(A)) sets out mode share targets for the early years and peak construction phases of the construction of the Project. The transport strategy for the construction workforce in the early years is based around the park and ride facility and</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>caravan park at the LEEIE and an element of parking at the main development site, with parking permits and car sharing. The monitoring of mode share targets will move from the early years mode share to the peak construction phase mode share targets once the southern and/or northern park and ride facilities are operational. As set out in the updated Implementation Plan (Doc Ref 8.4I(A)), the southern park and ride facility is expected to be operational mid way through Year 2 of the construction phase. It is after this point that the main development site workforce is forecast to reach and start to exceed 1,500. Table 1.5 in Volume 2, Appendix 9A of the ES [APP-196] provides a breakdown of the construction workforce by year. It shows that mid-Year 2 there are estimated to be 1,410 construction workers at the main development site.</p>
TT.1.30	The Applicant	<p>Construction Worker Travel Plan (CWTP)[APP-609] Explain why the CWTP does not cover the construction workers at the associated development sites?</p>
	Response	<p>The Construction Worker Travel Plan (CWTP) (Doc Ref 8.8(A)) has been updated to include the construction workers at the associated development sites. The associated development site construction workers will be encouraged to car share and the car share ratio will be monitored against the assumptions within the assessment and reported to the Transport Review Group.</p>
TT.1.31	SCC	<p>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.</p>
	Response	<p>No response from SZC Co. is required.</p>
TT.1.32	The Applicant	<p>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:</p> <ul style="list-style-type: none"> (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

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

ExQ1	Question to:	Question:
	Response	<p>(iii) How many AIL's movement are expected on a typical day during peak construction and on the busiest days.</p> <p>The Construction Traffic Management Plan (CTMP) (Doc Ref 8.7(A)) has been updated to include further information on AIL movements. Please refer to response to Question TT.1.8 of this chapter, which sets out the two types of AILs. AIL movements by road are expected to be limited to temporary construction AILs.</p> <p>The total number of temporary construction AILs for the whole construction phase is unknown at this stage, however the most accurate data available is from Hinkley Point C for the construction to date. A breakdown of estimated temporary construction AIL two-way movements to/from the main development site is provided in the updated CTMP (Doc Ref 8.7(A)).</p> <p>(i) Data from 2017 for Hinkley Point C is the most accurate forecast of the level of AIL movements by road for the Sizewell C Project during the early years prior to the two-village bypass and Sizewell link road being operational. The data shows that there would be circa 2,055 AIL two-way movements to/from the main development site per annum during this phase, with an average of 6 AIL movements per day and a peak of 23 AIL movements in a day. Based on the 2017 data from Hinkley Point C there were 31 loads during the year that were >5m wide and 12 loads during the year that were 4.4m-5m wide. Over 50% of the loads were <3.5m.</p> <p>(ii) Please refer to the response to TT.1.28 of this chapter for the approach to managing AIL movements by road as well as (i) above, which provides the context of the types of loads expected.</p> <p>Based on discussions with Hinkley Point C, data from 2018-2020 for Hinkley Point C (summarised in the Sizewell C CTMP (Doc Ref 8.7(A)) is the most accurate forecast of the level of AIL movements by road for the Sizewell C Project during the peak construction phase once the two-village bypass and Sizewell link road are operational. The data over the three years has been averaged and shows that there would be circa 1,171 AIL two-way movements to/from the main development site per annum during the peak construction phase, with an average of 3 AIL movements per day and a peak of 26 AIL movements in a day. Based on the average of the 2018-2020 data from Hinkley Point C</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		there were an average of 11 loads per year that were >5m wide and 13 loads per year that were 4.4m-5m wide. 91% of the loads were <3.5m.
TT.1.33	The Applicant	<p>Abnormal Indivisible Loads (AIL) – Road Based Provide details of the likely origin and routes for the road based AIL movements.</p>
	Response	<p>Please refer to the response to TT.1.8 of this chapter for context with regards to permanent equipment AILs and temporary construction AILs.</p> <p>The vast majority of the permanent equipment AILs will originate from Europe. The proposed approach to AILs is for the permanent equipment AILs to be transported by sea via the permanent BLF. SZC Co. will seek to utilise any spare capacity within the permanent BLF to deliver some of the heavier / larger temporary construction AILs by sea, if the programme allows.</p> <p>The temporary construction AILs will primarily originate from the UK from a wide number of sources.</p> <ul style="list-style-type: none"> • Road based temporary construction AILs that originate from the north of the main development site would route via Highways England Heavy Load Route 100 from Lowestoft via the A12 (north) and the B1122 in the early years and the B1122, Middleton Moor link and Sizewell link road, once operational. <p>Road based temporary construction AILs that originate from the south of the main development site would route via the A12 (south) and the B1122 in the early years and the Sizewell link road once operational.</p>
TT.1.34	The Applicant, SCC, Scottish Power	<p>Transport Assessment (TA) [AS-017] – Cumulative Assessment with EA1 and EA2</p> <p>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:</p> <p>(i) Been considered as part of the Sizewell C project?</p> <p>(ii) If this was to be required how would construction work impact on traffic flows on the A12 at Marlesford?</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	<p>(i) Suffolk County Council (SCC) has confirmed that the highway structures on the A12 between the A14 at Seven Hills and the B1122 have all been approved by SCC for Special Type General Order (STGO) Category 1, 2 and 3 loads and Construction and Use (C&U) loads (i.e. loads below 150 tonnes). It is proposed to provide a permanent beach landing facility (BLF) to deliver the largest/heaviest AILs by sea. Given the existence of the Highways England heavy load route 100, which routes from Lowestoft Port to Sizewell, it is envisaged that any heavy loads not delivered via the permanent BLF would be delivered via the heavy load route. Therefore, structural alterations to the bridge on the A12 at Marlesford are not considered to be required for the Sizewell C Project.</p> <p>(ii) As set out in (i), structural alterations to the bridge on the A12 at Marlesford are not considered to be required.</p>
TT.1.35	The Applicant	<p>Abnormal Indivisible Loads (AIL) – Two Village Bypass Bridge Will the proposed bridge over the River Alde be capable of carrying AIL's?</p>
	Response	<p>Yes, SZC Co. has designed the River Alde bridge to accommodate STGO Category 3 vehicles with a maximum gross vehicle weight of 150 tonnes and a maximum basic axle load of 16.5 tonnes, as agreed with Suffolk County Council.</p>
TT.1.36	The Applicant, SCC	<p>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. Explain how fly parking on the local highway network will be controlled, monitored, and enforced during the construction period.</p>
	Response	<p>The updated Construction Worker Travel Plan (CTWP) (Doc Ref 8.8(A)) sets out the proposed approach to control, monitor and enforce against fly parking. The CWTP is secured through the Deed of Obligation (Doc. Ref. 8.17(C)).</p> <p>In particular, SZC Co. will employ a fly parking patrol team to identify possible cases of fly parking. They will be both proactive by carrying out daily patrols as well as reactive by following up reports from local residents to the Sizewell C community help line who believe Sizewell C construction workers may be fly parking.</p>

ExQ1	Question to:	Question:
		<p>In addition to the fly parking team, Sizewell C buses will be fitted with an electronic reader to scan workers' security badges when boarding the park and ride and direct buses. The data will be compared against the data for workers entering the main development site in order to enforce the policy that workers assigned to a park and ride or direct bus service should not drive closer to the main development site and change onto another mode of transport. Workers who enter the site but did not board their allocated direct or park and ride bus would be deemed to have contravened that policy, and appropriate action would be taken and the Transport Review Group notified.</p> <p>Workers will be provided with Driver Rules that must be adhered to. The Worker Code of Conduct will set out a disciplinary process relating to fly-parking. Where a worker's vehicle is proven to be fly-parking, SZC Co. will adopt a just and fair disciplinary process with escalation to higher levels of management at each stage. Ultimately this process could lead to the removal of an individual worker from the Sizewell C Project.</p> <p>Monitoring data from the fly parking team, supplemented by the bus and security gate data, will be used to report occurrences of fly parking per quarter to the Transport Review Group as well as action taken.</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 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.

ExQ1	Question to:	Question:
	<p>Response</p>	<p>Please refer to Figures 24.1 – 24.3 of the written responses.</p> <p>The figures refer to the following phases of the Project:</p> <p>Figure 24.1 - Early Construction Phase 1</p> <p>Figure 24.2 - Main Construction Phase 2-5</p> <p>Figure 24.3 - Operational Phase</p> <p>The vehicle types are grouped as follows and are graphically represented on each drawing:</p> <ol style="list-style-type: none"> 1. LGV, HGV & site vehicles 2. Private Cars 3. Site Buses 4. Cycle routes 5. Equestrian routes 6. Site Pedestrians routes
<p>TT.1.38</p>	<p>The Applicant, SCC</p>	<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> <ol 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.
	<p>Response</p>	<ol style="list-style-type: none"> i) The secondary site access junction from Lover’s Lane will only be in place during the construction of Sizewell C. Once construction of Sizewell C is complete, the junction and right-turn lane will be removed. ii) The new bridleway link between Kenton Hills and Aldhurst Farm has been proposed in order to provide a number of additional connections for non-motorised users (NMUs). It connects two recreational areas and enables pedestrians, cyclists and equestrians to move between Bridleway 19 and the new bridleway running south of Lover’s Lane. The crossing location has been sited so as to provide good visibility

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		between motorists and NMUs whilst also minimising deviation from NMUs' desire lines.
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	<p>Section 6.3 of Volume 1, Appendix 6A (EIA Scoping Report) of the ES [APP-168] describes the Transport Assessment (TA) scope and methodology, addressing comments received from stakeholders on the 2014 EIA Scoping Report. The TA scope and methodology was refined through extensive discussions with Suffolk County Council (SCC), East Suffolk Council (ESC), including monthly Traffic and Transport Workgroup meetings attended by SCC, ESC, Highways England and the Suffolk Constabulary, and fortnightly transport modelling focused meetings with SCC, ESC and Highways England. TA scoping discussions considered the study area, assessment hours, traffic surveys, project trip demand and distribution, modelling methodology, assessment scenarios and years, forecast growth, committed schemes, transport strategy, embedded mitigation and impact assessment criteria.</p>
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	No response from SZC Co. is required.
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> <p>(i) 24 hour daily traffic flow as a number and assumed percentage increase over a day without an outage;</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> (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?
	<p>Response</p>	<p>Paragraph 15 of the Department of Transport Planning Practice Guidance, in relation to the scope of Transport Assessments states:</p> <p><i>"In general, assessments should be based on normal traffic flow and usage conditions (eg non-school holiday periods, typical weather conditions) but it may be necessary to consider the implications for any regular peak traffic and usage periods (such as rush hours)."</i></p> <p>In accordance with the guidance, the Consolidated Transport Assessment (8.5(B)) has sought to assess the effects of the Sizewell C project on 'normal traffic flow and usage conditions' during the network peak periods of the day.</p> <p>Notwithstanding this, in order to provide an element of robustness to the assessment two aspects were factored into the traffic modelling:</p> <ol style="list-style-type: none"> 1) Variation in observed baseline traffic flows on the highway network were analysed and it was concluded that traffic flows on Monday to Thursday mornings are consistently busier than Friday mornings. 2) A maintenance outage occurs approximately every 18 months at Sizewell B, lasting up to 2 months. Therefore for the vast majority of the time, outage traffic is not on the highway network. However, in order to provide an element of robustness, Sizewell B outage traffic has been included in the Reference Case (i.e. future year baseline) modelling scenarios for the early years, peak construction and operational phase. <p>Given the above, it was not considered necessary to also model seasonal traffic flows. It would be contrary to guidance and the approach taken within the traffic modelling has already included a reasonable element of robustness within the Reference Case traffic flows. In addition, it is important to note that the assessment is focussed on the effect of Sizewell C traffic and therefore, whilst the level of baseline traffic may vary on certain</p>

ExQ1	Question to:	Question:
		<p>parts of the network, it is the effect of the Sizewell C traffic that is being considered and not the absolute level of traffic.</p> <p>Based on this context, the response to the elements of the question are:</p> <ul style="list-style-type: none"> <li data-bbox="775 371 2121 655">(i) The derivation of outage traffic flows for the 7 modelled hours is presented in Appendix 8B (Reference Case Traffic Inputs) of the Consolidated Transport Assessment (Doc Ref 8.5(B)). Automatic traffic count (ATC) surveys were undertaken on Sizewell Gap in May 2016 (with an outage at Sizewell B) and during June 2016 (no outage). The average daily 24 hour two-way flow was 2,925 vehicles without an outage and 5,156 two-way vehicles with an outage. This equates to 2,231 outage related vehicles on Sizewell Gap per day, which is an increase of 76% over the average daily flow with no outage. <li data-bbox="775 667 2121 1198">(ii) Based on analysis of ATC surveys in May 2015 and August 2015, it was concluded that much of the road network, including Ipswich, the A14 and the A12 south of Woodbridge exhibit no seasonality (i.e. daily traffic flows in August are broadly similar to those in May). Therefore, the review of seasonality within the Consolidated Transport Assessment (Doc Ref 8.5(B)) focussed on the A12 north of Woodbridge, in two locations; Farnham and Wangford. From the 2016 ATC surveys it was derived that approximately 30% of the Sizewell B outage traffic (670 vehicles/day) could route on the A12 through Farnham. ATCs undertaken in May and August 2015 in this location indicated that daily traffic flows could be around 1,900 vehicles (11%) higher in August 2015 compared to May 2015. From the 2016 ATC surveys it was derived that approximately 20% of the Sizewell B outage traffic (450 vehicles/day) could be on the A12 through Wangford. ATCs undertaken in May and August 2015 in this location indicated that daily traffic flows could be around 900 vehicles (10%) higher on an average weekday in August 2015 compared to May 2015. <li data-bbox="775 1209 2121 1422">(iii) The ATC data on Sizewell Gap undertaken with and without outage in 2016, indicated existing peak hours (i.e.. non-outage days) of 7-8am and 4-5pm. In 7-8am, two-way flows increased from 547 to 725, an increase of 178 vehicles (32%). In 4-5pm, two-way flows actually decreased from 451 to 250 (-45%). However in the following hour, 5-6pm, two-way flows increased from 277 to 488, an increase of 211 vehicles (76%). <li data-bbox="775 1433 2121 1471">(iv) Sizewell B outages occur around every 18 months, lasting up to 2 months.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>Planned outages at Sizewell B are scheduled every 18 months to occur in Spring or Autumn outside the summer holiday season.</p>
TT.1.42	The Applicant	<p>Transport Assessment (TA) [AS-017] – Daily Traffic Variations 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	<p>The reference to daily variation in traffic flows within paragraphs 2.3.74 to 2.3.75 of the Transport Assessment [AS-017] (now superseded by the Consolidated Transport Assessment (Doc Ref 8.5(B))) was in the context of deriving the flows which the VISUM strategic base model was based on. As set out in response to TT.1.41 of this chapter, two elements of robustness were factored into the VISUM strategic base model traffic flows. One was with regards to the daily variation observed in the traffic flows collected in the neutral month of May.</p> <p>It was concluded that traffic flows on Monday to Thursday mornings are consistently busier than Friday mornings. The analysis also indicated that Friday afternoon and early evening traffic within the study area is consistently the busiest period of the week, and higher than any other weekday or weekend period in a neutral month. Therefore the VISUM base traffic model was based on observed average Monday to Thursday traffic flows for the AM peak period and Friday traffic flows for the PM peak period.</p> <p>Further analysis of daily variation is provided in Appendix 2C of the Consolidated Transport Assessment (Doc Ref 8.5(B)).</p> <p>It should be noted, as referenced in response to question TT.1.83 in this chapter, that by comparing against 'daily variation' it is not intended to imply that there would be no impact of Sizewell C traffic, but rather to demonstrate how the impacts of Sizewell C traffic may be perceived by drivers compared with the variation experienced already on a day-to-day basis.</p>
TT.1.43	The Applicant	<p>Transport Assessment (TA) [AS-017] – Journey Times</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<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>
	<p>Response</p>	<p>Journey time 'Route 3', shown in Figure 2.4 of the Transport Assessment [AS-017] (now superseded by the Consolidated Transport Assessment (Doc Ref 8.5(B))) is one of four additional journey time routes specifically requested by the emergency services. A number of other journey time routes were agreed with the highway authorities and emergency services and cover a wide range of routes. The question queries why Route 3 does not route to Sizewell C via a more direct route than via the B1122. Route 8 of the original journey time routes covers the route from Martlesham to Sizewell C via the A1152/B1069. This route is illustrated in Plate 8.4 of the Transport Assessment Addendum [AS-266] (now superseded by the Consolidated Transport Assessment (Doc Ref 8.5(B))).</p>
<p>TT.1.44</p>	<p>The Applicant</p>	<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>
	<p>Response</p>	<p>During the development of the rail options for Sizewell C since 2016, neither Greater Anglia, DfT or Network Rail have expressed interest in developing proposals for a passenger service and station for Leiston.</p> <p>Given the potential of rail to reduce the number of HGVs travelling to site, SZC Co. considers that there is a compelling case to use all of the train paths for moving freight rather than construction workers. This case is enhanced by the following considerations:</p> <ul style="list-style-type: none"> • only a limited proportion of the construction workforce is likely to live sufficiently close to a rail station to make daily travel by rail an attractive proposition; • the attractiveness of using rail for workers is likely to be further limited by the constrained frequency of services on the East Suffolk Line and the relatively slow journey time by rail from many locations when compared to travel by car or bus; and • start and finish times for the workforce would not likely always coincide with available rail services, whereas park and ride and direct bus services can be more easily timed and flexibly adapted to meet the required demand.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>SZC Co.'s proposals do not preclude the eventual delivery of such a service (and provide a legacy benefit through the proposed track improvements), should it be identified that there is sufficient passenger demand, interest from a train operator to run the service, and funding from the DfT or other sources.</p>
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> <ul style="list-style-type: none"> (i) Why only two of these villages is proposed to be bypassed rather than the four; and (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
	Response	<p>(i) An assessment based on guidance in the Design Manual for Roads and Bridges (DMRB) indicated that highway capacity would not be reached in Marlesford, Little Glenham and Stratford St Andrew but the narrowing of the A12 and tight configuration of the bend at Farnham would be likely to cause congestion during the peak construction period of the project. In addition, the Farnham bend is an existing known constraint to abnormal indivisible load (AIL) movements on the A12, as identified by Suffolk Constabulary. In light of the above, SZC Co. considered that the impact of Sizewell C traffic would not be sufficient to justify a bypass of all four villages, particularly as a bypass of this scale would have significant environmental impacts, as noted in the 2006 Four Villages Study by Suffolk County Council (SCC). A four village bypass would therefore be a disproportionate intervention to mitigate the effects of Sizewell C traffic during the construction phase, and therefore it was not included within the application for development consent for the Sizewell C Project. However, it did remain necessary to give further detailed consideration to more local issues and, particularly, issues arising from the bend in Farnham.</p> <p>Four options to deal with the issue at Farnham were presented at Stage 2 consultation – no modifications; bend widening; a Farnham bypass only; and a two village bypass. The last was presented as an alternative given Stage 1 objections to the Farnham bypass. The two village bypass bypasses Farnham and Stratford St Andrew to the south, joining the A12 at Tinker Brook, in an alignment broadly the same as the earlier 2014 SB5 Blue Bypass proposal by SCC (A12 Four Villages Study 2014). The scheme bypasses Stratford</p>

ExQ1	Question to:	Question:
		<p>St Andrew due to the suitability of the southern alignment rather than because of traffic capacity impacts in Stratford St Andrew but would have the added benefit of reducing severance impacts through Farnham and Stratford St Andrew.</p> <p>(ii) The proposed two village bypass would contribute significantly to a four village bypass, if one was developed in the future, by providing the A12/A1094 roundabout at Friday Street, which has been a constant in all of the previous studies by SCC, and the bypass of two of the villages on a similar alignment to that previously preferred by SCC. In theory, the two village bypass could have a spur coming off of it to the south to facilitate a four village bypass, which would continue to bypass Little Glemham and Marlesford. This would require changes to the two village bypass to tie the two together but it could be achieved if a four-village bypass was still sought in the future. SZC Co.'s two village bypass would provide a substantial start to this.</p> <p>However, the alignment of the proposed two village bypass is based on SB5 (blue route) from SCC's 2014 A12 Four Villages Study. The route has evolved as the detail has been developed but it is fundamentally the same route. In the 2014 Study, SCC concluded that <i>"a staged approach for the implementation of an improvement scheme for the length of A12 between Wickham Market bypass and the junction with A1094 Friday Street – termination point for this study – would be the most suitable solution. Currently the section of A12 between Marlesford and Little Glemham has a layout with comparatively acceptable road widths and geometry. The most difficult section with the worst geometric layout is that between Stratford St Andrew and a point north of Farnham."</i></p> <p>Similarly, the DfT's decision (December 2019) to reject the bid for Suffolk's Energy Gateway (SEGWay, 2017) scheme stated that alternative options <i>"such as a smaller two village bypass"</i> should be considered.</p> <p>The proposed two village bypass would not prejudice the delivery of a longer, four village bypass in the future but, based on the 2014 Study by SCC and the DfT's decision on the SEGWay proposals, a simpler and better solution would be for a separate bypass of Little Glemham and Marlesford to be brought forward in the future by SCC if deemed appropriate. This solution would meet with the conclusions of SCC's 2006 study that shorter interventions are preferable, the 2014 study that a staged approach would be most suitable, and the DfT's conclusion that a shorter bypass would be better value for money.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		This would be similar to the A12 Four Villages Study (2014) options, which includes SB5 (blue route) – similar to the proposed two village bypass – and a separate bypass option for the other two villages (LB3 and SB4 (bypassing Little Glemham only)).
TT.1.46	The Applicant	Transport Assessment (TA) [AS-017] – LEEIE Temporary Park and Ride 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.
	Response	The temporary park and ride facility on LEEIE will be decommissioned once both the northern and southern park and ride facilities become operational. The land will then be used for contractor compounds. The peak construction phase modelling includes 140 HGV movements (70 each way) per day between the LEEIE and the main site, as well as 12 buses each way transporting workers living in caravans on the LEEIE to and from the main development site.
TT.1.47	The Applicant	Transport Assessment (TA) [AS-017] – LEEIE Temporary Caravan Park 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.
	Response	Please refer to new Figure 2.9 of the written responses, which shows the layout of the Land East of Eastlands Industrial Estate (LEEIE). This drawing includes a general layout of the LEEIE, details of the caravan site layout, and location for of the bus pick up point and proposed pedestrian route between the caravan site and the bus pick up point.
TT.1.48	SCC, Highways England	Transport Assessment (TA) [AS-017] / [AS-266] – Modelling Approach Are you satisfied with the strategic modelling scope and approach outlined in Section 6 of the Transport Assessment?
	Response	No response from SZC Co. is required.
TT.1.49	The Applicant	Transport Assessment Addendum [AS-266] – Changes to Modelling Approach

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<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> <ul style="list-style-type: none"> (i) The changes that have taken place to the modelling approach; and (ii) Summarise the key effect on modelled traffic flows on key routes.
	<p>Response</p>	<ul style="list-style-type: none"> (i) The refinements to the modelling approach, since the Transport Assessment [AS-017], are described in sections 7.2 and 7.3 of the Transport Assessment Addendum [AS-266]. The approach has not changed but there have been refinements, namely refinements to the Sizewell C inputs in the early years (i.e. worker mode of travel for those workers living in Leiston) and peak construction (i.e. direct bus strategy). In addition, the base VISUM strategic model was refined around Woodbridge and refinements were made to the junction models in consultation with Suffolk County Council (SCC) in order for the models to be accepted by SCC as a reasonable basis from which to assess the traffic effects of the Project. The main addition was the VISSIM micro-simulation modelling assessment for detailed operational analysis of the A12 corridor between Seven Hills and Melton. (ii) The refinements of the VISUM modelling did result in different flows compared to the Transport Assessment [AS-017], but they are not materially different. The main effect is seen around Woodbridge following the refinement of the base model and Sizewell C direct bus strategy. The introduction of the VISSIM micro-simulation modelling did not in itself affect the traffic flows but provided a different form of modelling which is considered to provide a more accurate assessment of the A12 corridor primarily due to: <ul style="list-style-type: none"> - its more accurate representation of driver behaviour - the ability to model the interaction between junctions, unlike with individual junction models, and - the ability to model the build up of queues over a number of hours rather than individual modelled hours within the junction models. Reliance is therefore placed on the VISSIM micro-simulation model of the A12 corridor rather than the individual junction models along this corridor.

ExQ1	Question to:	Question:
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> <ul style="list-style-type: none"> (i) The routing of direct bus services is this correct for all services, including from Saxmundham and Leiston? (ii) How is the number of bus passengers derived? (iii) What is the peak number of buses required? (iv) How are LGV numbers derived? (v) How were the HGV numbers derived? and (vi) Why paragraph 7.2.1 [AS-266] states the only change relates to bus frequency but not overall HGV numbers?
	Response	<ul style="list-style-type: none"> (i) The routing of the park and ride bus services is unchanged (i.e. using the A12 and Sizewell link road). However Table 7.1 should have been included in the Transport Assessment Addendum [AS-266] and refined to include that the Saxmundham direct bus service has been assessed to route via the B1119 and B1122 Abbey Road, and the Leiston route has been assessed to traverse the town centre and B1122 Abbey Road. In addition, as part of the refined direct bus strategy reported in the Transport Assessment Addendum [AS-266], the modelling assessed a direct service from Woodbridge using the B1438 route through Woodbridge and Melton, followed by the A12 and Sizewell link road. All routes are shown in Plate 7.1 of the Transport Assessment Addendum [AS-266]. (ii) For the Transport Assessment [AS-017] the total number of bus passengers using the park and ride services was calculated based on the forecast home location of construction workers derived from the gravity model. Construction workers would be allocated to the park and ride site closest to their home location (based on journey time). Further information is provided in the Gravity Model Technical Note, Appendix 7A of the Consolidated Transport Assessment (Doc Ref 8.5(B)). The gravity model originally assumed that 200 workers lived within the catchment of direct bus services from Ipswich and Lowestoft, which was based on

ExQ1	Question to:	Question:
		<p>professional judgement, as a conservative estimate. The gravity model also assumed all workers living in Leiston would travel to the site by direct bus service (934 workers).</p> <p>For the Transport Assessment Addendum [AS-266], the assessed direct bus strategy was refined based on the gravity model and the assumed number of workers living within walking distance of a direct bus stop. The analysis estimated that 447 workers in the gravity model would live within walking catchment of a direct bus service from Ipswich (151), Lowestoft (128) and Woodbridge (168).</p> <p>Following a review of the assessed routing of the Leiston direct bus service, it was concluded that the direct bus would be unlikely to serve workers living in Knodishall given the limited forecast demand. The removal of Knodishall from the Leiston direct bus service catchment reduced the number of workers travelling by direct bus from 934 to 895, a reduction of 39 workers, who instead have been assumed to drive directly to the main development site within the assessment.</p> <p>(iii) The assessment has modelled two points in time of the workforce bus strategy during the construction phase: early years prior to the southern park and ride facility being operational and peak construction when the construction workforce is at its peak and the southern and northern park and ride facilities are both operational. It is considered that the assessment includes a reasonable level of buses to assess the effects of Sizewell C traffic on the highway network. SZC Co. will appoint a bus operator to operate the Sizewell C bus services and will fund a bus service to meet the mode share targets included in the Construction Worker Travel Plan (CWTP) (Doc Ref 8.8(A)).</p> <p>Whilst the park and ride bus routes are fixed on the assessed routes, the timetable and number of buses will need to adapt in accordance with the workforce profile and shift pattern over time. As set out in (ii) the modelled direct bus services are based on the gravity model. The actual direct bus services will need to adapt to the workforce profile, location and shift pattern over time. The CWTP (Doc Ref 8.8(A)) requires the direct bus services to be approved by the Transport Review Group.</p> <p>The peak number of buses has been assessed to occur during the peak construction phase when the construction workforce is at its peak. The number of buses per day assessed for the peak construction scenario is:</p>

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> - Leiston direct bus: The traffic modelling has modelled 186 two-way bus movements per day between Leiston and the main development site. - Saxmundham direct bus: the traffic modelling has modelled 26 two-way bus movements per day. - Ipswich, Woodbridge and Lowestoft direct buses: The traffic modelling has modelled 72 two-way bus movements per day for each of these direct bus services. - Park and ride services: The traffic modelling has modelled 152 two-way bus movements from each of the northern and southern park and ride facility per day. <p>(iv) As set out in Chapter 7 of the Consolidated Transport Assessment (Doc Ref 8.5(B)), the early years traffic modelling assesses 250 two-way LGV movements to/from the development site. The peak construction traffic modelling assesses 700 two-way LGV movements, of which 525 two-way LGVs have been assessed to/from the main development site and 175 two-way LGVs have been assessed to/from the postal consolidation facility at the southern park and ride. The peak construction traffic modelling assesses 4 two-way LGV movements per day between the postal consolidation facility and the main development site. The LGV movements to/from the main development site has been derived based on experience at Hinkley Point C. Appendix 7D of the Consolidated Transport Assessment (Doc Ref 8.5(B)) provides a comparison of the assessed LGV movements to/from the main development site and Hinkley Point C data and demonstrates that the assessed level of LGV movements is robust. As set out in the CTMP (Doc Ref 8.7(A)), the vast majority if not all of the LGV movements to/from the postal consolidation facility will already be on the highway network making other postal deliveries. However, in order to provide a worst case assessment they have all been assessed as new trips on the network. The LGVs to/from the postal consolidation facility only account for 25% of total LGV movements on the highway network during peak construction. Evidence from Hinkley Point C is not available for post/couriers and therefore the level of LGV movements has been based on the construction team's experience of other major projects.</p> <p>(v) Plate 4.2 of the Freight Management Strategy [AS-280] sets out the forecast HGV movements to/from the main development site during the early years and</p>

ExQ1	Question to:	Question:
		<p>peak construction phase of the Project. Plate 4.2 [AS-280] has been updated in response to question TT.1.16. The HGV movements to/from the main development site has been developed from the various resource loaded programmes, with input and learning for similar elements of work at Hinkley Point C during the construction phase, up until the end of Year 6. Due to the programme maturity, the forecast beyond Year 6 is indicative based on the evolving Sizewell C design and programme, with forecasting from Hinkley Point C.</p> <p>(vi) Two scenarios were assessed in the Transport Assessment Addendum [AS-266]:</p> <ul style="list-style-type: none"> - the same assessment undertaken within the Transport Assessment [AS-017] based on 3 trains a day at peak construction but with refinements to the traffic modelling (refer to response to question TT.1.49); and - the assessment of the reduced number of HGV movements to/from the main development site associated with the preferred Freight Management Strategy (i.e. 4 trains per day and the enhancement to the permanent beach landing facility (BLF) and proposed temporary BLF. <p>Section 7.2 of the Transport Assessment Addendum [AS-266] discusses the modelling refinement undertaken since the Transport Assessment [AS-017], which includes the refined bus strategy but no changes to the HGV numbers. Section 7.4 [AS-266] discusses the proposed changes to the freight strategy which includes reduced HGV numbers associated with the preferred Freight Management Strategy. These two assessments were presented separately in Sections 8.2 and 8.3 of the Transport Assessment Addendum [AS-266] respectively.</p>
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>Appendix 7B of the Consolidated Transport Assessment (Doc Ref 8.5(B)), Section 1)A)ii), sets out the observed car share occupancies at Hinkley Point C during construction with similar workforce levels as the Sizewell C early years. These were considered reasonable to apply to the Sizewell C modelling as a robust assessment.</p>

ExQ1	Question to:	Question:
		The Construction Worker Travel Plan (CWTP) (Doc Ref 8.8(A)) provides mode share targets for car drivers and car passengers based on the assessment as well as more aspirational targets, which SZC Co. will seek to achieve.
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 HGV’s are over estimated and therefore percentage increases in HGVs associated with the Proposed Development are being under estimated 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) Paragraph 7.2.43 of the Transport Assessment [AS-017] incorrectly states that the assessment has assessed a HGV to be goods vehicles over 3.5 tonnes. The baseline HGVs within all of the traffic modelling are based on the standard design manual for roads and bridges (DMRB) classification (i.e. Other goods vehicles (OGV1+OGV2)) as identified within the observed traffic survey data. The traffic modelling of Sizewell C LGVs and HGVs has also taken the standard approach with HGVs being classed as OGV1+OGV2. Therefore, there is no underreporting of HGV impacts within the traffic modelling. This has been rectified in the Consolidated Transport Assessment (Doc Ref 8.5(B)).

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>Whilst the assessment has taken a standard approach to assessing HGVs and LGVs, the monitoring of HGVs within the Construction Traffic Management Plan (CTMP) (Doc Ref 8.7(A)) will include all goods vehicles over 3.5 tonnes. Therefore, any goods vehicle between 3.5 tonnes and 44 tonnes will be classified as a HGV for the purposes of monitoring and will be required to adhere to the HGV routes and would be monitored against the proposed HGV limits.</p> <p>(ii) Refer to the response to (i). The percentage increases in HGVs associated with the Project are not being under estimated.</p> <p>(iii) Refer to the response to (i). The assessment is based on the standard classification of HGVs. The monitoring, management and control of HGVs is secured through the CTMP (Doc Ref 8.7(A)) and for monitoring purposes a HGV will be classed as any goods vehicle between 3.5 and 44 tonnes.</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>
	Response	<p>(i) In answer to this question the following information has been included in Table 7.1 ("Modelling assumptions for peak construction scenario") of the Consolidated Transport Assessment (Doc Ref 8.5(B)):</p> <ul style="list-style-type: none"> - HGV distribution for peak construction (assumed 85% from the A12 south / 15% from the A12 north, the same as in Early Years); and - Land East of Eastlands Industrial Estate (LEEIE) HGVs during peak construction between the LEEIE and main development site (70 each way per day and 140 two-way HGVs per day). <p>These are unchanged in the Transport Assessment Addendum [AS-266]. The numbers presented in Table 7.4 of the Transport Assessment [AS-017] include the LEEIE HGVs:</p> <ul style="list-style-type: none"> - Typical Day: 325+70 = 395 HGVs per day each way.

ExQ1	Question to:	Question:
		<p>- Busiest day: $500+70 = 570$ HGVs per day each way. This has been included in the Consolidated Transport Assessment (Doc Ref 8.5(B)).</p> <p>(ii) Yes, Table 7.4 in both the Transport Assessment [AS-017] and the Transport Assessment Addendum [AS-266] include LEEIE HGVs.</p>
TT.1.54	The Applicant	<p>Transport Assessment (TA) [AS-017] – Early Years Construction 2023 Explain:</p> <p>(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?</p> <p>(ii) Why this limit could not be expressed as total for all Sizewell related construction on the network?</p> <p>(iii) Can limits for particular routes be derived so that impacts do not exceed those identified in the ES?</p>
	Response	<p>(i) The 300 HGVs (each way) assessed during the early years includes 60 HGVs associated with 'Sizewell B Relocated Facilities' (SZB RF), which are excluded from the numbers in Table 7.10 of the Transport Assessment [AS-017]. In addition the assessment includes 140 HGVs each way shuttling between the LEEIE and the main development site. These HGVs would not appear on the B1122, as they would use the secondary site entrance on Lover's Lane. The HGVs (each way) to/from the main development site in Table 7.10 [AS-017] are calculated as: $300-60+140 = 380$ HGV movements each way per day.</p> <p>(ii) It would be difficult to place limits for all construction-related traffic as the workforce size will change throughout the construction period, and worker vehicles and LGVs would not be required to follow designated routes in the same way buses and HGVs would. This would make placing limits on all Sizewell C traffic and monitoring traffic levels against those limits (including limits for particular routes) virtually impossible and it is not considered to be a reasonable or necessary requirement. Please refer to the responses to TT.1.25 (iii) of this chapter with regards to the proposed monitoring of LGV movements and TT.1.25 (iv) with regards to the proposed monitoring of bus movements. SZC Co. is committed to</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>achieving the construction worker mode share targets set out in the Construction Worker Travel Plan (CWTP) (Doc Ref 8.8(A)) and will monitor these through the transport monitoring reports submitted to the Transport Review Group.</p> <p>(iii) Refer to (ii).</p>
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> <p>(i) The extent to which more recent traffic flows have been collected; and</p> <p>(ii) How the model outputs have been validated against more recent traffic flows.</p>
	Response	<p>Additional traffic survey data was collected over a number of years (2016 to 2019) at various locations to inform the detailed junction modelling (and later the VISSIM modelling of the A12 corridor). In order to undertake a revalidation of the VISUM strategic model, it would have been necessary to undertake surveys across the whole strategic model study area for the same period rather than utilise data available from various years for only certain parts of the network.</p> <p>Further to this, advice contained within the Department for Transport (DfT) Transport Analysis Guidance (TAG) Unit M2: Base Year Demand Matrix Development, paragraph 4 in relation to the age of traffic survey data, states:</p> <p><i>"Former guidance (withdrawn sections of the Design Manual for Roads and Bridges) indicated that models should not be used without justification where the source data is more than five years old when used for detailed scheme appraisal because there might be significant changes to the travel patterns and traffic level. This simple threshold should not be used, as there can be significant changes that would make the use of more recent data inappropriate or there may have been little change and older data may be acceptable."</i></p> <p>To revalidate, the data across the whole network would have needed to have been collected in 2019 (pre-COVID 19), when the base model was only 4 years old, and was within the age of traffic data advised in TAG guidance. This was not considered necessary. It should also be noted that baseline traffic flows have been growthed to the future year Reference Case years of 2023, 2028 and 2034 based on DfT Transport Analysis Guidance (TAG) and it is these models that have formed the basis of the assessment.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		Through ongoing consultation with SCC and ESC, it is considered that the 2015 base year still provides a suitable and appropriate basis of assessment for Sizewell C.
TT.1.56	The Applicant	Transport Assessment (TA) [AS-017] – Strategic Modelling Explain how the selection of the network peak hours were determined?
	Response	A technical note was produced setting out the derivation of the modelled hours, which was included as Appendix 6A of the Transport Assessment [AS-017]. This note is included as Appendix 6A of the Consolidated Transport Assessment (Doc Ref 8.5(B)).
TT.1.57	The Applicant	Transport Assessment (TA) [AS-017] – Strategic Modelling 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: (i) Why in Table 7.7 of the TA [AS-017] the early years workforce assumption for modelling purposes is 1500 people? (ii) Why using this much reduced figure does not mean modelled levels of predicted traffic would not be underestimated?
	Response	See response to TT.1.29 of this chapter.
TT.1.58	The Applicant	Transport Assessment Addendum [AS-266] – Strategic Modelling 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: (i) Why car park capacity in excess of these modelled figures is being proposed? (ii) Has modelling been undertaken for flows that would fill the desired car park capacities? and (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.
	Response	(i) Car parks are considered to be at practical capacity at circa 80-85% occupied. This is because as a car park approaches capacity the search time for finding car parking spaces increases, which can result in vehicles waiting in aisles to wait for spaces to become free and in some situations queuing back onto the highway network. The

ExQ1	Question to:	Question:
		<p>construction workers at Sizewell C will be working long shifts and it is important that the transfer between car and park and ride bus is as seamless as possible. Table 13 in Appendix 7B of the Consolidated Transport Assessment (Doc Ref 8.5(B)) sets out the assessed parking accumulation at peak construction of the main development site as well as the northern and southern park and ride facilities. It shows that the assessed maximum accumulation of the main development site car park is 90%, the northern park and ride facility is 84% and the southern park and ride facility is 72%. It should be noted that the parking accumulation within Table 13 (Appendix 7B, Doc Ref 8.5(B)) is based on an hourly accumulation and within each hour the parking accumulation could be greater. The assessment is based on the distribution of construction workers within the gravity model and allocation of workers to a mode, including allocation to either the northern or southern park and ride facility. The actual split between the northern and southern park and ride facility will depend on the actual location of the construction workers. It is therefore considered that the proposed level of car parking is reasonable.</p> <p>(ii) Modelling has not been undertaken with 'maximum capacity' parking demand for the reasons set out in response to (i). The assessment within the Consolidated Transport Assessment (Doc Ref 8.5(B)) is in accordance with the industry standard approach for assessing the transport effects of a development. The assessment of the workforce trips has been based on the derivation of all person trips and assigning them to modes based on the distribution of the workers derived from the gravity model.</p> <p>(iii) Refer to (i) and (ii).</p>
TT.1.59	<p>The Applicant</p> <p>Response</p>	<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> <p>Trips generated by non-home based workers living in temporary accommodation travelling from/to their permanent homes at the start/end of the week are not included in the assessment.</p> <p>Based on discussions with Hinkley Point C, the busiest days at the site are during the middle of the week (e.g. Tuesday-Thursday). The days at the start and end of the week,</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>when non-home based workers living at the accommodation campus and caravan site at the LEEIE may travel to their permanent residence, tend to have less workers and visitors travelling to/from the main development site. SZC Co. has assessed a peak day of the week and assumed 100% of construction workers and peak numbers of visitors travel to/from the main development site. It should also be noted that, based on experience at Hinkley Point C, some of the non-home based workers would not travel to their permanent residence on a weekly basis due to the working pattern and/or the distance from their permanent residence.</p> <p>Other non-work related trips that would be made by workers when they are not on shift, for example for shopping or leisure purposes, have been included in the modelling for all non-home based workers (including those living on campus/in caravans), and this information is described in Appendix 7B of the Consolidated Transport Assessment (Doc Ref 8.5(B)).</p>
TT.1.60	The Applicant, SCC	<p>Transport Assessment Addendum [AS-266] – Committed Developments Paragraph 8.2.8 does the current reference case traffic modelling take account of all relevant committed developments?</p>
	Response	<p>Yes, at the time the reference case modelling was last updated the committed developments were agreed with SCC and ESC. The included developments are set out in the "Reference Case Traffic Inputs" technical notes, provided as Appendix 8B of the Consolidated Transport Assessment (Doc Ref 8.5(B)).</p>
TT.1.61	The Applicant, SCC	<p>A12 improvements: A14 'Seven Hills' to A1152 Woods Lane. 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>A VISSIM micro-simulation model has been produced for the A12 corridor from Seven Hills to Woods Lane. This model includes a 2019 base year plus 2023 (early years) and 2028 (peak construction) forecast years which include a 'Reference Case' and a 'Reference Case + SZC' scenario. Full documentation was provided in Appendix 9C of the Transport Assessment Addendum [AS-266].</p> <p>As part of the Brightwell Lakes consented development, junction upgrades are committed at:</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> - A12 / A14 Seven Hills Interchange: signalisation (to be operational ahead of the 2028 forecast year). - A12 / Foxhall Road / Newbourne Road: partial signalisation (to be operational ahead of the 2028 forecast year). - New access junction on the A12 just north of Newbourne Road (to be operational by the 2023 forecast year). - A12 / Barrack Square: partial signalisation (to be operational ahead of the 2028 forecast year). - A12 / Anson Road: partial signalisation (to be operational beyond the 2034 forecast year). <p>In accordance with Department for Transport (DfT) Webtag (TAG) guidance (Ref 3), the 2023 VISSIM models include the new access north of Newbourne Road and the 2028 VISSIM models include all of the upgrades with the exception of the Anson Road junction as this is not expected until beyond 2034.</p> <p>Suffolk County Council (SCC) is currently seeking funding for A12 improvements between Seven Hills and the A1152 at Melton through the Department for Transport (DfT) Major Road Network (MRN) fund. The proposed SCC MRN schemes are not committed improvements and have not been included within the VISSIM modelling. It should also be noted that, based on the A12 VISSIM modelling, no material impact on driver delay is predicted and therefore no mitigation in the form of highway improvements is considered to be required by SZC Co. for the A12 corridor between Seven Hills and Melton. Instead, Sizewell C traffic is proposed to be managed through the implementation of the transport management measures (i.e. TIMP (Doc Ref 8.6(A)), CTMP (Doc Ref 8.7(A)) and CWTP (Doc Ref 8.8(A)).</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	SZC Co. recently met with Scottish Power Renewables (SPR) in order to discuss the traffic generation included in the SZC Co. traffic models for EA1N and EA2 (taken from the preliminary environmental information report, PEIR) and compare it with the SPR traffic

ExQ1	Question to:	Question:
		<p>figures included in their Environmental Statement submitted with their applications for development consent. Whilst there are minor differences, it was agreed these would not have a significant effect on the conclusions presented in the Sizewell C cumulative impact assessment included in the Transport Assessment Addendum [AS-266] and Environmental Statement.</p> <p>In order to respond to this question, a note (Appendix 24B) has been produced summarising the differences in the SPR PEIR and ES traffic inputs.</p>
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	<p>SZC Co. recognise the importance of regular and effective communication between SZC Co., Scottish Power Renewables (SPR) and Suffolk County Council (SCC) to co-ordinate the delivery of highways mitigation, so as to minimise the impact on the community and travelling public, avoid duplication and abortive works. A commitment to regular engagement during design and construction phases is set out in the Statement of Common Ground (SoCG) between SZC Co. and SPR. SZC Co. (Doc Ref. 9.10.28). SZC Co. propose to establish clear communications protocols between all three parties, which will be defined in the terms of reference of the Transport Review Group (TRG).</p> <ul style="list-style-type: none"> (i) The SPR EA1N and EA2 project on-shore order limits overlap with Sizewell C order limits in three locations: (a) Sizewell Gap, (b) A12 / Friday Street and (c) B1069 Snape Road / A1094 Aldeburgh Road. Appendix 1 to the SoCG between SPR and SZC Co. (Doc Ref. 9.10.28) shows the overlapping areas.

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

ExQ1	Question to:	Question:
		<p>(a) Sizewell Gap will be used as a construction access during the initial period of construction of Sizewell C, but the works proposed by SPR do not materially conflict with the construction of Sizewell C. EA1N and EA2 have provided an Outline Sizewell Gap Construction Method Statement²⁰ which describes the nature of the works on Sizewell Gap and how they are proposed to be undertaken to ensure that traffic is not disrupted.</p> <p>(b) Both SZC Co. and SPR propose an improvement at the A12 / A1094 junction. SPR propose a traffic signal scheme, whilst SZC Co. propose a roundabout. It is understood that Suffolk County Council (SCC) have identified that the proposed SZC Co. roundabout improvement, if delivered early enough, could negate the need for the SPR signal scheme. The updated Implementation Plan (Doc Ref 8.4I(A)) shows that the Friday Street roundabout is proposed to be delivered early in the Sizewell C construction phase. SZC Co. will continue to engage with SPR and SCC as the detailed delivery programmes are developed to agree the works required to avoid duplication or abortive work.</p> <p>(c) At the A1094 / B1069 junction SPR propose temporary carriageway widening and vegetation clearance (on B1069) to accommodate AIL movements. SZC Co. mitigation also proposes vegetation clearance (A1094), signs and lines and a reduced speed limit from 60mph to 40mph to improve safety. The mitigation proposals are complementary, and should not lead to any abortive works.</p> <p>(ii) Refer to (i)</p> <p>(iii) The SoCG between SZC Co. and SPR (Doc Ref. 9.10.28) states the commitment of SZC Co. and SPR parties to engage regularly during design and construction so that any interface between the projects can be considered at an early stage, recognising it is in the interests of both parties and the wider community.</p> <p>(iv) The SZC Co. Construction Traffic Management Plan (CTMP) (Doc Ref 8.7(A)) states that the Transport Review Group (TRG) can invite representatives from other organisations to meetings for particular agenda items and this could include SPR to discuss the co-ordination of the two projects if considered necessary by the TRG. As</p>

²⁰ Scottish Power Renewables (2021) Outline Sizewell Gap Construction Method Statement.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>stated above, SZC Co. Also propose to establish clear communications protocols between all three parties, which will be defined in the terms of reference of the Transport Review Group (TRG).</p>
TT.1.64	The Applicant	<p>Transport Assessment (TA) [AS-017] – Junction Modelling 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	<p>Discussions are ongoing with Suffolk County Council and East Suffolk Council to discuss transport matters and the proposed mitigation. The ongoing discussions include the scope of the proposed transport contingency fund secured via the Deed of Obligation (Doc Ref 8.17(C)), which could be used by the Transport Review Group to mitigate potential unmitigated significant adverse transport effects, should they arise.</p>
TT.1.65	The Applicant	<p>Transport Assessment (TA) [AS-017] – Junction Modelling 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	<p>Paragraph 9.1.2 of the Transport Assessment [AS-017] is correct that 42 junctions were assessed. Paragraph 9.5.2 should say that 54 models were produced, as listed in Tables 9.6 and 9.7 of the Transport Assessment [AS-017]. Some junctions were represented by multiple models either where the number of giveway lines meant a single model would not offer a robust assessment or where with/without mitigation options were tested. The number of junctions and number of models therefore differ.</p>
TT.1.66	The Applicant	<p>Transport Assessment Addendum [AS-266] – Junction Modelling 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	<p><u>Junction 5: A1094 / B1069 Snape Road</u></p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>In the junction modelling within the Transport Assessment Addendum [AS-266], the B1069 minor arm is predicted to operate with a maximum ratio of flow to capacity (RFC) of 0.80 due to the combined impact of Sizewell C traffic and the proposed mitigation (see Table 9.10). This is within the 0.85 design threshold. The delay results show that the Sizewell C traffic causes delays to increase in 2023 and 2028 by up to 12 seconds per vehicle and by no more than 3 seconds per vehicle in 2034.</p> <p>In the Transport Assessment Addendum [AS-266], only results from the without-Scottish Power model are presented within the main body of the report in Chapter 9, in the interests of being concise. However, the results for all junction models were provided in Appendix 9A [AS-266]. The summary of junction modelling results in Appendix 9A provides the ability to compare the 'J5 existing layout with SPR', 'J5 mitigation layout with SPR' and 'J5 mitigation layout without SPR' results.</p> <p>As set out in Appendix 9A of the Transport Assessment Addendum [AS-266], the addition of the Scottish Power traffic causes the RFC of the B1069 arm of the junction to increase to 0.96 during the hour of 17:00-18:00 during the early years and peak construction phases. All other arms of the junction are shown to operate within the 0.85 RFC design threshold for all assessed hours. The B1069 arm provides direct access to the Scottish Power site and the capacity of the B1069 arm are considered to be an impact of the Scottish Power site and not Sizewell C.</p> <p>An element of caution needs to be given to the junction modelling as it is based on a number of worst case assumptions for both Sizewell C and SPR projects aligning in addition to limitations within the modelling software itself. Given that the junction modelling shows that the junction is expected to operate within the design threshold of 0.85 RFC for all arms and all time periods and scenarios except for one hour (17:00-18:00) in the cumulative assessment for the B1069 arm in the early years and peak construction, it is proposed to monitor and manage the effects at the junction through the Construction Worker Travel Plan (CWTP) (Doc Ref 8.8(A)) and Construction Traffic Management Plan (CTMP) (Doc Ref 8.7(A)) rather than provide additional mitigation as part of the DCO.</p> <p>As set out in the CWTP (Doc Ref 8.8(A)) and CTMP (Doc Ref 8.7(A)), the Transport Review Group (TRG) will be able to draw down from a transport contingency fund during the construction phase if the transport monitoring shows that there are significant</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>unmitigated impacts at particular junctions or roads. Therefore, it is proposed for this junction to be monitored and managed through the transport contingency fund.</p> <p>Any contingency fund mitigation would need to be cognisant of the transport policy set out in National Policy Statement of Energy (EN-1), which states at paragraph 5.13.8 that <i>“where mitigation is needed, possible demand management measures must be considered and if feasible and operationally reasonable, required, before considering requirements for the provision of new inland transport infrastructure to deal with remaining transport impacts.”</i> Paragraph 5.13.9 of EN-1 goes on to recognise that the decision maker should <i>“have regard to the cost-effectiveness of demand management measures compared to new transport infrastructure as well as the aim to secure more sustainable patterns of transport development when considering mitigation measures.”</i></p> <p>Therefore, demand management measures should be considered by the TRG if drawing down any transport contingency funding ahead of physical highway improvements.</p>
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	No response from SZC Co. is required.
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>
	Response	<p><u>Junction 9: B1119 / B1122 / B1069 Leiston Crossroads:</u></p> <p>The Linsig model predicts an impact due to Sizewell C from 15:00-16:00 in 2028 and 2034 from 08:00-09:00 in 2034 only (as set out in Transport Assessment Addendum [AS-266] paragraphs 9.5.17 and 9.5.18).</p> <p>SZC Co. has worked closely with SCC and Leiston Town Council (LTC) to develop a scheme for the town which proposes improvements to footways, public realm, cycle infrastructure and junctions. The package of improvements align with highway network</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>changes put forward by LTC, including the conversion of B1122 Main Street and High Street to one-way eastbound and southbound. The one-way route is designed to allow cyclists to continue to travel in both directions along this route. To accommodate the scheme, the B1122 Main Street arm of the B1119 / B1122 / B1069 junction would be for traffic exiting the junction only, which should result in some improvement in capacity and efficiency. An on-demand cycle stage is proposed for cyclists approaching the junction from Main Street. The Leiston scheme proposals have received broad support from Council, and the public are expected to be consulted on proposals in the Summer of 2021. The Leiston scheme would be funded by SZC Co. through a defined contribution identified in the Deed of Obligation (Doc Ref 8.17(C)). The proposals were not fixed at the time of writing so were not presented in the Transport Assessment Addendum [AS-266].</p>
TT.1.69	SCC, ESC, Leiston Town Council	<p>Transport Assessment Addendum [AS-266] - Leiston Public Realm Improvements</p> <p>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?</p>
	Response	No response from SZC Co. is required.
TT.1.70	The Applicant, SCC	<p>Transport Assessment (TA) [AS-017] – Junction Modelling</p> <p>Junction 11 A12 /A144 junction –</p> <ul style="list-style-type: none"> (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	<p><u>Junction 11: A12 / A144</u></p> <ul style="list-style-type: none"> (i) A VISSIM micro-simulation assessment was undertaken for the Yoxford area and included the A12 / A144 junction. The VISSIM model covers the existing and proposed layouts, so junction modelling was not considered necessary at this location from a highway capacity perspective. The VISSIM model is considered to

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>offer the best representation of the junction due to the complexities of the minor arm giveaway behaviour which was observed to be relatively conservative due to the high speeds on the A12 traffic at this location.</p> <p>(ii) The proposed layout introduces a central reserve which would allow vehicles turning right from the minor arm to cross the northbound and southbound A12 carriageways independently rather than waiting for a gap in both carriageways consecutively. The changes in this behaviour are not possible to represent within a junction model which is why the VISSIM model is the best tool for the capacity assessment of the proposed junction presented in the Transport Assessment [AS-017].</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	<p><u>Junction 13: A12 / B1122</u></p> <p>A VISSIM micro-simulation assessment was undertaken for the Yoxford area and included the A12 / B1122 junction. The VISSIM model covers the existing and proposed layouts, so junction modelling was not considered necessary at this location from a highway capacity perspective.</p> <p>In the 2023 VISSIM scenarios (no roundabout upgrade), queues and delays on the B1122 approach are expected to increase beyond those observed in 2015. A small increase is predicted in the 2023 Reference Case and a larger increase in the 2023 Early Years scenario, particularly from 07:30-08:00. This was summarised in Table 24 and Table 26 of Appendix 9B of the Transport Assessment Addendum [AS-266].</p> <p>In the 2028 VISSIM scenarios, queues on the B1122 approach are expected to increase further still in the 2028 Reference Case scenario. However, in the 2028 Peak Construction scenario, queues are predicted to return to 2015 levels or better due to the introduction of the roundabout, despite the increase in traffic due to Sizewell C. This was summarised in Table 36 and Table 38 of Appendix 9B of the Transport Assessment Addendum [AS-266].</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>In the 2034 VISSIM scenarios, queues on the B1122 approach are expected to increase in the 2034 Reference Case scenario. However, in the 2034 operational phase scenario, queues are predicted to return to 2015 levels or better due to the presence of the roundabout. This was summarised in Table 46 and Table 48 of Appendix 9B of the Transport Assessment Addendum [AS-266].</p> <p>The proposed roundabout does create a small increase in delays (up to +4 seconds per vehicle on average) on the A12 approaches but offers significant relief to the B1122 approach (reducing delay by up to 29 seconds per vehicle on average) mitigating the impacts of both the committed growth and Sizewell C demands.</p>
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	Refer to the response to TT.1.71 for SZC Co. position.
TT.1.73	The Applicant	<p>Transport Assessment Addendum [AS-266] – Junction Modelling</p> <p>Junction 14: B1069 / A1094. Explain why this junction is expected to operate better following the additional modelling undertaken.</p>
	Response	<p><u>Junction 14: B1069 / A1094</u></p> <p>The latest modelling undertaken for the Transport Assessment Addendum [AS-266] predicted lower ratios of flow to capacity (RFCs) compared to the assessment that was originally undertaken for the Transport Assessment [AS-017]. There are two reasons for this:</p> <ul style="list-style-type: none"> - The forecast traffic flows used for the latest assessment have mostly reduced at this junction. This is particularly the case on Church Road (reductions of up to 43 vehicles per hour) which governs the maximum RFC being reported for the junction. This is due to the following changes to the strategic modelling which were documented in Chapters 7 and 8 of the Transport Assessment Addendum [AS-266] : - Revalidation of the VISUM strategic model in the area around Woodbridge - Refined Sizewell C direct bus strategy - Reduced Sizewell C HGV demands

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>- Discussions with Suffolk County Council also resulted in some adjustments being made to the modelled geometries. The major road right turn stacking capacity was reduced slightly, the major road width was reduced to exclude diverge lanes and the minor road width was increased in line with best practice. This resulted in the Church Road intercept (maximum achievable flow with zero opposing flow) increasing slightly in the latest model.</p> <p>The lower forecast flows and slightly increased capacity on Church Road have resulted in a reduction in the RFC and delay predictions.</p>
TT.1.74	SCC, Highways England	<p>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?</p>
	Response	<p><u>Junction 21: A12 / A14 Seven Hills Interchange</u></p> <p>The VISSIM micro-simulation model, which covers the A12 from the A14 to A1152 (junctions 21-28), shows that average travel times through Seven Hills interchange are forecast to increase very slightly as a result of the Sizewell C traffic, as detailed in paragraph 9.5.49 of the Transport Assessment Addendum [AS-266]. These results were based on the assumption that the proposed Brightwell Lakes signalisation scheme at this location would be complete by 2023.</p> <p>Additional 2023 VISSIM tests have been conducted since the submission of the Transport Assessment Addendum [AS-266] to remove the committed Seven Hills upgrade from the 2023 model under the corrected assumption that it will not complete until after 2023, but before 2028. The revised 2023 travel time impacts differ slightly compared to those presented in the Transport Assessment Addendum [AS-266] however not to the extent that they change the conclusions being drawn. The majority of impacts remain within +/- 3 seconds of those reported previously, with the exception of the A12 southbound travel time impact from 08:00-09:00 which increases from 12 to 23 seconds. The Consolidated Transport Assessment (Doc Ref 8.5(B)) includes the corrected results.</p> <p>The overall conclusion that travel times along the A12 from Seven Hills to the A1152 (14km) is not expected to increase by more than 1 minute as a result of the Sizewell C proposals remains unchanged.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
TT.1.75	SCC	<p>Transport Assessment Addendum [AS-266] – Junction Modelling</p> <p>Junction 22: A12 / Foxhall Road / Newbourne Road. Are you satisfied that predicted traffic levels do not require additional mitigation at this junction?</p>
	Response	<p><u>Junction 22: A12 / Foxhall Road</u></p> <p>The VISSIM micro-simulation model of the A12 corridor suggests that average travel times through the A12 / Foxhall Road junction will increase slightly as a result of the Sizewell C traffic, as detailed in paragraph 9.5.66 and 9.5.67 of the Transport Assessment Addendum [AS-266]. Sizewell C impacts were predicted to be slightly higher in 2023 (no committed Brightwell Lakes improvements) with an increase in travel time of up to 38 seconds on the Foxhall Road approach (2023 early years during the hour of 08:00-09:00). Sizewell C impacts in 2028 and 2034 were predicted to be very low (no more than +7 seconds). These results were based on the assumption that the committed Brightwell Lakes signalisation scheme at Seven Hills is complete by 2023.</p> <p>Additional 2023 VISSIM tests have been conducted since the submission of the Transport Assessment Addendum [AS-266] to remove the committed Seven Hills upgrade from the 2023 model under the corrected assumption that it will not complete until after 2023, but before 2028. The revised 2023 travel time impacts differ slightly compared to those presented in the Transport Assessment Addendum [AS-266] but not to the extent that they change the conclusions being drawn. Sizewell C impacts are still predicted to be slightly higher in 2023 (no committed Brightwell Lakes improvements) with an increase in travel time of up to 23 seconds on the Foxhall Road approach (2023 early years in the hour of 08:00-09:00). Sizewell C impacts in 2028 and 2034 are still predicted to be very low (no more than +7 seconds). The Consolidated Transport Assessment (Doc Ref 8.5(B)) includes the corrected results.</p>
TT.1.76	SCC	<p>Transport Assessment Addendum [AS-266] – Junction Modelling</p> <p>Junction 24: A12 / Anson Road / Eagle Way. Are you satisfied that predicted traffic levels do not require additional mitigation at this junction?</p>
	Response	<p><u>Junction 24: A12 / Anson Road</u></p> <p>The VISSIM micro-simulation model forecasts that average travel times through the A12 / Anson Road junction will increase by up to 3 seconds in 2023 and 38 seconds in 2028 as a result of the Sizewell C traffic, as detailed in paragraph 9.5.49 of the Transport</p>

ExQ1	Question to:	Question:
		<p>Assessment Addendum [AS-266]. These results were based on the assumption that the committed Brightwell Lakes signalisation scheme at Seven Hills is complete by 2023. Additional 2023 VISSIM runs have been conducted since the submission of the Transport Assessment Addendum [AS-266] to remove the committed Seven Hills upgrade from the 2023 model under the corrected assumption that it will not complete until after 2023, but before 2028. The revised 2023 travel time impacts differ slightly compared to those presented in the Transport Assessment Addendum [AS-266] but not to the extent that they change the conclusions being drawn. Sizewell C is predicted to increase travel times by up to 4 seconds in 2023.</p> <p>The A12 VISSIM corridor model did not include any route choice. In reality, vehicles on Anson Road would be able to choose to route via Anson Road or Gloster Road to access the A12, which would distribute queuing across the Anson Road and Gloster Road arms of these junctions.</p>
TT.1.77	<p>The Applicant</p> <p>Response</p>	<p>Transport Assessment Addendum [AS-266] – Junction Modelling</p> <p>Junction 26: A12 / B1438. Explain how the refined DCO flows changes have created significant changes in junction performance.</p> <p><u>Junction 26: A12 / B1438</u></p> <p>The latest junction modelling undertaken for the Transport Assessment Addendum [AS-266] predicts changes in ratios of flow to capacity (RFCs) compared to the assessment that was originally undertaken for the Transport Assessment [AS-017]. There are two reasons for this:</p> <ul style="list-style-type: none"> - The forecast traffic flows used in the latest junction model have reduced by up to 247 vehicles per hour and increased by up to +105 vehicles per hour on each approach. The increases are mainly on the A12 north approach and reductions are mainly on the B1438 east approach but there is some variation. The change in flows is due to the following changes to the strategic modelling which were documented in Chapters 7 and 8 of the Transport Assessment Addendum [AS-266]: <ul style="list-style-type: none"> - Revalidation of the strategic model in the area around Woodbridge - Refined Sizewell C direct bus strategy - Reduced Sizewell C HGV demands

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>- Discussions with Suffolk County Council (SCC) also resulted in some adjustments being made to the model parameters. Due to the complexity of some of the behaviours at this junction (low gap acceptance, slow merge into gaps) and the fact observed queues are slow moving rather than stationary, it was difficult to calibrate the junction model to replicate observed conditions. The modelling undertaken for the Transport Assessment [AS-017] included calibration adjustments in the form of reduced entry widths and negative intercept adjustments which SCC agreed resulted in a model that did not replicate observed conditions very well (queue lengths overestimated). A number of tests were conducted to determine the best way to calibrate the model and it was concluded that a set of negative intercept adjustments on the A12 north and south approaches and non-adjusted geometries was the best option. This helped the model to match the observed queues in most time periods although the model is still considered to overestimate queues from 15:00-16:00.</p> <p>The changes in forecast flows and slightly increased capacities result in a variety of changes in the ratio of flow to capacity and delay predictions when comparing the results presented in the Transport Assessment [AS-017] and Transport Assessment Addendum [AS-266].</p> <p>Due to the difficulty of calibrating this junction model and concerns around the reliability of results, more detailed VISSIM microsimulation modelling was undertaken as described in Appendix 9C of the Transport Assessment Addendum [AS-266]. The VISSIM model replicates observed conditions well and is considered to provide a more reliable prediction of forecast conditions than the junction modelling. The VISSIM model predicts insignificant impacts at the A12/B1438 junction. Where queues are predicted they are expected to be slow moving rather than stationary and therefore clear relatively quickly. The Sizewell C impact on average travel times at this junction is predicted to be up to +2 seconds in 2023 and up to +16 seconds in 2028 which is not considered to significantly affect overall travel times through the area.</p>
TT.1.78	SCC	<p>Transport Assessment Addendum [AS-266] – Junction Modelling</p> <p>Junction 26: A12 / B1438. Are you satisfied that predicted traffic levels do not require additional mitigation at this junction?</p>
	Response	Refer to the response to TT.1.77 for SZC Co. position.
TT.1.79	SCC	Transport Assessment Addendum [AS-266] – Junction Modelling

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>Junction 27: A12 / B1079 Grundisburgh Road. Are you satisfied that predicted traffic levels do not require additional mitigation at this junction?</p>
	<p>Response</p>	<p><u>Junction 27: A12 / B1079</u></p> <p>The A12 VISSIM corridor model suggests that average travel times through the A12 / B1079 junction will increase slightly as a result of the Sizewell C traffic, as detailed in paragraphs 9.5.109 and 9.5.110 of the Transport Assessment Addendum [AS-266]. Sizewell C impacts are forecast to be up to +2 seconds in 2023 based on the assumption that the committed Brightwell Lakes signalisation scheme at Seven Hills is complete by 2023. In 2028, Sizewell C is forecast to increase the average travel time on the B1079 east approach by 37 seconds (busiest day) or 30 seconds (typical day). The A12 north approach is also predicted to experience an increase in travel times of up to 10 seconds and the A12 south approach by up to 11 seconds.</p> <p>Additional 2023 VISSIM runs have been conducted since the submission of the Transport Assessment Addendum [AS-266] to remove the committed Seven Hills upgrade from the 2023 model under the corrected assumption that it will not complete until after 2023, but before 2028. The revised 2023 travel time impacts differ slightly compared to those presented in the Transport Assessment Addendum [AS-266] but not to the extent that they change the conclusions being drawn. Sizewell C is predicted to increase travel times in 2023 by up to +4 seconds. The Consolidated Transport Assessment (Doc Ref 8.5(B)) includes the corrected results.</p>
<p>TT.1.80</p>	<p>SCC</p>	<p>Transport Assessment Addendum [AS-266] – Junction Modelling</p> <p>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?</p>
	<p>Response</p>	<p>No response from SZC Co. is required.</p>

ExQ1	Question to:	Question:
TT.1.81	The Applicant, SCC	<p>Transport Assessment Addendum [AS-266] – Junction Modelling</p> <p>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.</p>
	Response	<p><u>Junction 38: A12 / B1125</u></p> <p>The latest junction model results for the A12/B1125 junction presented in the Transport Assessment Addendum [AS-266] differ from those presented in the Transport Assessment [AS-017] due to two changes to the model, as follows:</p> <ul style="list-style-type: none"> - The forecast traffic flows used in the latest junction model have reduced by up to 11 vehicles per hour and increased by up to 11 vehicles per hour on each approach. The change in flows is due to the following changes to the strategic modelling which were documented in Chapters 7 and 8 of the Transport Assessment Addendum [AS-266]: <ul style="list-style-type: none"> - Revalidation of the strategic model in the area around Woodbridge - Refined Sizewell C direct bus strategy - Reduced Sizewell C HGV demands - Junction models require a number of measured geometries to be input, including visibilities for vehicles giving way at t-junctions. Visibilities are dependent on a number of variables such as on-street parking and height of vegetation and are therefore subjective in nature. Through discussion with Suffolk County Council (SCC), it was agreed that the modelled forward visibility for the right turn from the A12 south to the B1125 would be reduced from 80.6m to 50.0m. It was also agreed that the modelled left turn visibility from the B1125 would be reduced from 16m to 15m. This is considered to be conservative but has been accepted for the sake of robustness. A direct intercept adjustment of -50 was also applied to the minor arm to make the base model queue lengths more realistic. <p>The overall impact of these model changes was to increase the ratio of flow to capacity (RFC) by up to +0.10 from a maximum of 0.61 in the Transport Assessment [AS-017] to a maximum of 0.71 in the Transport Assessment Addendum [AS-266]. The largest</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		Sizewell C impact is predicted to be an increase of RFC of +0.28 in 2023, +0.11 in 2028 and no impact in 2034. This translates to delay increases on the B1125 of +19s in 2023, +9s in 2028 and no impact in 2034.
TT.1.82	SCC	<p>Transport Assessment Addendum [AS-266] – Junction Modelling</p> <p>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><u>A12 corridor assessment</u></p> <p>Based on the A12 VISSIM model, documented within Appendix 9C of the Transport Assessment Addendum [AS-266], it is concluded that Sizewell C impacts would not be significant on the A12 corridor from the A14 to the A1152. It should be noted that, the 650-HGV and 700-HGV figures in Table 9.55 and 9.56 had been accidentally swapped. The Consolidated Transport Assessment (Doc Ref 8.5(B)) includes the corrected results.</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	<p>Data with regards to daily variation on the A12 is included within Appendix 2C of the Consolidated Transport Assessment (Doc Ref 8.5(B)). Refer also to response to TT.1.42.</p>
TT.1.84	SCC	Transport Assessment Addendum [AS-266] – Road Traffic Collision Forecasts

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

ExQ1	Question to:	Question:
		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?
	Response	No response from SZC Co. is required.
TT.1.85	SCC, ESC, Wickham Market Parish Council	Transport Assessment Addendum [AS-266] – Road Traffic Collision Forecasts 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?
	Response	SZC Co. has developed a package of improvements within Wickham Market, which are to be funded via an obligation within the Deed of Obligation (Doc Ref. 8.17(C)) and implemented by Suffolk County Council. The Wickham Market proposals will widen footways, improve pedestrian crossing facilities and control traffic speeds through the careful application of footway build-outs and kerb re-alignment. SZC Co. believe the design as proposed will be effective at controlling traffic speeds through this part of the village. The current proposals do not include a 20mph zone, however the desire for this has been raised by Wickham Market parish council (WMPC) and discussions are continuing with Suffolk County Council (SCC), East Suffolk Council (ESC) and WMPC on its feasibility.
TT.1.86	The Applicant	Transport Assessment Addendum [AS-266] – Walking and Cycling Routes References to Access and Rights of Way Plans. Confirm: (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]?

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	(i) and (ii) The correct reference should have been to [AS-113] . Updated Access and Rights of Way Plans (Doc Ref. 2.4(C)) have also been provided at Deadline 2. These capture the new Bridleway link as set out paragraphs 12.2.27 and 14.3.16 of the Transport Assessment Addendum [AS-266] .
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>All goods vehicles over 3.5 tonnes (larger LGV and all HGVs) and all Sizewell C buses will be on fixed routes to/from the main development site. SZC Co. will monitor the HGV routes using GPS technology, as secured in the Construction Traffic Management Plan (CTMP) (Doc Ref 8.7(A)), which will be appended to the Deed of Obligation (Doc Ref 8.17(C)).</p> <p>LGV movements to/from the main development site will be booked into the delivery management system (DMS) and actively managed. A comparison of the actual LGV movements with the assessed LGVs to/from the main development site will be included in the transport monitoring report provided to the Transport Review Group (TRG) for review. LGVs less than 3.5 tonnes are not proposed to be tracked on their route to/from the main development site. The LGVs have been assigned to the highway network within the VISUM strategic model based on the observed distribution of LGVs in Suffolk. LGVs have route choice within the VISUM strategic model and therefore their impact has been assessed and mitigated, provided that the number of LGVs to/from the main development site is within the assessed level of LGV movements, which will be monitored. In addition, the vast majority if not all of the LGVs to/from the postal consolidation facility will already be on the network rather than new trips. They have only been assessed as new trips within the Consolidated Transport Assessment (Doc Ref 8.5(B)) in order to provide a worst case assessment.</p> <p>Construction worker car trips will have route choice but would be managed as follows:</p> <ul style="list-style-type: none"> • Only workers living inside the area bounded by the A12, River Blyth, and River Deben (except those living in Leiston or within 800m of the main development site) will be

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>issued a parking permit for the main development site on-site parking. This will act to limit the number of car trips to/from the main development site.</p> <ul style="list-style-type: none"> The purpose of the northern and southern park and ride facilities is to intercept construction worker car trips and consolidate them onto buses in order to reduce the effect of worker car trips on the highway network. <p>A construction signage strategy will be implemented by SZC Co. and is to be secured via the Deed of Obligation (Doc Ref 8.17(C)). From the A14 /A140 junction near Needham Market, yellow backed signs will direct all construction traffic to use A14, A12 and B1122 (early years) / Sizewell link road (once open to traffic) to reach the main development site. This is the fixed route that goods vehicles over 3.5T and SZC Co buses (southern park and ride facility and those direct from Ipswich and Woodbridge), will be required to use. The signage strategy will also direct buses from the northern park and ride facility and direct buses from Lowestoft to use the A12 and B1122/Sizewell link road.</p>
TT.1.88	The Applicant	<p>Transport Assessment (TA) [AS-017] – Rail</p> <p>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.</p>
	Response	<p>The only path currently in the timetable is owned by Nuclear Transport Services (formerly Direct Rail Services).</p> <p>This train path was used in connection with the decommissioning of Sizewell A, and following the removal of all nuclear material it is understood that this train path is now only used occasionally (at least every 12 weeks) to route a train to Sizewell Halt in order to maintain the freight paths and also train driver route knowledge.</p>
TT.1.89	The Applicant	<p>Transport Assessment (TA) [AS-017] – Rail</p> <p>Was the use of Sizewell Halt considered in relation to construction of Sizewell C?</p>
	Response	<p>As set out at the Stage 2 consultation, two early rail delivery options were identified at LEEIE and/or at Sizewell Halt. These were identified as playing a potentially important role during the early years of construction, by taking rail deliveries prior to the completion of the green rail route.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>Due to the limited space afforded at Sizewell Halt, it was deemed that there is insufficient space for safe material handling, stockpiling and operate an HGV transfer area. To overcome this issue, an overhead conveyor system across King George's Avenue was considered. This would help transfer offloaded material back into LEEIE for stockpiling. However, from a noise, visual and dust impact point of view this was considered to not be a feasible option. Also, the number of wagons for each freight delivery is limited by the length of the existing rail facility and due to limited space, the terminal cannot feasibly be extended. Therefore, not being able to optimise each freight delivery was ultimately the main reason for discounting the Sizewell Halt as a viable option following the Stage 3 consultation.</p>
TT.1.90	The Applicant	<p>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?</p>
	Response	<p>With the exception of a short overlap during the changeover to the Green Rail Route, the rail siding will not typically be used after the opening of the Green Rail Route. The rail siding in LEEIE will be decommissioned at the same time as all of the LEEIE is reinstated. This is to retain contingency in case it is needed and is the basis upon which the Environmental Statement has been prepared, as set out in Volume 3, Appendix 2.2.B of the ES Addendum (Doc Ref. 6.14(A)).</p>
TT.1.91	The Applicant	<p>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 alignments with reference to the initial modelling undertaken and include any initial modelling assessment</p>
	Response	<p>SZC Co. HGV traffic will be on fixed routes and will be required to use the Sizewell link road, and therefore HGVs will not be travelling through the settlements of Knodishall, Leiston and Saxmundham. Routes further south are therefore not required to provide alleviation of any such HGV impacts.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>Similarly, the park and ride strategy is to intercept car trips on the A12 and to consolidate workers onto buses. The park and ride and direct buses would be assigned to the Sizewell link road, and therefore the park and ride buses will not be travelling through the settlements of Knodishall, Leiston and Saxmundham.</p> <p>Furthermore, a parking permit system is proposed to be restricted to workers living east of the A12 (outside of Leiston) and therefore car trips would only be travelling a relatively short distance and would be dispersed across the various villages. Car parking spaces are limited at the main development site to 1,000 spaces.</p> <p>The route selection exercise for the Sizewell link road was informed by an understanding of environmental factors. This environmental information, and the reasons why Route Z south was chosen, can be found in paragraphs 3.2.36 to 3.2.59 of Chapter 3, Volume 6 of the ES [APP-450]. Further background information on the route selection has also been compiled to assist the examination. This information is set out at Chapter 4 of the Sizewell Link Road: Principle and Route Selection Response Paper, which is at Appendix 5D of the written responses.</p> <p>However, as set out at paragraphs 4.1.64 to 4.1.72 of Chapter 4 of the Sizewell Link Road: Principle and Route Selection Response Paper, SZC Co. undertook a comparison modelling assessment of Route W North to Route Z, after Suffolk County Council (SCC) requested SZC Co. revisit Route W at the Stage 3 consultation.</p> <p>This modelling assessment expects that there would be 105 daily two-way SZC HDV flows on the A12 through Yoxford if Route W North was constructed (based on the Jan 2021 HDV flows), as HDVs would need to pass through Yoxford (on the A12) to reach the more southern alignment of Route W north. There would be 0 HDV flows through Yoxford if the Sizewell link road was constructed.</p> <p>Therefore, Route W North, and the other more southern alignments of Route X and Y, would not provide as much traffic relief to Yoxford compared to the Sizewell link road.</p>
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.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>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>
	<p>Response</p>	<p>The purpose of the Sizewell link road is to manage the impacts of the Sizewell C project, and specifically manage the impacts on the B1122 and local communities along the B1122. Retaining the Sizewell link road does create the opportunity for long term legacy benefit.</p> <p>Retaining the Sizewell link road would result in a permanent reduction in traffic for communities along the B1122. The Sizewell link road would also be particularly beneficial when statutory outages, and forced/un-planned outages, occur in the operational stage of the power plant.</p> <p>This permanent reduction in traffic for communities along the B1122, as a result of the Sizewell link road, also offers other benefits, including sustained improvements in noise and air quality, particularly in Theberton.</p> <p>Also, as the majority of traffic would reassign to use the Sizewell link road, the B1122 will experience much lower traffic volumes and could become more popular among cyclists, helping improve cycling connectivity in the immediate area.</p> <p>These long term legacy benefits of the Sizewell link road have been explained in response to question AI.1.33 in Chapter 5 of the written responses. The benefits of retaining the Sizewell link road are set out in more detail at Chapter 3, Section viii of the Sizewell Link Road: Principle and Route Selection Response Paper (paragraphs 3.1.130 to 3.1.134), which is included at Appendix 5D of the written responses.</p>
<p>TT.1.93</p>	<p>The Applicant</p>	<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>
	<p>Response</p>	<p>As explained in SZC Co's. response to TT.1.91 of this chapter, the route selection exercise for the Sizewell link road was closely informed by an understanding of environmental factors. As explained there, background information on the route selection, including transport analysis as referred to in this question, has been compiled to assist the</p>

ExQ1	Question to:	Question:
		examination and is set out at Chapter 4 of the Sizewell Link Road: Principle and Route Selection Paper , which is included at Appendix 5D .
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	<p>At peak construction, 42% of the assessed Sizewell C direct buses would travel on the A12 south of the Sizewell link road.</p> <p>Workers and LGVs < 3.5T would not use fixed routes as goods vehicles > 3.5T and buses would, and indeed there would be only a small number of worker vehicles using the A12/Sizewell link road junction during peak construction as most travelling from outside of the area bounded by the A12 and Rivers Deben and Blyth would use the park and ride sites or direct buses and not be permitted to drive direct to the main development site. Many workers living south of the Sizewell link road, within the A12 boundary and north of the River Deben, would not use this stretch of the A12 to travel to the site but would use local routes such as the B1119 or B1069. At peak construction, around 15% of Sizewell C worker (car) trips and 4% of LGVs are expected to travel on the A12 south of the Sizewell link road. In terms of the actual distribution of trip origins/destinations, regardless of whether or not they would travel on this stretch of A12 just south of the Sizewell link road, around 61% of Sizewell C worker vehicles (cars) and 73% of Sizewell C LGVs are assumed to be distributed, geographically, south of the Sizewell link road and A1120.</p> <p>Appendix 8D of the Consolidated Transport Assessment (Doc Ref 8.5(B)) contains traffic flow plots which show the distribution of Sizewell C traffic on the network.</p>
TT.1.95	The Applicant	<p>Sizewell Link Road -Traffic on B1122</p> <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.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	<p>(i) The works on the main development site are to be started as soon as practical following the grant of DCO and following the Final Investment Decision in view of the urgency of the project, the need to meet the policy expectation of deployment by 2035 and the need to bring forward the benefits of the project for the national, regional and local economy as soon as possible. The controls associated with the Implementation Plan will ensure that the Sizewell link road is operational at the earliest opportunity and that disruption caused by construction traffic using the B1122 is kept to a minimum.</p> <p>(ii) The response to this is set out in the paper on the early years strategy for the B1122 in Appendix 24C of the written responses.</p>
TT.1.96	<p>The Applicant</p> <p>Response</p>	<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> <p>SZC Co. acknowledges the concerns raised by local residents and discussions have been on-going regarding this matter during public consultation and since submission of the DCO application. Recent helpful discussions with SCC has confirmed that a vehicular bridge is viable in this location when combined with a reduction in speed limit. Although SZC Co. considers that the current DCO proposals would provide sufficient connectivity between Theberton and Saxmundham and would maintain access to Theberton Hall, SZC Co. does see merit in maintaining vehicular access along Pretty Road to assist with local connectivity and to enhance landowner access to fields either side of the Sizewell link road.</p> <p>In response to the concerns raised, SZC Co. is therefore intending to revise the Pretty Road bridge proposals so that vehicular access across the Sizewell link road in this location is maintained. SCC have been made aware of this intention and are supportive of the amendment in principle. Please see the Second Notification of Further Proposed Project Changes (Doc Ref. 9.27) submitted at Deadline 2 for further detail.</p>
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>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		(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	<p>The Sizewell C traffic that is forecast to route through Farnham in the early years is summarised in Table 8.4 of the Transport Assessment Addendum [AS-266]. The table shows that there is forecast to be 20,950 two-way vehicles routing on the A12 through Farnham in 2023 without Sizewell C. The assessment summarised in Table 8.4, based on the VISUM strategic model, forecasts that the addition of Sizewell C early years traffic would increase daily traffic flows through Farnham by circa 8%. Based on the strategic modelling and the impact on journey times along the routes, which include Farnham, it is considered that the early years Sizewell C traffic would not result in a significant impact on congestion/delay through Farnham.</p> <p>The Sizewell C traffic in the early years is proposed to be managed via the measures and controls set out in the Construction Traffic Management Plan (CTMP) (Doc Ref 8.7(A)) and Construction Worker Travel Plan (CWTP) (Doc Ref 8.8(A)). This includes, but is not limited to, a delivery management system to manage freight movements and routing of HGVs, limits on HGV movements and timing, management of AILs, park and ride facility and caravan park at the LEEIE, parking permits and constrained parking at the main development site.</p>
TT.1.99	The Applicant	<p>Transport Assessment Addendum [AS-266] - Two Village Bypass</p> <p>In the case of Little Glenham and Marlesford how will the traffic increases shown in these Tables be mitigated throughout the construction programme?</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	The Deed of Obligation (Doc. Ref. 8.17(C)) identifies a Marlesford and Little Glemham Improvement Contribution to be used by Suffolk County Council (SCC) for the design and implementation of local improvements to mitigate Sizewell C impacts. The potential improvements include new 30mph speed limit through Marlesford and extension of the existing 40mph speed limit, traffic calming, gateway features, new and wider footways and crossings. Discussions are ongoing with Suffolk County Council, East Suffolk Council and the parish councils, with a view to agreeing the proposed scheme.
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	At an early stage in the project, SZC Co. considered the provision of a direct connection between the eastern platform and the northern park and ride facility but it was not progressed. This was based on interrogation of the rail timetable which indicated the timing of existing rail services would not align well with Sizewell C shift times, therefore workers were deemed unlikely to travel by rail in significant numbers. This does not preclude the use of rail by construction workers and visitors, which will be encouraged through the Construction Worker Travel Plan (CWTP) (Doc Ref 8.8(A)). Any workers or visitors using rail would be able to transfer to the northern park and ride facility for onward travel to the main development site via the existing footway and proposed pedestrian access into the northern park and ride facility.
TT.1.101	The Applicant	Northern Park and Ride, Darsham Have improvements to the existing footway connection to the station been considered?
	Response	There is already a surfaced footway separated from the road by a grass verge benefitting from street lighting running along the north west side of the A12. The existing provision is considered to be acceptable for the envisaged low level of demand for transfer between rail and park and ride bus and further improvement was not considered necessary.
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

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>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?</p>
	Response	<p>The northern park and ride is located to the north of Darsham level crossing. The purpose of the park and ride is to intercept construction worker car trips and consolidate construction workers onto buses for the onward journey to the main development site. The majority of the Sizewell C traffic travelling through the level crossing would therefore be HGVs and buses. Drivers of HGVs and buses will undergo an induction and adhere to Driver Rules to ensure that they are fully aware of the potential dangers, prepared to stop at crossings and understand the warnings.</p> <p>Discussions are ongoing with Network Rail regarding the level of increased risk at this crossing and whether an intervention is required.</p>
TT.1.103	The Applicant	<p>Southern Park and Ride, Wickham Market</p> <p>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?</p>
	Response	<p>SZC Co. did not consider the existing Martlesham park and ride site a viable option for the southern park and ride. The park and ride site selection criteria included the need for a site to provide at least 1000 spaces. The Martlesham site has 535 spaces and is in use as part of the Ipswich park and ride system.</p> <p>Based on discussions with SCC, of the 535 spaces on the site, 400 are leased to First Group as part of the Ipswich park and ride service that they operate and 90 spaces are leased to Suffolk Constabulary for staff parking. Thus only a small number of spaces would be available to SZC Co. and therefore it would not be feasible for the needs of the Project.</p> <p>SZC Co does anticipate that the proposed direct bus services from Ipswich, which would start when sufficient demand from workers living in Ipswich exists, could be routed past the Martlesham park and ride site and could pick up/drop off construction workers.</p>
TT.1.104	The Applicant	<p>Southern Park and Ride, Wickham Market</p> <p>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?</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	<p>The northbound on slip road joins the existing A12 where the two lanes of the dual carriageway reduce to a single lane north of the Wickham Market bypass. There are effectively three lanes merging into one, which is a road safety concern. Notwithstanding this, there has only been one slight collision in the five-year period reported in the Transport Assessment (Doc Ref. 8.5(A)) [AS-017].</p> <p>However, given the increased traffic volume due to Sizewell C on the A12 and additional buses from the southern park and ride facility using the slip road, the SZC Co. highway measures propose to mitigate traffic impacts and reduce the likelihood of additional collisions at this location. The Stage 1 Road Safety Audit, included in Appendix 10A of the Transport Assessment [AS-017], considered the lane reduction proposals and did not raise any safety concerns with the proposed change from two to one lane before the northbound slip. In paragraph 869 of their response to Stage 3 consultation, Suffolk County Council indicated that subject to detailed design, swept path assessment, capacity assessment and road safety audit, the highway proposals would be acceptable.</p>
TT.1.105	The Applicant	<p>Southern Park and Ride, Whickham Market</p> <p>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</p>
	Response	<p>Yes. A Stage 1 Road Safety Audit (RSA) was carried out at this proposed access. The RSA and Designer's Response was provided in Appendix 10A of the Transport Assessment (Doc Ref. 8.5(A)) [AS-017].</p>
TT.1.106	The Applicant	<p>Southern Park and Ride, Whickham 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	<ul style="list-style-type: none"> (i) The maximum occupancy of the TIMA is circa 90 HGVs/ buses. (ii) The use of the TIMA will be controlled through the Traffic Incident Management Plan (TIMP) (Doc Ref 8.6(A)), which SZC Co. is required to implement under the Deed of Obligation (Schedule 16) (Doc. Ref. 8.17(C)). At Hinkley Point C it is only

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>the police that can activate the TIMP and the associated procedures in the event of an incident on the highway network. Discussions are ongoing with the local authorities, Highways England and Suffolk Constabulary with regards to the TIMP (Doc Ref 8.6(A)) but a similar approach to activation of the TIMP is likely to be taken. Therefore the use of the TIMA is to be restricted to buses and HGVs in the event of an incident on the highway network, which would result in the TIMP being activated.</p>
TT.1.107	The Applicant	<p>Southern Park and Ride, Wickham Market 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	<ul style="list-style-type: none"> (i) The postal consolidation facility at the southern park and ride facility would consolidate all post for the main development site, including the accommodation campus. (ii) Two LGVs travelling each way per day from the postal consolidation building to the Sizewell C main development site.
TT.1.108	The Applicant	<p>Freight Management Facility (FMF) 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	<p>Yes. A Stage 1 Road Safety Audit (RSA) was carried out at this proposed access. The RSA and Designer's Response was provided in Appendix 10A of the Transport Assessment (Doc Ref. 8.5(A)) [AS-017].</p>
TT.1.109	The Applicant	<p>Freight Management Facility (FMF) 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>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	<p>Refer to response to TT.1.17 with regards to the proposed two functions of the freight management facility. SZC Co. has needed to balance the requirements of the two functions of the freight management facility when selecting a preferred location.</p> <p>Given the primary day to day function of the freight management facility is to manage the release of HGVs onto the local highway network and undertaken compliance checks, the freight management facility has been located at the start of the local highway network where the A14 and A12 meet and to the south of Martlesham and Woodbridge, which are known to suffer from localised congestion. Any further north towards Sizewell and the facility would be less effective in responding to sensitivities on the A12. The freight management facility is already over 40km away from the main development site and locating it even further away from the site (i.e. west of the Orwell bridge) would impact on the operational ability of the facility to so closely control HGV arrivals at the main development site.</p> <p>The secondary, and far less frequent function of the freight management facility, is to enable HGVs to be held in the event of an incident on the highway network, which forms part of the management measures included in the Traffic Incident Management Plan (TIMP) (Doc Ref 8.6(A)). The TIMP (Doc Ref 8.6(A)) sets out the protocols to be followed by SZC Co. and relevant stakeholders in the event of an incident on the highway network. The closure of the Orwell bridge is just one of these scenarios.</p> <p>Orwell Bridge closure would only prevent inbound HGV traffic reaching the freight management facility. In the event of a bridge closure, SZC Co. would contact any deliveries en-route to the freight management facility through the DMS and the drivers would be required to park and wait until the bridge is reopened before continuing their journey. SZC Co. is in discussions with Highways England to agree suitable locations west of the Orwell bridge for HGVs to be required to wait. It is also important to note that from discussions with Highways England the frequency of bridge closures should be less as they have recently implemented management measures.</p> <p>Given the freight management facility is best placed for its primary function east of the Orwell Bridge, and the DMS controls the flow and movement of HGVs to the west of the Orwell Bridge, no alternatives west of the bridge were considered in detail. The Site Selection Report [APP-591] and Volume 8, Chapter 3 (Alternatives and Design Evolution) of the ES [APP-514] for the FMF in the original DCO Application explain the site selection process in more detail.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
TT.1.110	The Applicant	<p>Freight Management Facility (FMF) 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	<ul style="list-style-type: none"> (i) Between 6-8 am are expected to be the busiest hours of arrivals at the freight management facility, and 7-9am for departures (i.e. heading on to the main development site). (ii) The assumed distribution of HGVs at the main development site is 85% from the A12 south / 15% from the A12 north. HGVs arriving from the south would use the freight management facility en-route to the main development site. HGVs arriving from the north would not route via the freight management facility due to the extent of the diversion on their route to the main development site. However, all HGVs to/from the main development site will be tracked via GPS to monitor compliance with the HGV routes. <p>The 85% from A12 south is made up of 15% from Felixstowe Port, 10% from Ipswich Port and 60% from London/the South East. These HGVs would be required to stop at the freight management facility prior to arrival at the main development site, which equates to 17.6% of HGVs approaching from the Felixstowe area (15/85) via A14 east/Seven Hills/A1156 and turning left into the freight management facility, and 82.4% (70/85) approaching from the A14 west/Seven Hills/A1156 and turning left into the freight management facility. All HGVs leaving the freight management facility would exit right onto the A1156 and straight across Seven Hills to the A12.</p>
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

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

ExQ1	Question to:	Question:
	Response	<p>(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.</p> <p>(i) There is no proposed construction access to the freight management facility from the A12. The construction access would be from the existing Felixstowe Road. Therefore, "A12" should read "Felixstowe Road" in para 2.4.11 of [APP-511] and the description of Work no 13 in Schedule 1 of the draft DCO (Doc. Ref. 3.1(C)) is correct. The proposed access point for the freight management facility (A13/1) is shown on Freight Management Facility – Rights of Way Plans Sheet 23 of 28. Updated Access and Rights of Way Plans (Doc Ref. 2.4(C)) have been submitted at Deadline 2.</p> <p>(ii) The proposed site access points are shown on the Access and Rights of Way Plans and listed in the Schedule of Accesses [AS-294].</p> <p>With regards to temporary construction accesses however, please see the article 19(1)(b) power in the draft DCO (Doc. Ref. 3.1(C)) and the justification for its inclusion as set out in the Applicant's latest response to question 8(1) of the ES/DCO clarification questions submitted at Deadline 1 [REP1-015].</p> <p>Article 19(1)(b) authorises the undertaker to form and lay out means of access or improve existing means of access "at such other locations within the Order limits as the undertaker reasonably requires". The use of this power, however, is subject to the need for the undertaker first to obtain the agreement of the street authority after consultation with the highway authority. That additional requirement reflects the fact that the access points that may be created pursuant to this second limb of Article 19(1) are not yet known and identified, though they must be located within the Order Limits.</p> <p>Article 19(1)(b) is intended to cater for the subsequent identification of the need to create or improve an additional access, i.e. in addition to those which were anticipated and thus identified at the application stage and therefore included within the scope of Article 19(1)(a). As such it is not possible at this stage to identify those accesses to be authorised pursuant to Article 19(1)(b) so that they may be added to the accesses already identified in the Schedule of Accesses [AS-294].</p> <p>The degree of flexibility afforded by Article 19(1)(b) is appropriate and necessary for a project of this size, complexity and likely duration. This is reflected in the widespread inclusion of such a power in other DCOs (for example, the Southampton to London</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>Pipeline, Riverside Energy Park and Wylfa DCOs). Indeed, it is not unusual even on smaller (non-DCO) projects for details of construction accesses to be submitted post-consent as part of a construction management strategy or construction logistics plan in consultation with the relevant local and/or highway authority. The effect of Article 19(1)(b) is to afford a similar level of flexibility to the Applicant subject to the agreement of the street authority following consultation with the highway authority.</p>
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	<p>Guidance on hours or periods to assess is set out in paragraphs 2.8 and 3.10 of the Institute of Environmental Management (IEMA) Guidance²¹. Paragraph 2.8 of the guidance²² states:</p> <p><i>“In preparing an Environmental Statement it is considered that the documentation should enable significantly affected people, parties or interests to be able to identify the “worst” environmental impact that might reasonably be expected, in addition to how they would be affected by the average or typical conditions. This issue is returned to in paragraph 3.10 of these Guidelines. “Worst” environmental impacts are likely to include the effect of “greatest change” as well as “highest impact.”</i></p> <p>Paragraph 3.10 of the guidance²³ states:</p> <p><i>“The detailed assessment of impacts is therefore likely to concentrate on the period during which the absolute level of an impact is at its peak, as well as the hour at which the</i></p>

²¹ Institute of Environmental Management and Assessment (IEMA) (1993). The Guidelines for the Environmental Assessment of Road Traffic.

²² Institute of Environmental Management and Assessment (IEMA) (1993). The Guidelines for the Environmental Assessment of Road Traffic.

²³ Institute of Environmental Management and Assessment (IEMA) (1993). The Guidelines for the Environmental Assessment of Road Traffic.

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

ExQ1	Question to:	Question:
		<p><i>greatest level of change is likely to occur. Special attention should also be given to periods which may be considered to be especially sensitive, such as night-time noise."</i></p> <p>The guidance²⁴ focuses on the environmental effects of increases in traffic on roads, which includes the transport impacts assessed in Volume 1, Chapter 2 of the ES Addendum [AS-181] (e.g. severance, pedestrian delay etc) as well as other impacts such as noise and vibration and dust and dirt. Therefore, the guidance in paragraph 2.8 and 3.10²⁵ needs to be considered against the transport impacts that have been assessed in Volume 1, Chapter 2 of the ES Addendum [AS-181] and the criteria for that assessment.</p> <p>The assessment of severance, pedestrian delay, amenity and fear and intimidation is based on percentage / actual change in traffic flows. Therefore the hour of greatest change in traffic flow has been assessed (i.e. representative hour) and for all other hours of the day, the impact on these aspects will be less. The average or typical level of impact on severance, pedestrian delay, amenity and fear and intimidation has also been undertaken based on average weekday traffic flows.</p> <p>There is no need to assess the hour of highest absolute level of impact for severance, pedestrian delay, amenity and fear and intimidation (i.e. when the total Reference Case + Sizewell C traffic is at the combined highest level) as, unless this hour coincides with the hour of greatest change (i.e. representative hour) the assessment of the hour of absolute level of impact would result in lower impacts on vulnerable road users than the representative hour.</p> <p>Likewise, given that the assessment is based on changes in traffic levels and not levels of vulnerable users, the assessment of the hour of greatest change (i.e. representative hour) provides the greatest level of impact that any vulnerable road user would experience during the day.</p> <p>If the effect on vulnerable road users is assessed to be not significant in the hour of greatest change in traffic flows (i.e. representative hour), then the effect would be not significant in all other hours of the day that vulnerable road users are likely to use the network (including the hour of highest environmental impact) as the percentage change in traffic would be less in those hours.</p>

²⁴ Institute of Environmental Management and Assessment (IEMA) (1993). The Guidelines for the Environmental Assessment of Road Traffic.

²⁵ Institute of Environmental Management and Assessment (IEMA) (1993). The Guidelines for the Environmental Assessment of Road Traffic.

ExQ1	Question to:	Question:
		<p>The exception to this is for the links that have been assessed within Volume 1, Chapter 2 of the ES Addendum [AS-181] to have a significant adverse effect based on the representative hour but the effect has been considered to be not significant as the representative hour did not coincide with the hour of highest environmental impact (e.g. at the start/end of the school day). In these small number of cases, an assessment of the hour of highest environmental impact should have been undertaken and has been included in a note at Appendix 24D of the written responses.</p> <p>With regards to other transport aspects that are assessed within Volume 1, Chapter 2 of the ES Addendum [AS-181] (i.e. driver delay and road safety), the assessment was based on the Transport Assessment Addendum [AS-266]. The Transport Assessment Addendum [AS-266] has assessed the impact on driver delay for a number of modelled hours, which include the development peak hour and the hour of highest absolute impact (i.e. when the total Reference Case + Sizewell C traffic is at the combined highest level). The assessment of driver delay is not based on percentage change in traffic but traffic modelling of the effects of increased traffic on driver delay.</p> <p>The assessment on the effect on road safety is based on the Department for Transport's cost benefit analysis light touch (COBALT) methodology to assessing the impact on road traffic collisions as a result of increases in traffic. The assessment is based on 24 hour daily flows as this is what is required by the COBALT assessment.</p> <p>In summary, it is considered that the assessment within Volume 1, Chapter 2 of the ES Addendum [AS-181] accords with the guidance on assessment hours and periods set out in the IEMA Guidance²⁶. The exception to this is a small number of cases where the hour of greatest environmental impact should have also been assessed. This further assessment is included in Appendix 24D of the written responses.</p>
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>

²⁶ Institute of Environmental Management and Assessment (IEMA) (1993). The Guidelines for the Environmental Assessment of Road Traffic.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	Refer to the response to TT.1.112 .
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 IMEA 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	<p>The screening in Volume 1, Chapter 2 of the ES Addendum [AS-181] has been based on 24 hour AAWT. The IEMA guidance does not specify whether the screening should be based on daily traffic flows or hourly flows. However, when providing reasoning for the screening thresholds, the IEMA guidance refers to daily flows within paragraph 3.16, which states “<i>It should also be noted that the day-to-day variation of traffic on a road is frequently at least some + or -10%</i>”. Given this, it was decided to base the screening process on the 24 hour AAWT flows.</p> <p>SCC and ESC have provided comments on the transport environmental assessment included in Volume 1, Chapter 2 of the ES Addendum [AS-181]. Further work is ongoing by SZC Co. to address SCC’s and ESC’s comments on the assessment. SZC Co. will include additional screening as part of that work based on the representative hour. A technical note will be submitted to the Examination summarising the further assessment that is being undertaken as part of the Statement of Common Ground discussions with the local authorities.</p>
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	Refer to the response to TT.1.112 with regards to hour of highest environmental impact.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		Furthermore, it should be noted that Table 7.4 of the Transport Assessment [AS-017] summarises the Sizewell C HGV movements assessed for each hour of the day for the peak construction scenario. The table does not set out the percentage change in HGVs for each hour of the day compared to the Reference Case flows. A lower level of background HGVs on the network will result in a higher percentage change, which is why the representative hour has been taken to be 07:00-08:00.
TT.1.116	The Applicant	<p>ES CHAPTER 10 [APP-198] – TRANSPORT</p> <p>In terms of Fear and Intimidation the IMEA 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>
		Refer to the response to TT.1.112 .
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	<p>Table 10.2 of the IEMA guidance refers to the change in average speed and not the vehicle speed itself. For example, an increase in average speed of +20mph would be considered to be a high magnitude of impact.</p> <p>The average vehicle speeds are not expected to change to the level set out in Table 10.2 of the IEMA Guidance²⁷ and therefore change in vehicle speeds have not been considered as part of the assessment of fear and intimidation.</p>
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	Refer to response to question TT.1.95 .

²⁷ Institute of Environmental Management and Assessment (IEMA) (1993). The Guidelines for the Environmental Assessment of Road Traffic.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
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>
		No response from SZC Co. is required.
TT.1.120	The Applicant	<p>ES CHAPTER 10 [APP-198] – TRANSPORT</p> <p>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	<p>The assessment has been updated since the submission of the Volume 2, Chapter 10 of the ES [APP-198]. Volume 1, Chapter 2 of the ES Addendum [AS-181] was based on the refined traffic modelling and therefore the environmental effects for the links referred to in this question should be based on the ES Addendum [AS-181] and not the ES [APP-198].</p> <p>Please refer to response to TT.1.112 with regards to the further assessment undertaken for some links for the hour of highest environmental impact, which is summarised in Appendix 24D of this chapter.</p>
TT.1.121	The Applicant	<p>ES ADDENDUM [AS-181] – Pedestrian Delay Methodology</p> <p>Paragraph 2.5.4, explain:</p> <ul style="list-style-type: none"> (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].

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	<p>(i) The methodology for pedestrian delay is set out in Appendix 6F of Volume 1, Chapter 6 of the ES [APP-177]. The IEMA guidelines²⁸ refer to a report published by the Transport Research Laboratory (TRL)²⁹, as providing a useful approximation for determining pedestrian delay. It is the TRL report that has been used as a the basis for calculating the increase in pedestrian delay for both the assessment included in Volume 2, Chapter 10 of the ES [APP-198] and Volume 1, Chapter 2 of the ES Addendum [AS-181]. The only refinement has been that in the assessment in Volume 2, Chapter 10 of the ES [APP-198], the increase in pedestrian delay was based on the graph from the TRL report³⁰, which is duplicated at Plate 1.1 of Appendix 6F of Volume 1, Chapter 6 of the ES [APP-177] whereas the assessment in Volume 1, Chapter 2 of the ES Addendum [AS-181], the increase in pedestrian delay was based on the equation that the graph from the TRL report is based on³¹.</p> <p>(ii) Refer to (i)</p> <p>(iii) It is based on the same methodology but more refined and so the results are consistent but more accurate within the assessment included in Volume 1, Chapter 2 of the ES Addendum [AS-181].</p> <p>(iv) As set out in (i) it is not contrary but consistent to the methodology outlined in paragraphs 1.3.46 to 1.3.48 of Appendix 6F of Volume 1, Chapter 6 of the ES [APP-177].</p>
TT.1.122	SCC, ESC	<p>ES ADDENDUM [AS-181] – Severance 2023 Early Years</p> <p>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% rise in traffic volumes in the representative hour do the Councils agree with this assessment?</p>

²⁸ Institute of Environmental Management and Assessment (IEMA) (1993). The Guidelines for the Environmental Assessment of Road Traffic.

²⁹ Goldschmidt (1976). Pedestrian delay and traffic management. SR356 Transport Research Laboratory.

³⁰ Goldschmidt (1976). Pedestrian delay and traffic management. SR356 Transport Research Laboratory.

³¹ Goldschmidt (1976). Pedestrian delay and traffic management. SR356 Transport Research Laboratory.

ExQ1	Question to:	Question:
	Response	<p>Table 2.10 of Volume 1, Chapter 2 of the ES Addendum [AS-181] provides the assessment of severance in the 2023 early years construction phase for the representative hour (i.e. hour of greatest change).</p> <p>Table 1.2 in Volume 3, Appendix 2.5.B of the ES Addendum [AS-203] shows that in the representative hour the traffic flows on Link 11, B1125 through Westleton, are forecast to increase from 235 two-way vehicles to 378 two-way vehicles, which is a 61% increase in traffic. This would be a medium magnitude on a high sensitivity receptor (due to the playground), which has been assessed to be major adverse.</p> <p>However, consideration of absolute levels of traffic is important when considering environmental effects. For example, if there was 1 vehicle currently travelling on along a road and a development added another 1 vehicles to the road, it would equate to a 100% increase in traffic and a high magnitude of effect on severance but the actual effect on severance would be very low. DMRB LA112 'Population and Human Health'³², which supersedes previous guidance in DMRB Volume 11, Section 3, Part 8 (Pedestrians, Cyclists, Equestrians and Community Effects), recognises this. Table 3.11 of DMRB LA112³³ provides thresholds for the magnitude of severance effects based on absolute traffic volumes. It states that there would be a low magnitude of impact for changes in daily traffic flow of <4000 vehicles per day. Table 1.1 of Volume 3, Appendix 2.5.B of the ES Addendum [AS-203] shows that the change in traffic on Link 11 would be 538 vehicles per day (i.e. 3,262 – 2,724 vehicles). Therefore, it is considered that there would be a very low magnitude of impact, which would result in a minor adverse impact, which would be not significant. The conclusions provided within Volume 1, Chapter 2 of the ES Addendum [AS-181] are valid and the effect on severance on Link 11 in the representative hour would be not significant.</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>

³² DMRB (2020) LA112 'Population and Human Health'. Available at: <https://www.standardsforhighways.co.uk/prod/attachments/1e13d6ac-755e-4d60-9735-f976bf64580a>

³³ DMRB (2020) LA112 'Population and Human Health'. Available at: <https://www.standardsforhighways.co.uk/prod/attachments/1e13d6ac-755e-4d60-9735-f976bf64580a>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	Refer to the response to TT.1.112 within this chapter and the additional assessment in Appendix 24D of the written responses for the hours of greatest environmental impact for a small number of links, including Link 6, B1119 Saxmundham Road in Leiston, which is referred to in this question.
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>
	Response	<p>The proposed Pegasus crossing across the B1122 has been located to facilitate access to the new bridleway on the south east side of Eastbridge Road. The position of the crossing means that users accessing the new bridleway on Eastbridge Road only have to cross the B1122 (north) and Eastbridge Road, with the latter being a lightly trafficked route. If the crossing was situated to the south of the roundabout users it would require users to cross higher trafficked roads the B1122 (south) and Sizewell C main development site access. As such it is considered the crossing is situated on the desire line of existing users of the PRow network surrounding the site. For construction workers travelling between Sizewell C from Leiston on foot and cycle, the crossing is not situated on the north / south desire line. For construction workers, use of the Pegasus crossing will result in a small increase in journey time and distance, but the impact of this is considered to be negligible.</p>
TT.1.125	The Applicant	<p>ES ADDENDUM [AS-181] – Amenity 2028 Peak Construction Busiest Day</p> <p>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.</p>
	Response	<p>The assessment in paragraphs 2.5.64 – 2.5.65 of Volume 1, Chapter 2 of the ES Addendum [AS-181] is expressly undertaken on the basis of reasonable assumptions and recognises that actual routing of direct buses will be agreed via the Transport Review Group (TRG) processes (see text within paragraph 2.5.65 [AS-181]). This is consistent</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		with regulation 14(3) of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 which requires inclusion of “the information reasonably required for reaching a conclusion on the significant effects” (emphasis added). It is neither practical nor desirable for the direct bus routes to be fixed at this stage without the ability for the Transport Review Group to consider and refine them based on the actual location of construction workers and the number of workers over time. The Construction Worker Travel Plan (CWTP) (Doc. Ref. 8.8(A)) provides for initial approval and subsequent refinement of bus timetables and routes by the TRG.
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	Yes. Mitigation is proposed at Little Glemham and Marlesford, to be secured via an obligation in the Deed of Obligation (Doc. Ref. 8.17(C)). See response to question TT.1.99 of this chapter.
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	Refer to the response to question TT.1.58 of this chapter with regards to the refinement of the direct bus strategy and reduction in vehicles travelling to the southern park and ride facility.
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	The level of delay stated in paragraph 2.5.89 of Volume 1, Chapter 2 of the ES Addendum [AS-181] was incorrect due to a mistake with the headings in tables 9.55 and 9.56 of the Transport Assessment Addendum [AS-266] , which has been corrected

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>within the Consolidated Transport Assessment (Doc. Ref. 8.5(B)). The 650 HGV and 700 HGV travel times had been swapped. Paragraph 2.5.89 should read [AS-181]:</p> <p><i>"The journey time analysis from the VISSIM micro-simulation model of the A12 corridor demonstrates that the journey time increase on the A12 northbound, between Seven Hills and just north of A1152, is predicted to be 11-42 seconds depending on the hour and 0-29 seconds in the southbound direction depending on the hour. Over a 14km route, the effect on journey time on this part of the A12 would be negligible, which is not significant."</i></p> <p>Despite the small change in impacts presented, the conclusion that this would be negligible and not significant is still considered to be correct. These increases in journey times over a 14km route are not considered to be significant.</p>
TT.1.129	The Applicant	<p>Cumulative Impact Appendices [ES-201]- Appendix 10.4 Fear and Intimidation</p> <p>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</p>
	Response	<p>Table 2.13 to 2.18 and Tables 3.13-3.18 in Appendix 10.4.A (Fear and Intimidation) of Volume 3 of the ES Addendum [AS-201] include 18 hour flows. The titles of these tables incorrectly refers to 24hr AAWT rather than 18hr AAWT.</p>
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	<p>The assessment of cumulative transport effects in Appendix 10.4.A of Volume 3 of the ES Addendum [AS-201] assessed the typical/average cumulative transport effects based on average daily traffic flows. As part of ongoing discussions with Suffolk County Council (SCC) and East Suffolk Council in order to seek to reach common ground on the transport environmental assessment, further work is ongoing by SZC Co. to address SCC's and ESC's comments on the assessment. This includes a further cumulative impact</p>

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

ExQ1	Question to:	Question:
		assessment of the representative hour. A technical note will be submitted to the Examination summarising the further assessment that is being undertaken as part of the Statement of Common Ground discussions with the local authorities.
TT.1.131	The Applicant	Cumulative Transport Impacts [AS-189] [ES-201]- Hour of Greatest Impact Why has there been no consideration of the hour of greatest environmental impact in the Cumulative assessment?
	Response	Refer to the response to TT.1.112 with regards to the hour of highest environmental impact.
TT.1.132	The Applicant	Cumulative Transport Impacts [ES-201]- Appendix 10.4 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: (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	SZC Co. is committing to substantial highway mitigation infrastructure embedded within the scheme proposals (e.g. Sizewell link road, two village bypass, freight management facility, park and ride facilities etc). In addition, SZC Co. has also identified significant mitigation funds which will be secured through the Deed of Obligation (Doc. Ref. 8.17(C)). Mitigation is proposed at all three locations identified in the question and is summarised as follows: (i) SZC Co. proposes the construction of the Sizewell link road running generally in parallel with the B1122 to mitigate potential peak construction impacts on communities along the corridor, including Theberton. SCC and ESC are developing proposals to adapt the B1122 into an active travel corridor prioritising cycling and walking. SZC Co. are supportive of the creation of an active travel corridor along the B1122 and keen to work with SCC and ESC to bring about those cycling and walking improvements on the B1122, which would be enabled by the completion of the Sizewell link road. See also the response to question TT.1.95 of this chapter.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>(ii) SZC Co. proposes to upgrade the A12 / B1122 junction from a priority ghost island T-junction to a three-arm roundabout (referred to as the 'Yoxford roundabout') to increase traffic capacity. Proposals incorporate new and wider footways tying into the existing pedestrian network.</p> <p>(iii) Mitigation is proposed at Marlesford, to be delivered by SCC through the Marlesford and Little Glemham Improvement Fund, secured via the Deed of Obligation (Doc. Ref. 8.17(C)). See response to question TT.1.99.</p>
TT.1.133	SCC	<p>Cumulative Transport Impacts [AS-189] [ES-201] 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>
	Response	<p>SCC and ESC have provided comments on the transport environmental assessment included in Volume 1, Chapter 2 of the ES Addendum [AS-181]. Further work is ongoing by SZC Co. to address SCC's and ESC's comments on the assessment. A technical note will be submitted to the Examination summarising the further assessment that is being undertaken as part of the Statement of Common Ground discussions with the local authorities.</p>
Chapter 25 - W.1 Waste (conventional) and material resource		
W.1.0	The Applicant	<p>Water Supply Strategy Appendix 2.2D [AS-202] Paragraph 1.3.1 sets out the options still being considered for water supply solutions. Provide:</p> <p>(i) An update on progress of these options; and</p> <p>(ii) Confirmation that the site water supply demands can be met without any implications for water supply elsewhere.</p>
	Response	<p>(i) SZC Co. has continued to develop its demand forecasts for potable and non-potable water. The peak construction demand for potable water is estimated to be approximately 4 MI/day. This covers the main development site and all associated developments. The operational demand for potable water is estimated to be approximately 2.0 MI/day when both units are generating electricity and 2.9 MI/day when one of the units is in outage.</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>Sizewell C's preferred potable water supply would be a new transfer mains from Northumbrian Water Limited's (NWL) Northern/Central Water Resource Zone (WRZ). This scheme is referred to as the 'SZC Transfer main'. The water would be supplied from NWL's existing supply headroom in its Northern Central Water Resource Zone. In August 2020 NWL provided a high level outline design and cost estimate for the main, based on an assumed demand of 3.5MI/d during construction and 2MI/d during operation, although it was understood that the exact demand profile was still to be confirmed by SZC Co following further design development work.</p> <p>The sustainability of the Northern Central water Resource Zone abstraction which would be used to supply SZC is subject to a Water Industry National Environment Programme (WINEP) investigation - an interim report is due in early June 2021. A full feasibility study, including detailed design, programming and delivery of any necessary planning permission(s), licenses and consents is due to commence in June 2021.</p> <p>SZC Co. has continued to investigate the likely demand and supply of non-potable water for activities that do not require potable water, such as dust suppression, vehicle and wheel washing, conditioning of imported backfill and irrigation. The peak construction demand is estimated to be approximately 570m³/day. From the short-list of potential non-potable sources identified in the Water Supply Strategy (refer to Volume 3, Appendix 2.2.D of the ES Addendum [AS-202]), it has been confirmed that re-use of treated foul sewage from Sizewell B power station and the Sizewell C construction site, supported by winter storage from one or both of these sources within the proposed Water Resource Storage Area (WRSA), would be capable of meeting or exceeding the estimated peak demand.</p> <p>SZC Co. intends to submit an updated 'Potable & Non Potable Water Supply Strategy' for the Sizewell C Project at Deadline 4.</p>

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

ExQ1	Question to:	Question:
		<p>(ii) Sizewell C's preferred potable water supply scheme is the 'SZC Transfer main'. The water would be supplied using NWL's existing abstraction licence headroom in its Northern Central Water Resource Zone. The headroom is the difference between NWL's existing customer demand and NWL's current abstraction licence annual licensed quantity, the latter being the higher number.</p> <p>NWL is currently undertaking further studies to confirm the volumes of water it is able to supply to the SZC site from its Northern Central Water Resource Zone Water Treatment Works whilst ensuring it does not have any implications for water supply elsewhere. These studies are taking account of SZC Co's latest demand profile, abstraction licence constraints (as it has agreed with the Environment Agency) and its capital programme.</p> <p>NWL will need to deliver new assets and also upgrade Water Treatment Works assets. SZC Co is exploring with NWL how the timing of their respective capital programmes interconnect with the requirement of SZC for a mains water supply to provide the increased volumes which SZC Co has now determined.</p> <p>On an indicative basis only, NWL consider that it may be possible to deliver the new assets and upgrade Water Treatment Works assets by September 2024 at the earliest. This projection is however subject to additional ongoing work. The results of these studies will be taken into account in SZC Co.'s 'Potable & Non Potable Water Supply Strategy' for the Sizewell C Project.</p>
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.

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
	Response	<p>(i) This is currently unknown. Plate 1.2 (within the Water Supply Strategy (refer to Volume 3, Appendix 2.2.D of the ES Addendum [AS-202])), is illustrative and shows possible pipeline routes identified in an outline scheme commissioned by Northumbrian Water Limited (NWL) in 2020. Detailed routing and design studies have only recently started. These studies will confirm the pipeline routes.</p> <p>(ii) The proposed Sizewell transfer scheme would be consented separately to the Sizewell C Project. It will be for NWL to design, consent and construct the proposed transfer scheme. SZC Co. will continue to work closely with NWL to ensure that the design and delivery of the transfer scheme is co-ordinated with the Sizewell C Project. Traffic monitoring will be undertaken through the Sizewell C Transport Review Group where construction activities related to the transfer scheme and Sizewell C coincide.</p>
W.1.2	Essex and Suffolk Water Company	<p>Water Supply Strategy Appendix 2.2D [AS-202] Provide an update on the delivery of water supply to the Proposed Development and the expected delivery timescales.</p>
	Response	No response from SZC Co. is required.
W.1.3	The Applicant	<p>Main Development Site Chapter 8 Conventional Waste and Material Resources - [APP-193] 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	<p>Volume 2, Chapter 8 of the ES, Table 8.17 [APP-193] accounts for the estimates for cement, sand and aggregate required as part of the material quantities for concrete (as shown in Tables 8.9 - 8.16) to provide an overall assessment of the material quantities required across the Sizewell C Project, against the available data sources for the UK and Suffolk.</p>
W.1.4	The Applicant	<p>Main Development Site Chapter 8 Conventional Waste and Material Resources - [APP-193]</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>Table 8.17. Will concrete used on the associated development sites be manufactured on the Temporary Construction Area or imported?</p>
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 (vi) Any landscape features
	Response	<p>The cut and fill for the various area of the Sizewell C Project are detailed below:</p> <ul style="list-style-type: none"> (i) Main platform area: Total cut = 5.1M m³ (site won granular and cohesive), Total fill = 4.9M m³ (site won granular and imported granular) (ii) Associated Developments (surplus arisings): Darsham P&R = 8,559 m³

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>Wickham Market P&R = 48,047 m³ Freight Management Facility = 20,823 m³ Sizewell Link Road = 84,449 m³ Two Village Bypass = 79,981 m³ Yoxford Roundabout = 3,010 m³ Total AD Surplus = 244,869 m³</p> <p>(iii) Borrow Pits: Total cut = 1.035M m³ (site won granular), Total fill = 1.0M m³ (site won cohesive)</p> <p>(iv) Stockpiles: Capacity to store 3.8M m³ (site won granular), 0.57M m³ (imported granular)</p> <p>(v) SSSI crossing: Requires approximately 20,000 m³ of imported granular material and 23,000 m³ of site-won granular material to be constructed.</p> <p>(vi) Any landscape features: There are no landscape features proposed in the construction plot plan. At the end of construction, it is estimated that there will be between approximately 1.8-2.1M m³ of material still in stockpile that is required to be incorporated into the permanent plot plan and its associated landscape features.</p>
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> <p>(i) Increases the need imported backfill by 1.3 million tonnes (Table 1.20);</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> (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?
	<p>Response</p>	<ul style="list-style-type: none"> i) The previous estimate that indicated that 2.0 million tonnes of backfill material was to be imported, under-estimated the volume of backfill that was required for the main construction area. This estimate has changed following further geotechnical investigation and site assessment, as explained within paragraph 1.2.6 of Volume 3, Appendix 2.2.C of the ES Addendum [AS-202]. With crag re-use, the volume of material required to be imported for backfill is 3.3 million tonnes. ii) If crag material were not to be re-used as proposed to balance the earthworks, additional imported backfill material would be needed. However, on the basis of the results of further testing carried out on the proposed backfill blends, SZC Co. is confident that a substantial proportion of the excavated crag would be suitable for re-use as engineered backfill, the only potential exception being use in areas where particularly high-performance fill is required, such as beneath the nuclear reactors. However, this accounts for only 5-10% of the volume of excavated crag (i.e. only approximately 300,000 tonnes of additional imported backfill could potentially be required, not 3.7 million tonnes). Any such modest increase in imported backfill could readily be accommodated within the proposed freight strategy (with no impact on the proposed HGV limits). Any corresponding increase in the amount of excavated materials unsuitable for re-use as engineering backfill use could also readily be accommodated within the proposed landscape masterplan. iii) This is an error. Excess non-contaminated material would be incorporated within landscaping on-site. iv) A neutral cut and fill balance is targeted with no proposal for non-contaminated arisings to be disposed off-site. Relatively small quantities of surplus non contaminated arisings from some of the associated development sites would be transported to the main

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		<p>development site where it would be stored and re-used (refer to response to Question W.1.5 in the chapter for further details).</p> <p>v) Yes. The transport of surplus arisings from associated development sites to the main development site has been factored into the proposed HGV limits. Refer also to answer to Question W.1.7 within this chapter.</p>
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 where the assumptions about waste removal trip generation from site have been included in the modelling undertaken.</p>
	Response	<p>The assessment within the Consolidated Transport Assessment (Doc Ref. 8.5(B)) has modelled the proposed daily HGV limit of 600 two-way HGV movements to/from the main development site in the early years and 500 to 700 two-way HGV movements per day to/from the main development site during the peak construction phase (for typical and busiest days, respectively). Any HGV movements associated with waste transfer is included in these proposed limits.</p>
W.1.8	The Applicant	<p>Borrow Pit Risk Assessment Report Appendix 18E [APP-296]</p> <p>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.</p>
	Response	<p>Appendix 25A of this chapter includes Figure 1.1 of the Borrow Pit Risk Assessment Report [APP-296] showing the site location map and local hydrology. This was left out in error. The locations of the proposed borrow pits and stockpiles are also shown on Volume 2, Figure 2.2.33 of the ES Addendum [AS-191].</p>
W.1.9	The Applicant	<p>Borrow Pit Risk Assessment Report Appendix 18E [APP-296]</p> <p>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</p>

ExQ1: 21 April 2021

Responses due by Deadline 2: 2 June 2021

ExQ1	Question to:	Question:
		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	The additional site investigation does not have any implications for the risk assessment undertaken. This is because there is no change in the pollution source terms used in the risk assessment for the borrow pits. In addition there has been no change in the primary mitigation incorporated into the design of the borrow pits to minimise environmental impact, specifically the retention of a 2m unsaturated zone between the base of the borrow pits and the water table, and limiting the height of temporary stockpiles above the borrow pits to 5m. The additional material is accounted for within the cut and fill balance and parameters set out in the DCO application.
W.1.10	The Applicant	Borrow Pit Risk Assessment Report Appendix 18E [APP-296] Will any stockpiling take place over borrow pits?
	Response	Yes – temporary stockpiling will take place over the borrow pits during the construction phase of Sizewell C.
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	The ES identifies the following main areas of environmental effects associated with the borrow pits on the main development site: <ul style="list-style-type: none"> • Volume 2, Chapter 11 (Noise and Vibration) of the ES [APP-202] – minor adverse (not significant) effects on nearby residential receptors due to noise and vibration from the use of plant, including vibratory rollers on borrow pits for soil compaction. Measures to monitor and manage the effects are set out within the CoCP, Part B, Section 3 (Doc Ref. 8.11(B)). • Volume 2, Chapter 12 (Air Quality) of the ES [APP-212] – low to negligible risk (not significant) of dust emissions from borrow pits and soil storage areas impacting on nearby residential properties. Measures to monitor and manage dust would be implemented in line with the requirements of the Outline Dust

ExQ1	Question to:	Question:
		<p>Management Plan, as set out within the CoCP, Part B, Section 4 (Doc Ref. 8.11(B)).</p> <ul style="list-style-type: none"> <p>Volume 2, Chapter 13 (Landscape and Visual) of the ES [APP-216] – during construction, borrow pits will be visible from visual receptor group 10 (this group includes Eastbridge, a section of the Sandlings Walk, Leiston Abbey and adjacent public footpaths) and visual receptor group 11 (this group includes the footpath between Eastbridge and Minsmere Sluice (E-363/020/0) and the re-routed section of the Sandlings Walk and Suffolk Coast Path). Views of borrow pits will be within the context of other construction activities within the temporary construction area, which overall result in major to major-moderate (significant) and adverse effects on the visual amenity of the visual receptor groups 10, 11 and the Suffolk Coast Path. The effects on Sandlings Walk are assessed as major-moderate (significant) and adverse. Borrow pits would also impact on the landscape quality of the AONB through the removal of landscape features. However, the effect of the construction activities within the main development site on the AONB as a whole are assessed as slight (not significant) and adverse. All reasonably practicable mitigation measures have been embedded into the scheme design, as described within Volume 2, Chapter 13 of the ES [APP-216], such as limiting the height parameter for stockpiling on the borrow pits to reduce their visual prominence. Measures are also set out within CoCP, Part B, Section 5 (Doc Ref. 8.11(B)) for the retention and protection of trees, site hoarding and fencing.</p> <p>Volume 2, Chapter 14 (Terrestrial Ecology and Ornithology) of the ES [AS-033] – minor adverse (not significant) effects on bats have been determined due to noise disturbance adjacent to the Black Walks. Measures to monitor and manage noise are set out within the CoCP, Part B, Section 3 (Doc Ref. 8.11(B)). In addition, bat boxes will be provided in advance of construction in woodland to north and south of site, advanced mitigation areas at Aldhurst Farm, marsh harrier habitat improvement areas and reptile receptor area at Sizewell Gap.</p> <p>Volume 2, Chapter 15 (Amenity and Recreation) of the ES [APP-267]– moderate adverse (significant) effects have been determined on the users of amenity and recreation resources within Receptor Group 10 (Eastbridge and Leiston Abbey) and major adverse (significant) effects within Receptor Group 11 (Minsmere South), due to the views of construction activities, in the with the landscape and visual</p>

ExQ1	Question to:	Question:
		<p>assessment presented within Volume 2, Chapter 13 of the ES [APP-216], and disturbance from construction. Mitigation measures described for noise, air quality and landscape and visual effects will also mitigate effects on the users of amenity and recreation resources.</p> <ul style="list-style-type: none"> • Volume 2, Chapter 16 (Terrestrial Historic Environment) of the ES [APP-272] – any archaeological remains within the area of borrow pits are likely to be of low to medium heritage significance. With the implementation of a Written Scheme of Investigation (refer to Volume 3, Appendix 2.11.A of the ES Addendum [AS-210]), the effects are assessed minor adverse (not significant). Furthermore, planting will be strengthened in existing hedgerows along Eastbridge Road and on boundary between accommodation campus and borrow pits, as discussed in the Outline Landscape and Ecology Management Plan (oLEMP) [REP1-010]. As a result, the effect on the heritage significance of Potter’s Farmhouse through change to the setting is assessed as minor adverse (not significant). • Volume 2, Chapter 17 (Soils and Agriculture) of the ES [APP-277], as updated by Volume 1, Chapter 2 of the ES Addendum [AS-181] – the borrow pit area will remove approximately 20ha of Grade 4 and Grade 3b (i.e. low and medium value) agricultural land, resulting in a minor adverse (not significant) effect due to the removal of the agricultural land resource. However, the effect on the affected agricultural land holding is assessed as major adverse (significant) during the construction period. Discussions with the landowners are ongoing to reduce the impacts on the farm business, as far as reasonably practicable. • Volume 2, Chapter 18 (Geology and Land Quality) of the ES [APP-280] – the borrow pit risk assessment concluded that there are no unacceptable chronic risks to human health from use of extracted alluvium as backfill materials for the borrow pits. Furthermore, the ground gas risk assessment concluded that the risk from the peat and alluvial soils proposed to be used as backfill within the borrow pit area is very low to low. The addition of lime to the backfill materials will help stabilise the material to facilitate handling and also mitigate the risk of ground settlement due to temporary stockpiling over the borrow pits. The area will be reprofiled as necessary during restoration or reinstatement in accordance with the oLEMP [REP1-010]. Compliance monitoring and testing will form an integral part of the management of the borrow pits and lime improvement / stabilisation in line with the requirements of

ExQ1	Question to:	Question:
		<p>the Materials Management Strategy [APP-185, as updated within AS-202] and CoCP, Part B, Section 10 (Doc Ref. 8.11(B)). As such, no significant effects are identified within Volume 2, Chapter 18 of the ES [APP-280].</p> <p>Volume 2, Chapter 19 (Groundwater and Surface Water) of the ES [APP-297] – The excavation and backfilling of material from the borrow pits is likely to have a temporary effect on the groundwater flow in this area. This effect will be managed by engineered drainage in this area, as set out within the CoCP, Part B, Section 11 (Doc Ref. 8.11(B)). The effect on groundwater flow is assessed as negligible to minor adverse (not significant) on groundwater receptors. Measures to protect the quality of groundwater and surface water receptors down gradient include retention of 2m unsaturated zone between the base of the borrow pits and the water table and limiting the height of temporary stockpiling above the borrow pits to 5m. In addition, as set out within the borrow pit risk assessment, there is likely to be a short-term increase in groundwater alkalinity beneath and downgradient of the borrow pits, if lime stabilisation is used. However, the assessment indicates that concentrations in groundwater are unlikely to rise significantly above the measured baseline. It is therefore concluded that lime modification will not adversely affect groundwater and surface water receptors, including within the Minsmere and Walberswick Heath & Marshes SSSI, SAC, SPA and Ramsar site. Likely effects on the water quality of controlled waters from the backfilling of the borrow pits are assessed as negligible to minor adverse (not significant) in Volume 2, Chapter 19 (Groundwater and Surface Water) of the ES [APP-297]. Chemical testing of materials, as required by the Materials Management Strategy [APP-185, as updated within AS-202], will limit the potential for impacts on the quality of controlled waters downgradient.</p>
W.1.12	The Applicant	<p>Conventional Waste and Material Resources Appendix 8A Waste Management Strategy - [APP-194]</p> <p>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.</p>
	Response	<p>In response to the Environment Agency's concerns, we are drafting an annex to the Outline Site Waste Management Plan, as provided in Volume 2, Appendix 8A of the ES [APP-194] that will establish and define key performance indicators (KPIs) for the principal waste streams, in order to minimise waste generation, maximise waste recycling</p>

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

ExQ1	Question to:	Question:
		<p>and recovery and minimise the amount of waste sent to landfill. These waste streams will comprise construction waste, demolition waste and excavation waste. The KPIs will be based on CEEQUAL, an evidence-based sustainability assessment, rating and certification scheme for civil engineering and infrastructure works, run by BRE Global. Version 6 of the scheme (which is current at the time of writing) includes proposed targets for the diversion of waste from landfill which will be used as the benchmark, as far as practicable. A monitoring process designed to track performance will also be outlined in the annex. Should any divergence be proposed in the KPIs away from standard, this will be evidenced. It is intended to submit the proposed new annex into the examination at Deadline D5 following engagement with the Environment Agency.</p>

Chapter 26 - SA.1. Section 106 Agreements	
Question to:	Question:
SA.1.0	<p>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.</p> <p>If ESC, SCC or WSC wish to respond or comment on questions not addressed to them, they are free to do so.</p> <p>Please will the Applicant, ESC, SCC and WSC note the following which is important on terminology and in relation to the law.</p> <p>In this questionnaire the ExA uses the term planning obligation by reference to the tests for a planning obligation in s.106(1).</p> <p>Planning obligations are entered into using a s.106 agreement. Consequently, planning obligations are <u>contained</u> in a s.106 agreement, and a s.106 agreement is <u>not</u> a planning obligation.</p> <p>It is possible for a planning agreement to be made not only under s.106 but under other powers.</p> <p>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.</p>

Chapter 26 - 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>
Response	<p>All noted.</p> <p>As a preliminary point, please note that following consideration of the ExA's questions the Applicant is putting forward an alternative proposed approach to securing mitigations and benefits contractually.</p> <p>This new approach is referred to as the 'Evolving Approach'. It is explained in 'Response paper – SA.1 Questions: Approach to contractual commitments to mitigation' (Appendix 26A - SA.1 Response Paper).</p>

Chapter 26 - SA.1. Section 106 Agreements		
Question to:	Question:	
		<p>Reference is made to that Appendix 26A - SA.1 Response Paper in responding to a number of the Questions below.</p> <p>The contract which would secure the commitments under the Evolving Approach is referred to as a 'Deed of Obligation' and the version submitted at this Deadline 2 submission is the draft Deed of Obligation (Doc Ref. 8.17(C)).</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> <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	Noted and agreed.
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	Please see Appendix 26B – SZC Co Land Plan .
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	The Applicant currently owns only a very small parcel of land within the main development site, and for reasons explained in Appendix 26A - SA.1 Response Paper does not propose that a s106 agreement is entered into which would bind the land.

Chapter 26 - SA.1. Section 106 Agreements		
	Question to:	Question:
		Rather, the 'Evolving Approach' would bind the 'undertaking' to the contractual commitments necessary to mitigate the impacts of the project and secure its benefits via a Deed of Obligation. The DCO would provide that all of the contractual commitments in the Deed of Obligation bind any transferee of the primary undertaking (the undertaking of NNB Generation Company (SZC) Limited).
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.
	Response	Please see Appendix 26A - SA.1 Response Paper , and in particular the explanation under the heading 'Deed of Adherence Approach'.
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	No such consent would be required under the 'Evolving Approach' now being put forward by the Applicant, as explained in Appendix 26A - SA.1 Response Paper .
SA.1.6	Applicant ESC, SCC, WSC	Has title to any land yet been deduced to ESC, SCC or ESC? What are the current conclusions of ESC, SCC and WSC on their title investigations?
	Response	Title has not been deduced to ESC, SCC or WSC. It would not be necessary for ESC, SCC or WSC to investigate title if the Evolving Approach is adopted.
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?

Chapter 26 - SA.1. Section 106 Agreements	
Question to:	Question:
	<p>Response</p> <p>For the reasons given in Appendix 26A - SA.1 Response Paper, the Applicant no longer proposes to enter into the modified s.106 arrangements described in the draft s.106 Explanatory Memorandum [PDB-009] (i.e. the Sizewell Special Arrangements).</p> <p>The Evolving Approach as set out in Appendix 26A - SA.1 Response Paper is under discussion with ESC and SCC.</p>
SA.1.8	Applicant ESC, SCC, WSC
	<p>How will the Sizewell Special Arrangements be enforced in the event of a breach, whether by the Applicant or a subsequent Undertaker?</p> <p>Response</p> <p>Section 6 of the Appendix 26A - SA.1 Response Paper sets out how breaches of the Deed of Obligation would be addressed under the Evolving Approach.</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> <p>Response</p> <p>Section 6 of the of the Appendix 26A - SA.1 Response Paper addresses enforcement in circumstances of insolvency.</p> <p>The Applicant's financial status and its proposed means of funding the project are set out in the Funding Statement [APP-066]; [AS-011]; [AS-150] and are a matter which the Applicant assumes will be further scrutinised through the examination and reported to the Secretary of State prior to determination.</p>
SA.1.10	Applicant
	<p>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).</p>

Chapter 26 - SA.1. Section 106 Agreements	
Question to:	Question:
Response	<p>Please see the copies of these documents provided in Appendices 26C to 26G to the written responses noting that the Section 106 Agreements entered into between Thames Water Utilities Limited and the London Borough of Newham and London Borough of Tower Hamlets have been provided as examples of the Thames Tideway Tunnel approach) and in particular:</p> <ul style="list-style-type: none"> - Articles 8(4) and 55 of the draft Aquind DCO (Appendix 26C); - Recital (D), Clause 1.1, and Clause 2.2 of the Aquind Section 106 Agreements (Appendices 26D and 26E); - Schedule 3, Paragraphs 15 to 24 and Schedule 19, Paragraph 9 of the Thames Tideway Tunnel DCO (Appendix 26F); and - Clause 1.2 and Clause 3.1 of the Thames Tideway Tunnel Section 106 Agreements (Appendix 26G). <p>Please note, however, that the Evolving Approach has moved away from the approach for those two projects.</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.</p>

Chapter 26 - SA.1. Section 106 Agreements	
Question to:	Question:
	<p>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> <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

Chapter 26 - SA.1. Section 106 Agreements	
Question to:	Question:
	<p>nominate a representative to the Transport Review Group.</p> <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>The Applicant is engaged in ongoing discussions with the Councils and relevant third parties in respect of the appropriate governance arrangements for the obligations in the draft Deed of Obligation (Doc Ref. 8.17(C)).</p> <p>(i) The Applicant has updated the drafting of the governance arrangements in the draft Deed of Obligation to ensure that each group is quorate without the participation of the third parties. Only the Health Working Group is proposed to be chartered by a third party (being the Director of Public Health). However, as set out in Paragraph 4.4 of Schedule 6 of the draft Deed of Obligation, a different chair may be chosen by the members of the Health Working Group in the event that the Director of Public Health did not participate. In this way, each group will be able to function without reliance upon the third parties.</p> <p>However, the Applicant does not expect that the third parties will fail to contribute appropriately. The majority of these groups are already established, albeit to a less formalised extent. Each group has helped shape the approach to and outputs of the assessments and continue to help shape the mitigation and other relevant commitments and controls.</p> <p>In many instances comparable groups were established in the Hinkley Point C Section 106 Agreement. This experience shows us that these groups recognise the importance of their role throughout the different stages of the Project and remain committed to the successful delivery of the funds.</p> <p>The Applicant notes that many of the third parties are statutory bodies who may be expected to participate in accordance with their statutory function. Others, such as the Suffolk Community Foundation and the Tier 1 Contractors, will have separate contractual relationships with the Applicant.</p>

Chapter 26 - SA.1. Section 106 Agreements	
Question to:	Question:
	<p>The Applicant is willing to consider including a mechanism for requiring such third parties to enter into a Deed of Covenant to participate in the governance groups, please see the updated Clause 15 and Deed of Covenant annexed to the draft Deed of Obligation (Doc Ref. 8.17(C)). This revised approach is subject to further discussion with the Councils and the third parties.</p> <p>(ii) Please see Schedule 17 of the updated draft Deed of Obligation (Doc Ref. 8.17(C)) which provides for the participation of SZC Co. and the Councils in the governance arrangements. A failure to meet in accordance with the terms of the relevant group would be a breach of the Deed of Obligation.</p> <p>Section 6 of Appendix 26A - SA.1 Response Paper sets out how breaches of the Deed of Obligation would be addressed under the Evolving Approach.</p> <p>(iii) See Responses to (i) and (v).</p> <p>(iv) As set out in the Response to (i), the Applicant expects that the third parties will engage with the relevant governance groups. Please see Clause 15.3.3, which provides for the replacement of a particular third party that does not enter into the Deed of Covenant in the event that the Applicant and the Councils consider the participation of a third party to be required for the delivery of the mitigation.</p> <p>(v) Please see the updated Clause 15 of the draft Deed of Obligation (Doc Ref. 8.17(C)) and the covenant in the Deed of Covenant annexed to the draft Deed of Obligation (Doc Ref. 8.17(C)) which secures the participation of third parties in the governance groups. This revised approach is subject to further discussion with the Councils and the third parties.</p> <p>The involvement of the Suffolk Community Foundation in the Sizewell C Community Fund will be controlled through the Administration Agreement which must be entered into prior to Commencement.</p>
<i>Allocating tasks / functions to bodies which are not legal persons</i>	
SA.1.12	Applicant, ESC, SCC, WSC
	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

Chapter 26 - SA.1. Section 106 Agreements	
Question to:	Question:
	<p>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> <p>Again, ESC, SCC and WSC may also wish to respond.</p>
Response	<p>The Applicant has noted these comments and updated the drafting of the Deed of Obligation to secure the delivery of these tasks.</p> <p>Please see the updated Schedule 7 of the draft Deed of Obligation (Doc Ref. 8.17(C)) which confirms that SCC shall host the Regional Skills Coordination</p>

Chapter 26 - SA.1. Section 106 Agreements		
Question to:	Question:	
		<p>Function and be responsible for procuring that all tasks allocated to that function are carried out.</p> <p>Please see Paragraph 2 Schedule 17 of the draft Deed of Obligation in respect of the general obligation upon the Applicant and the Councils to attend and participate in the governance arrangements.</p> <p>Please also see Paragraph 4 Schedule 17 of the draft Deed of Obligation in respect of the Oversight Partnership.</p>
<i>Giving tasks to individuals</i>		
SA.1.13	Applicant, ESC, SCC, WSC	<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>

Chapter 26 - SA.1. Section 106 Agreements		
Question to:	Question:	
		<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>The comments in respect of binding individuals are noted and agreed. Please see the updated drafting in this respect in the draft Deed of Obligation (Doc Ref. 8.17(C)):</p> <ul style="list-style-type: none"> • Schedule 3 Paragraph 4 in respect of the Accommodation Co-ordinator(s). • Schedule 11, Paragraph 4 in respect of the Natural Environment Improvement Officer. • Schedule 15, Paragraph 2 in respect of the Tourism Programme Manager. • Schedule 16 Paragraphs 3.3 and 4 in respect of the Transport Co-ordinator.
<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>

Chapter 26 - 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) For the reasons given in Appendix 26A - SA.1 Response Paper, the Applicant no longer proposes to enter into the S.111 Agreement or the "Development Consent Obligation" (as defined therein). The agreement through which the Applicant proposes to secure the relevant mitigation will be named the "Deed of Obligation".</p> <p>(ii) As set out in Appendix 26A - SA.1 Response Paper, the Applicant proposes to enter into the Deed of Obligation before the end of the examination.</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	<p>For the reasons given in Appendix 26A - SA.1 Response Paper, the Applicant no longer proposes to enter into the S.111 Agreement. Therefore, this definition is no longer required. The Applicant will enter into the Deed of Obligation before the end of the examination.</p> <p>Please see the response to SA.1.24 in respect of the approach to the Relocated Facilities 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</p>

Chapter 26 - SA.1. Section 106 Agreements		
	Question to:	Question:
		relation to multi-stage consents and deemed approvals under the review of mineral planning permissions.
	Response	<p>The inclusion of a deemed approval provision in the Deed of Obligation is considered appropriate to enable the Applicant to efficiently undertake the Project. The Applicant does not consider that the deemed approval provision would have the effect of creating a 'new consent' as was the case in <i>Wells v Secretary of State</i> [2005] All E.R. (EC) 323. This is because the approvals that will be subject to the deemed approval provision either do not engage the EIA Regulations or will have already been assessed as part of the envelope of the ES.</p> <p>In the unlikely event that the approval might go beyond the scope of the original ES, then under the EIA Regulations the Applicant would be required to submit further environmental information with its application and the deemed approval provisions would not override this. By the same token, if the discharging authority considers that it has not been provided with sufficient information (including any necessary assessments) to enable it to consider the application and reach an informed judgement on effects, it can request such information from the undertaker and/or refuse the application. Again, the deemed approval provisions do not override this.</p> <p>On this basis, the Applicant does not consider there to be any public interest justification for the deemed approval provision to be removed or limited in any way.</p>
SA.1.17	Applicant, ESC, SCC, WSC	Conditionality – CI 2 - when is it envisaged that the s.111 agreement will be dated?
	Response	For the reasons given in Appendix 26A SA.1 Response Paper , the Applicant no longer proposes to enter into the S.111 Agreement.

Chapter 26 - SA.1. Section 106 Agreements		
	Question to:	Question:
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>For the reasons given in Appendix 26A SA.1 Response Paper, the Applicant no longer proposes to enter into the S.111 Agreement.</p> <p>It is intended that the Applicant, ESC and SCC will enter into the Deed of Obligation before the end of the examination and as such there will be no fetter on the local authorities' discretion.</p>
SA.1.19	Applicant ESC, SCC, WSC	<p>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 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?</p>
	Response	<p>For the reasons given in Appendix 26A - SA.1 Response Paper, the Applicant no longer proposes to enter into the S.111 Agreement.</p> <p>Please see the response to SA.1.37 in respect of the jurisdiction clause to be included in the proposed Deed of Obligation.</p>

Chapter 26 - SA.1. Section 106 Agreements		
Question to:		Question:
<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 Applicant understands that WSC's enforcement duties in respect of the Pakenham Site will be carried out by SCC. Therefore, references to WSC have been removed from the draft Deed of Obligation (Doc Ref. 8.17(C)).
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)?
	Response	The Evolving Approach no longer relies on the concept of a 'Qualifying Interest'. Please see Appendix 26A - SA.1 Response Paper .
SA.1.22	Applicant, ESC, SCC, WSC	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). 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?
	Response	As set out in Appendix 26A SA.1 - Response Paper , the Applicant proposes to secure the necessary mitigation through a Deed of Obligation which will not be entered into under section 106 of the Town and Country Planning Act 1990.

Chapter 26 - SA.1. Section 106 Agreements		
	Question to:	Question:
		Although the restriction on commencing activities prior to payments will not be made under section 106(1)(a), the Applicant notes the ExA's comment on the appropriate location of this restriction and has relocated it to Clause 4 in the draft Deed of Obligation (Doc Ref. 8.17(C)).
SA.1.23	Applicant, ESC, SCC, WSC	Clause 2.2 Should the non-planning obligations also be stated to be enforceable?
	Response	The Evolving Approach set out in Appendix 26A - SA.1 Response Paper will not differentiate between planning and non-planning obligations. All obligations in the Deed of Obligation shall be enforceable. Please see the updated Clause 2 of the draft Deed of Obligation (Doc Ref. 8.17(C)).
SA.1.24	Applicant, ESC, SCC	Cl 2.3 "... the provisions of the Second Relocated Facilities Section 106 Agreement shall apply (save as modified by the Development Consent Order) as if ... " (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? (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. (iii) Is this a variation of the Second Relocated Facilities Section 106 Agreement which ought to be dealt with under s.106A TCPA 1990?
	Response	(i) Clause 2.2 of the draft Deed of Obligation (Doc Ref. 8.17(C)) (which replaces clause 2.3 in the draft Section 106 Agreement) ensures that the obligations comprised in Schedule 3 of the Second Relocated Facilities Section 106 Agreement remain extant notwithstanding that the works may be carried out pursuant to the Development Consent Order. (ii) Please see Recital (C) of the Second Relocated Facilities Section 106 Agreement which states that the agreement is entered into in order to facilitate the Development. "Development" is defined in Schedule 2 which is

Chapter 26 - SA.1. Section 106 Agreements		
Question to:	Question:	
		<p>the development authorised by the Second Sizewell B relocated facilities permission.</p> <p>(iii) It is not intended that the Deed of Obligation would vary the Second Relocated Facilities Section 106 Agreement. Rather, the Second Relocated Facilities Section 106 Agreement anticipates that a development consent order would authorise the same or substantially similar development to that authorised by the Second Sizewell B relocated facilities permission and therefore provisions are included in both the draft Deed of Obligation and in the Second Relocated Facilities Section 106 Agreement to preserve the obligations in the Second Relocated Facilities Section 106 Agreement.</p>
SA.1.25	Applicant, ESC, SCC, WSC	<p>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.</p>
	Response	<p>Please see the amended Clause 3 of the draft Deed of Obligation (Doc Ref. 8.17(C)).</p>
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>

Chapter 26 - SA.1. Section 106 Agreements		
Question to:	Question:	
		<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>
	Response	<p>Section 106A of the Town and Country Planning Act 1990 is not relevant to the Evolving Approach set out in Appendix 26A SA.1 Response Paper.</p> <p>Please see the amended Clause 3.4.1 of the draft Deed of Obligation (Doc Ref. 8.17(C)) which makes reference to such a situation.</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	Please see Appendix 26A SA.1 Response Paper which explains the 'Evolving Approach', pursuant to which there would be no need to bind land.
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

Chapter 26 - 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	<p>NNB Generation Company (SZC) Limited may transfer the benefit of the whole or part only of its DCO powers under article 9. Clause 5 of the draft Deed of Obligation (Doc Ref. 8.17(C)) provides that NNB Generation Company (SZC) Limited remains liable for commitments under that agreement unless and until it has transferred all of its obligations to another party (and no longer therefore has any benefit of the DCO powers itself). This appears to us to give maximum reassurance that the company will stay on the hook until it has no interest whatsoever in the project.</p> <p>The Rev 4.0 dDCO (Doc Ref. 3.1(C)) drafting provides in Art 9(6) that: ‘save to the extent agreed by the Secretary of State, the Deed of Obligation completed pursuant to this Order, and any variations to it at the date of transfer or grant, shall be enforceable against the transferee’.</p> <p>As explained in Appendix 26A - SA.1 Response Paper, this means that the Secretary of State may consider on a case by case basis whether any particular transferee should be bound. If a transferee is taking over all of NNB Generation Company (SZC) Limited's powers this will certainly be appropriate, but if a transfer of some more minor element of the DCO powers is to be made, it is unlikely to be appropriate to bind the transferee to the Deed of Obligation commitments.</p>

Chapter 26 - SA.1. Section 106 Agreements		
	Question to:	Question:
		Therefore, the Applicant does not consider that any change to Clause 5 of the draft Deed of Obligation (Doc Ref. 8.17(C)) is necessary.
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>
	Response	<p>Please see Appendix 26A SA.1 Response Paper in respect of enforcement of the obligations in the Deed of Obligation (Doc Ref. 8.17(C)).</p> <p>The Applicant considers that it is appropriate that the Deed of Obligation contains a dispute resolution procedure. However, the drafting of this clause is subject to further consideration.</p>
SA.1.30	Applicant, ESC, SCC, WSC	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.

Chapter 26 - SA.1. Section 106 Agreements		
	Question to:	Question:
	Response	Please refer to the response to SA.1.16 .
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	The Pakenham Site is one of the Sites and so notice of its disposal would have been given to ESC and SCC under Clause 12.2 of the draft Deed of Obligation (Doc Ref. 8.17(C)).
SA.1.32	Applicant, ESC, SCC, WSC	Clauses 12.2 and 12.3. What is the purpose of these clauses?
	Response	These clauses were included to enable the Councils to remain up to date on the ownership of the Sites. As explained in Appendix 26A SA.1 Response Paper , the Evolving Approach is to bind the undertaker rather than the landowner. Therefore, these clauses have been deleted from the draft Deed of Obligation (Doc Ref. 8.17(C)).
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.
	Response	Please see the response to DCO.1.73 (Chapter 14) of the responses to ExQ1). Suitable proposed amendments have been made to the draft Deed of Obligation (Doc Ref. 8.17(C)) to reflect those to the dDCO (Doc Ref. 3.1(C)).
SA.1.34	Applicant, ESC, SCC, WSC	Cl.14 – NPS policy tests for development obligations. 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

Chapter 26 - SA.1. Section 106 Agreements	
Question to:	Question:
	<p>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 alone cannot make something which does not comply with the NPS policy tests compliant</p>
Response	<p>As explained in Appendix 26A SA.1 Response Paper, the Applicant no longer proposes to enter into development consent obligations. Therefore, Clause 14 of the draft Deed of Obligation (Doc Ref. 8.17(C)) has been amended to remove reference to these.</p> <p>See Section 10 of Appendix 26A SA.1 Response Paper in respect of the relevance of the NPS policy tests in respect of non-development consent obligations.</p> <p>The Applicant agrees that the declaration at Clause 14 cannot itself create compliance with the NPS policy tests.</p> <p>The Applicant is continuing to develop the detailed scale and scope of the substantive obligations in the Schedules to the Deed of Obligation. These matters would impact upon the satisfaction of the policy tests and no definitive statement can be provided at this stage.</p> <p>The Applicant intends to set out its analysis of the satisfaction of the policy tests in the Explanatory Memorandum and has set out its proposed structure for doing so in the updated draft Explanatory Memorandum (Doc Ref. 3.2(B)). The Applicant further intends to keep Clause 14 under review.</p>

Chapter 26 - SA.1. Section 106 Agreements	
Question to:	Question:
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	<p>The Applicant is continuing to engage with relevant third parties (being the emergency services providers, the SCHAONB, English Heritage, National Trust, Pro Corda Trust and the RSPB) in respect of the necessary mitigation. Certain of these payments, such as the reimbursement of costs relating to ambulance call-outs to the Sizewell C Development Site, will be payable retrospectively following delivery of the related service. However, the majority will be payable in advance of the mitigation being provided.</p> <p>Where the recipient is a statutory body, the provision of the mitigation falls within its statutory purpose. Other recipients are owners of land affected by the Project. The recipient is encouraged to carry out the mitigation promptly in order to avoid returning the payment.</p> <p>The Applicant will continue to work with the Councils and the third parties to address this issue.</p>

Chapter 26 - SA.1. Section 106 Agreements	
Question to:	Question:
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	<p>Clause 17 records the position that the parties will be subject to all applicable data protection laws (and any other applicable legal requirements).</p> <p>As part of the monitoring and governance arrangements secured by the draft Deed of Obligation (Doc Ref. 8.17(C)), the Applicant will be undertaking reporting of the workforce and other impacts which may involve personal data and other information. Whilst the relevant provisions in the draft Deed of Obligation (Doc Ref. 8.17(C)) have been drafted to conform with all such legal requirements, the Applicant considers that this clause is required to ensure that the position is clear in the event that a party requests information which cannot legally be provided. The parties are incentivised to ensure the obligations are workable and can be lawfully performed.</p> <p>The drafting replicates paragraph 6.1 of Schedule 14 of the Hinkley Point C Deed of Development Consent Obligations [AS-038] and [AS-039]. relating to monitoring obligations. Similar monitoring obligations are included in several schedules of the draft Deed of Obligation and it is therefore considered appropriate that clause 17 applies in respect of all such obligations.</p>

Chapter 26 - SA.1. Section 106 Agreements		
	Question to:	Question:
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	An exclusive jurisdiction clause does not make enforcement against a non-English undertaker difficult. The Applicant considers that an exclusive jurisdiction clause provides certainty and will enable a simple and clear enforcement procedure. The purpose of the exclusive jurisdiction clause is to contractually bind the parties so that any dispute/claim is heard in the English Courts. The advantage over a non-exclusive jurisdiction clause is that it avoids the risk of parallel proceedings being brought in two different jurisdictions resulting in inconsistent judgements.
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	Please see updates to the draft Deed of Obligation (Doc Ref. 8.17(C)) placing obligations upon the relevant host authority to provide the mitigation.
<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.
	Response	The Evolving Approach does not require obligations to meet the tests in s106(1). See the response to SA.1.34 in respect of the policy tests.

Chapter 26 - SA.1. Section 106 Agreements	
Question to:	Question:
	<p>The cases of <i>Hall v. Shoreham UDC</i> [1964] 1 WLR 240 and <i>R v. Hillingdon ex p Royco</i> [1974] Q.B. 720 both related to the validity of planning conditions. In each case, a planning condition was held to interfere with the rights of ownership to such an extent that they were so unreasonable that no reasonable planning authority could have imposed them and therefore <i>ultra vires</i>.</p> <p>However, this limitation does not apply to obligations entered into by agreement (such as planning obligations) (see paragraphs 43 to 50 of the judgment of Lord Justice Lewison in <i>DB Symmetry Ltd v Swindon BC</i> [2020] EWCA Civ 1331¹).</p> <p>Therefore, the Applicant does not consider them relevant to the obligations in the draft Deed of Obligation (Doc Ref. 8.17(C)).</p>
<i>Specific questions on the Schedules and remainder of the s.106 agreement</i>	
SA.1.40	<p>Applicant, ESC, SCC, WSC</p> <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>
	<p>Response</p> <p>As set out in Appendix 26A SA.1 Response Paper, it would seem sufficient for the local planning authorities to enforce any failure to pay contributions under the Deed of Obligation as a breach of contract, for which the contribution could be enforced as a debt. However, the Applicant is willing to consider authorising the</p>

¹ *DB Symmetry Ltd v Swindon BC* [2020] EWCA Civ 1331, [2020] 10 WLUK 164: <https://www.bailii.org/ew/cases/EWCA/Civ/2020/1331.html>.

Chapter 26 - SA.1. Section 106 Agreements		
	Question to:	Question:
		local planning authorities (via a DCO provision) to enforce such debts as land charges against land within the Order limits owned by the Applicant if considered preferable.
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	See response to SA.1.30 .
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	Noted.
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	This is a control on East Suffolk Council's use of the Housing Fund. Please see the revised draft Deed of Obligation (Doc Ref. 8.17(C)).
SA.1.44	Applicant, ESC, SCC, WSC	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 (i) Please explain how payment is enforced. (ii) Please explain how the fund is held pending payments and what would happen on insolvency. (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.
	Response	Please see the response to SA.1.40 and Appendix 26A – SA.1 Response Paper . Prior to being paid to the Council or other third party, the funds would be held by the Applicant.

Chapter 26 - SA.1. Section 106 Agreements		
	Question to:	Question:
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) Please see the response to SA.1.52 . (ii)(a) Please see Sheets 1 and 2 of Appendix 26B – SZC Co Land Plan . The Applicant does not own or have an option in respect of the Accommodation Campus. (ii)(b) Please see Appendix 26A – SA.1 Response Paper in respect of the proposed methods of enforcement under the Evolving Approach.
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	The Evolving Approach does not require obligations to meet the tests in s106(1).
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	Please see the updated paragraph 6.2 which provides for the submission of the monitoring report to the Accommodation Working Group (which includes the Councils). A failure to carry out the survey or submit the monitoring report would be a breach of an obligation on the Applicant. Please see Appendix 26A SA.1 Response Paper in respect of the proposed methods of enforcement under the Evolving Approach.

Chapter 26 - SA.1. Section 106 Agreements	
Question to:	Question:
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>The role of the On Site Security and On Site Fire and Rescue teams will be set out in the Strategic Relationship Protocols agreed with the emergency service providers. As set out in paragraph 5.2.10 of the Community Safety Management Plan [APP-635], a redacted and simplified overview of these sensitive documents will be submitted to the examination in due course.</p> <p>The provision and performance of the On Site Emergency Response will be monitored through the Community Safety Working Group. Pursuant to paragraph 5.4 of Schedule 4, the Community Safety Working Group will determine a reporting protocol and shall report to the Social Review Group on the evidenced effects of the Project on community safety, the provision or emergency services and the provision of relevant public services in Suffolk. This would include evidence of incidents where the Emergency Co-ordinator contacted the emergency services because the incident could not be appropriately responded to by the On Site Emergency Response.</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>
	Response
	Please see Appendix 26A SA.1 Response Paper in respect of Wright v Forest of Dean case law.

Chapter 26 - SA.1. Section 106 Agreements	
Question to:	Question:
	The "third sector support" which forms one of the types of initiatives to support Suffolk County Council's Adult Social Care and Children's Services in responding to effects on social care related to the Sizewell C Project.
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
	The Evolving Approach does not require obligations to meet the tests in s106(1). The phrase "On or before Commencement", wherever it appears, is intended to restrict the development. Please see the amendments to Clause 4 of the draft Deed of Obligation (Doc Ref. 8.17(C)).
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
	The Applicant is continuing to engage with the Councils and the other proposed members of the Supply Chain Working Group (including the Suffolk Chamber of Commerce) to develop the required monitoring to support the delivery of the Supply Chain Strategy [APP-611]. Further details of this will be provided in due course. Please see response to SE.1.27 in Chapter 23 of the written responses for further information about the monitoring data provided at Hinkley Point C which shall form the minimum level of information provided.

Chapter 26 - SA.1. Section 106 Agreements	
Question to:	Question:
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? (ii) Please will the Applicant supply the Implementation Plan referred to. (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) The Applicant considers that reasonable endeavours is an acceptable standard to secure the delivery of the Key Environmental Mitigation. The same standard was used to secure the delivery of the associated development in Schedule 11 of the Hinkley Point C Section 106 Agreement [AS-038] and [AS-039].</p> <p>(ii) Please see the draft Implementation Plan (Doc Ref 8.4I(A)).</p> <p>(iii) n/a</p> <p>(iv) The Sizewell Project will be one of the most complex and long-running construction projects in the UK, with a build period of 9-12 years, involving management of the movement and accommodation of construction workers and their families, and the transportation of large volumes of freight. Given the complexity and construction period of the Sizewell project, the Applicant considers it appropriate to provide for the management of delays which may be experienced despite the reasonable endeavours of the Applicant. Paragraph 2.4 provides a reporting mechanism where such delays occur to ensure that the Councils are informed of this and to enable a review to be carried out. The review and any changes to the timescale must take into account the assessments in the</p>

Chapter 26 - SA.1. Section 106 Agreements	
Question to:	Question:
	Environmental Statement and the Transport Assessment (Doc Ref. 8.5(B)) (Para 2.5).
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>(i) Please see the amended paragraph 2.1.1 of the draft Deed of Obligation (Doc Ref. 8.17(C)).</p> <p>(ii) The Applicant notes the concern in respect of the dual role of East Suffolk Council in respect of the Leiston Sports Facilities. Paragraph 2.2 is intended to provide for the discharge of Requirement 12A such that the Leiston Sports Facilities may be developed pursuant to the development consent. The Applicant will continue to engage with East Suffolk Council in respect of this issue and make any amendments to paragraph 2.2 considered necessary.</p>

Chapter 26 - SA.1. Section 106 Agreements	
Question to:	Question:
	<p>(iii) to (v) Please see the responses to AR.1.0 and AR.1.1 in Chapter 6 of the written responses. These restrictions are considered appropriate by the Applicant. The Leiston Sports Facilities are proposed in order to contribute towards community integration and cohesion. Such integration and cohesion will require the implementation of a suitable management plan which should be in place prior to occupation of the facilities.</p> <p>The Clause 19 of the draft Deed of Obligation (Doc Ref. 8.17(C)) requires the Applicant to act reasonably and in good faith in the discharge of the obligations in the the deed. Any dispute in respect of the approval of the Management Plan would be determined in accordance with the dispute resolution procedure is set out in Clause 8.</p> <p>(vi) The remainder of the Annual Maintenance Payment is to be placed in the sinking fund. It is intended that paragraphs 2.4.2 and 2.4.3 together set out the destination of 100% of the Annual Maintenance Payment.</p>
SA.1.54	<p>Applicant, ESC, SCC, WSC</p> <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> <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?</p>

Chapter 26 - SA.1. Section 106 Agreements	
Question to:	Question:
	The Applicant may wish to consider this also in the context of para 5 – review and long term management of the fund.
Response	<p>(i) See Plan 2 of "Draft Deed of Obligation Appendix A – Plans" (Doc Ref. 8.17A(B)).</p> <p>(ii) Reference to the Rodwell document is included in the definition of "M22 fen meadow habitat" for clarity and certainty. The Rodwell document is a well known publication to ecologists and the Applicant does not consider it necessary to make it an examination document and have it certified in the DCO.</p> <p>(iii) See updated text in Schedule 11 of the draft Deed of Obligation (Doc Ref. 8.17(C)).</p> <p>(iv) The Natural Environment Improvement Fund replaces the AONB Fund proposed in the Section 106 Heads of Terms [APP-600]. It is not directly referred to in the ES but has been established and included in the Draft Deed of Development Control in order to:</p> <ol style="list-style-type: none"> a. provide mitigation for the residual landscape and visual effects of the Project, b. conserve and enhance landscape character, c. enhance ecology, biodiversity and wildlife, d. improve habitat connectivity and resilience, and e. conserve and enhance the natural beauty and special qualities of the Suffolk Coast and Heaths AONB and Suffolk Heritage Coast and their setting. <p>Funding will be available to projects addressing these areas of concern located within the administrative area of East Suffolk Council, with a specified minimum</p>

Chapter 26 - SA.1. Section 106 Agreements	
Question to:	Question:
	<p>amount to be allocated to projects within the part of the Suffolk Coast and Heaths AONB and Suffolk Heritage Coast located within East Suffolk.</p> <p>(v) See updated text in paragraph 2 of Schedule 11 of the draft Deed of Obligation (Doc Ref. 8.17(C)) which clarifies the position that there is one Natural Environment Improvement Fund, with a specified minimum amount to be allocated to projects within the part of the Suffolk Coast and Heaths AONB and Suffolk Heritage Coast located within East Suffolk.</p> <p>It is not envisaged that a purpose trust would be created by virtue of paragraph 2.5 of Schedule 11. Rather, the Natural Environment Improvement Fund is a set sum of money that SZC Co. would make available to fund projects which meet the specified criteria set out in paragraph 2. Upon the Natural Environment Awards Panel's determination of projects which meet the specified criteria, SZC Co. would pay monies directly to Suffolk County Council who would arrange for onwards payment of those monies to the relevant to the successful applicant who would be a registered charity, a landowner or group of landowners, a community group, voluntary organisation, social enterprise or public body, or an individual(s) or business(es) responsible for carrying out the project. If the arrangements are extended beyond the Construction Period, SZC Co. will administer and implement the Natural Environment Improvement Fund in accordance with appropriate arrangements agreed with the Environment Review Group.</p>
SA.1.55	<p>Applicant, ESC, SCC, WSC, Natural England</p> <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>

Chapter 26 - 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	<p>(i) Confirmed.</p> <p>(ii) The Applicant is under a positive obligation to use reasonable endeavours to complete the creation of the replacement fen meadow in accordance with the Implementation Plan (Doc Ref. 8.4I(A)). The amount of the Fen Meadow Contingency Fund is likely to be approximately double the estimated cost of the fen meadow works. There is therefore a strong financial incentive to ensure the creation of fen meadow is successful so that the Contingency Fund Payments do not have to be made in addition to the costs of fen meadow works that would have been incurred in any case.</p> <p>(iii) Paragraph 8.3 of Schedule 11 of the draft Deed of Obligation (Doc Ref. 8.17(C)) provides that the Fen Meadow Contingency Fund shall only be applied towards the creation of new fen meadow habitats in Suffolk and the improvement of existing fen meadow habitats in Suffolk. By allowing the Contingency Fund to support the enhancement and improvement of existing fen meadow, the Applicant considers that sufficient fen meadow habitat will be provided.</p>
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	<p>The Applicant is engaged in ongoing discussions with the National Trust, Pro Corda Trust and the RSPB in respect of the proposed Funds and intends to provide an updated draft of this schedule of the draft Deed of Obligation (Doc Ref. 8.17(C)) to the Examination in due course.</p> <p>Please see Appendix 26A - SA.1 Response Paper in respect of Wright v Forest of Dean.</p>

Chapter 26 - SA.1. Section 106 Agreements	
Question to:	Question:
SA.1.57 Applicant	<p>Sch 14 – the Sizewell C Community Fund</p> <p>(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.</p> <p>(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?</p> <p>(iii) Para 2.5. Must all 10 of the criteria be met for every application?</p>
Response	<p>(i) As explained in Section 10.5 of the Planning Statement [APP-590], the Applicant considers that the Sizewell C Community Fund is to be taken into account. Please see Appendix 26A SA.1 Response Paper in respect of Wright v Forest of Dean case law.</p> <p>(ii) The Administration Agreement and Deed of Transfer provide that the sums paid by the Applicant to the Suffolk Community Foundation are to be held by that charity on trust for the benefit of the persons living in the administrative boundary of East Suffolk.</p> <p>The Administration Agreement with Suffolk Community Foundation will provide for the termination of the trust created and the return of the remaining funds to the Applicant. This would enable the Applicant to then transfer the remaining funds to the new trust.</p> <p>(iii) No. Please see amended drafting in paragraph 2.5 of the draft Deed of Obligation (Doc Ref. 8.17(C)).</p>

Chapter 26 - SA.1. Section 106 Agreements	
Question to:	Question:
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
	As explained in Appendix 26A SA.1 Response Paper , the Evolving Approach would ensure that all of the commitments in the Deed of Obligation bind the undertaker and its successors, and s106(1) will not be relevant.
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>

Chapter 26 - SA.1. Section 106 Agreements	
Question to:	Question:
	<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>
Response	<p>(i) The decision making arrangements are subject to further consideration by the Applicant. However, it is not proposed that the chairs of the governance groups created through the Deed of Obligation shall have a casting vote.</p> <p>As shown in Figure 1 of Schedule 17 (Governance) of the draft Deed of Obligation (Doc Ref. 8.17(C)), each group save for the Delivery Steering Group is part of a hierarchy and matters which are not agreed shall be escalated upwards for determination. In the event of a dispute between the members of the Delivery Steering Group, this would be determined in accordance with Clause 8.</p> <p>(ii) Please see Appendix 26A SA.1 Response Paper in respect of enforcement of the obligations in the Deed of Obligation.</p> <p>(iii) Noted. Please see responses to SA.1.10 to 12.</p> <p>(iv) The scope of these schemes will be specified in the Deed of Obligation by reference to the description in Schedule 16 and the outline designs to be annexed to the Deed of Obligation.</p> <p>The Applicant considers that the discretion is appropriately limited. However, the Applicant intends to continue to progress the details of these schemes with the relevant parties.</p>

Chapter 26 - SA.1. Section 106 Agreements		
Question to:	Question:	
		<p>The Applicant's general approach to the commitments which the Secretary of State may take into account in his determination is set out in section 10 of Appendix 26A SA.1 Response Paper.</p> <p>(v) Please see amended draft Deed of Obligation (Doc Ref. 8.17(C)).</p> <p>(vi) The Evolving Approach does not rely on whether obligations meet the tests for planning obligations in s106(1). See the Appendix 26A SA.1 Response Paper.</p>
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 Steering Groups and Oversight Partnerships in boxes at the head of the figure and the other groups? Please explain the colour code.</p>

Chapter 26 - SA.1. Section 106 Agreements	
Question to:	Question:
	(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?
Response	<p>(i) Please see Schedule 17, Paragraph 2 of the draft Deed of Obligation (Doc Ref. 8.17(C)). It is intended that the form and administration of the Oversight Partnership is defined by the Councils. The Applicant has no role in the Oversight Partnership other than receiving advice from it on public sector concerns and priorities via the Delivery Steering Group. It is, therefore, not considered appropriate for such covenants to be included in the draft Deed of Obligation (Doc Ref. 8.17(C)).</p> <p>(ii) The intention is that the covenant is made upon completion and delivery of the draft Deed of Obligation (Doc Ref. 8.17(C)). Please see the amended text at paragraph 3.1 (which replaces paragraph 2.1 of the draft Section 106 Agreement) to address this.</p> <p>(iii) Please refer to section 6 of Appendix 26A - SA.1 Response Paper which sets out the position in respect of enforcement of obligations in the draft Deed of Obligation (Doc Ref. 8.17(C)).</p> <p>(iv) The Applicant is engaged in ongoing discussions with the Councils and relevant third parties in respect of the appropriate governance arrangements for the obligations in the Deed of Obligation, including quorum requirements. Please see the amended text in the draft Deed of Obligation (Doc. Ref. 8.17(C)) which provides further clarity on the quorum requirements in respect of each formulation of this text.</p> <p>(v) The visual representation will be updated at Deadline 3.</p> <p>(vi) The Executive Level Steering Group operates outside of the draft Deed of Obligation (Doc Ref. 8.17(C)) and it is not considered necessary to include such provisions.</p>

Chapter 26 - 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	Please see Appendix A to the draft Deed of Obligation (Doc Ref. 8.17 A(B)) which includes the relevant plans. Please also see copies of the draft Implementation Plan (Doc Ref 8.4I(B)) and draft Travel and Transport Plans (Doc Refs. 8.6(A), 8.7(A) and 8.8(A)). The other proposed annexes either relate to details of mitigation schemes to be provided, the format of monitoring reports, or governance arrangements. The Applicant is progressing these further details in discussion with the Councils and relevant third parties and will submit them to the examination in due course.
<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	For the reasons given in Appendix 26A SA.1 Response Paper , the Applicant no longer proposes to enter into a s.111 agreement. The s.106EM has been updated in respect of the draft Deed of Obligation – refer to Doc Ref. 8.20(B).
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.

Chapter 26 - SA.1. Section 106 Agreements		
	Question to:	Question:
	Response	Please see the revised version of article 9 in Rev 4.0 draft DCO (Doc Ref. 3.1(C)), and the explanation in Appendix 26A SA.1 Response Paper setting out how article 9 ensures that transferees are bound.
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 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." 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.
	Response	Please refer to Appendix 26A SA.1 Response Paper , and in particular sections 8 and 9 of that paper.
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	The Applicant is also aware of the 'deed of adherence' approach used in some cases. However, for the reasons explained in Appendix 26A SA.1 Response Paper , that approach is not considered to be as suitable in this case as the Evolving Approach.
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

Chapter 26 - SA.1. Section 106 Agreements	
Question to:	Question:
	<p>payments for administration, expenses and related costs are to be paid to any of ESC, SCC and WSC?</p> <p>Response</p> <p>The approach and response to Observation 25 applies to all instances of payments for administration or expenses to be paid to the Councils. Such payments relate to the participation of the Councils in the governance arrangements and the administrations of bespoke funds to mitigate the impacts of the Sizewell C Project. These are equally additional duties over and above the Councils' normal statutory duties.</p>
SA.1.67	<p>Applicant, ESC, SCC, WSC</p> <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> <p>Response</p> <p>The Applicant owns very limited property within the Order limits, and while it expects to obtain options over more of the land during the course of the examination, these options would not be exercised until some time after the DCO is granted and so would not be relevant to any s106 agreement which might be entered into during the Examination.</p>

Chapter 26 - SA.1. Section 106 Agreements	
Question to:	Question:
	<p>Given that the Applicant's Evolving Approach does not rely upon land ownership or s106, it is not considered worthwhile for the Host Authorities to conduct title investigations at this time.</p> <p>In the event that the Applicant reverts to an approach of entering into a s106 agreement binding the small amount of land it owns on the main development site, title investigation would be a short and simple process.</p>
SA.1.68	<p>Applicant</p> <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>
	<p>Response</p> <p>A transfer of the benefit of the DCO or any part of its powers cannot take place pursuant to art 9 of the draft DCO (Doc Ref. 3.1(C)) without the incoming undertaker being bound by the Deed of Obligation (save where the Secretary of State agrees otherwise). Any prospective transferee would reasonably be expected to undertake a thorough due diligence exercise, and would through this means be aware of the fact that art 9 binds them to comply with the Deed of Obligation.</p> <p>Mortgagees will not be bound by the Deed of Obligation, only the relevant undertaker. This is only reasonable as the mortgagee will not be able to exercise the DCO powers to build out the project. The position would be different with respect to a planning permission, which would not be personal to named parties and therefore could be implemented by a mortgagee in possession.</p>
SA.1.69	<p>Applicant, ESC, SCC, WSC</p> <p>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 authorities of a s.106 agreement which is expressly stated to bind the Sites, i.e.</p>

Chapter 26 - SA.1. Section 106 Agreements		
	Question to:	Question:
		the Order lands (see clause 4.1). Will they be able to exercise this power in relation to all the Sites?
	Response	As set out in Appendix 26A SA.1 Response Paper , the Applicant is open to including such rights for the host authorities in the Deed of Obligation itself, or via drafting in the DCO.
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	The Evolving Approach would not require the two stage process envisaged by the Sizewell Special Arrangements.

Chapter 26 - SA.1. Section 106 Agreements	
Question to:	Question:
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. 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.

Chapter 26 - SA.1. Section 106 Agreements	
Question to:	Question:
	<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>
Response	Please see Appendix 26A SA.1 Response Paper , and the answers to questions in this table.