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To All Interested Parties

Your Ref:

Our Ref: EN010012

Date: 18 June 2021

Dear Sir/Madam

**Planning Act 2008 (as amended) - Section 89 The Infrastructure Planning
(Examination Procedure) Rules 2010 (as amended) – Rule 8(3) and Rule 17**

**The Infrastructure Planning (Compulsory Acquisition) Regulations 2010 –
Regulations 10 to 16**

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

Amendment to the Application and inclusion of additional land

The Examining Authority (ExA) has accepted a proposal to amend the application and include additional land¹ [[PD-013](#)]. The Applicant has certified that this proposal has been publicised in accordance with Regulations 7 and 8 of the Infrastructure Planning (Compulsory Acquisition) Regulations 2010 (CA Regs). Nine further Relevant Representations were received [[RR-1283](#), [RR-1284](#), [RR-1285](#), [RR-1286](#), [RR-1287](#), [RR-1288](#), [RR-1289](#), [RR-1290](#), [RR-1291](#)]. In accordance with Regulation 11 of the Infrastructure Planning (Compulsory Acquisition) Regulations 2010 the ExA has made an initial assessment of the issues arising in connection with the compulsory acquisition request in respect of the additional land (the proposed provision) and has decided that the issues remain as set out in the Initial Assessment of Principal Issues (IAPI) [[PD-007](#)]. There are also new issues which arise in relation to the additional land at Pakenham (see Annex B). However, the ExA has decided that it is not necessary to hold a meeting to discuss how the proposed provision should be examined. The provision will be examined by Written Representations and by holding further hearings including a further Open Floor Hearing (OFH). The Examination Timetable has been amended accordingly (see Annex A).

¹ "additional land" means land which it is proposed shall be subject to compulsory acquisition and which was not identified in the book of reference submitted with the application as land.

Written Representations

All additional affected persons², additional Interested Parties³, and Interested Parties are now invited to submit Written Representations on the proposed provision to compulsorily acquire the additional land. Any additional affected persons and additional Interested Parties are also invited to submit Written Representations on the application as a whole. Any such additional affected person, additional Interested Party or Interested Party, other than the Applicant, who submits a Written Representation must identify those parts of the proposed provision and/or application with which they agree and those parts with which they do not agree, explaining the reasons why. Written Representations should be submitted by 23 July 2021 (the new Deadline 5 in the revised timetable attached at Annex A).

Hearings

In accordance with Regulation 14 of the CA Regs, notification has already been given of the Issue Specific Hearings (ISHs) to be held in July 2021 [PD-026]. In relation to Regulations 15 and 16 of the CA Regs, the revised timetable sets a deadline of Friday 23 July 2021 (D5) by which each additional affected person and each additional Interested Party must give notice of their wish to be heard at a Compulsory Acquisition Hearing (CAH) and/or a further Open Floor Hearing (OFH). The revised Examination Timetable includes dates for CAH in August 2021 and reserve dates at which a further OFH could be accommodated. The arrangements for a CAH and a further OFH including notification of their date, time and place will be confirmed as soon as it is practicable to do so.

Changes to the Examination Timetable

Following our acceptance of the Applicant's recent request for changes to the Proposed Development, and the necessary consultation arising from the request, it is necessary to amend the Examination Timetable. This letter provides you with the updated Examination Timetable at Annex A. This replaces the one that was included in our Rule 8 letter of 21 April 2021⁴.

A new deadline has been inserted into the timetable. This is **Deadline 4 (D4)**, for the receipt of any further information requested by the ExA.

Furthermore, additions have been made to **Deadline 5 (D5)**, including requests for receipt of:

- Written Representations from additional affected persons, additional Interested Parties and Interested Parties on the proposed provision to compulsorily acquire the additional land,

² "additional affected person" means a person whose name is notified by the applicant in accordance with regulation 9(a) (certifying compliance with regulations 7 and 8 and notice of additional affected persons).

³ "additional interested party" means a person who has made a representation, in respect of the proposed provision, which meets the requirements in regulation 10 (relevant representation)

⁴ <https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010012/EN010012-003597-Rule%208%20Letter%20and%20Annexes.pdf>

- Written Representations made by additional affected persons and additional Interested Parties on the application as a whole,
- Notification of a wish to speak at any Open Floor Hearing (OFH) by additional affected persons and additional Interested Parties
- Notification of a wish to speak at a Compulsory Acquisition Hearing (CAH) by additional affected persons

Further, at **Deadline 6 (D6)** amendments have been made to request Comments on WRs received at D5 from additional Interested Parties, Interested Parties and additional affected persons.

Requests for further information

Please will the Applicant direct the ExA to the exact parts of the ES and other application documentation which set out:

- (i) exactly where the veteran trees are located in relation to the Two Village Bypass (TVB) order limits, and alignment, showing precisely which such trees will or may be felled
- (ii) the relationship between the order limits and alignment of the TVB in relation to both Foxburrow Wood, and Farnham Hall, Farnham Hall Farm House and (if different) Farnham Manor (showing and labelling the component parts using the dwelling names of those building complexes) and any trees in the ancient woodland which will or may be felled
- (iii) the same in relation to Pond Wood and Nuttery Belt, and
- (iv) assessment of bats and any other protected species which use any parts, fly-lines, commuting routes, roosting, nesting or foraging areas related to those places.

If supplementary drawings are needed to bring that information together, please supply them.

The submitted Consolidated Transport Assessment [REP2-045] has no main contents page, this should be amended, and a revised Consolidated Transport Assessment should be provided ensuring the main contents page has functioning links to each section, appendices and figures.

Responses to requests for further information should be submitted by Thursday 1 July 2021 (the new Deadline 4 in the revised timetable attached at Annex A).

Procedural decision regarding Additional Submissions

The ExA has also made a Procedural Decision to accept Additional Submissions from the following:

- Benedict Thompson-McCausland [\[AS-335\]](#)
- Ella Mahony [\[AS-336\]](#)
- Emma Taylor [\[AS-337\]](#)
- Jessica Palin [\[AS-338\]](#)
- Judith Carr [\[AS-339\]](#)
- Naraya Gabriel [\[AS-340\]](#)
- Rebecca Cowley [\[AS-341\]](#)
- Sally Hartley [\[AS-342\]](#)

- Sam Allison [\[AS-343\]](#)
- Sarah Seccombe [\[AS-344\]](#)
- Stephen Britt [\[AS-345\]](#)

Yours faithfully,

Wendy McKay

Lead Member of the Examining Authority, on behalf of the Panel

Annexes

A Revised Examination Timetable

B New issues arising in respect of the Additional land at Pakenham (Change 11)

This communication does not constitute legal advice.

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Examination Timetable

The Examining Authority (ExA) is under a duty to complete the Examination of the application by the end of the period of six months beginning with the day after the close of the Preliminary Meeting.

The Examination of the application primarily takes the form of the consideration of written submissions. The ExA will also consider any oral representations made at hearings.

The time for submission of documents at any Deadline in the timetable is 23:59 on the relevant Deadline date, unless instructed otherwise by the ExA.

Item	Matters	Due Dates
	<p>Procedural Deadline A</p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> • Responses to the Rule 6 Letter • Written submissions on Examination procedure and timetable • Requests to be heard orally at Preliminary Meeting Part 1 	<p>Wednesday 10 March 2021</p>
	<p>Preliminary Meeting Part 1</p>	<p>Tuesday 23 March 2021 and Wednesday 24 March 2021</p>
	<p>Procedural Deadline B</p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> • Written submissions on Examination procedure and timetable in response to matters raised orally at Preliminary Meeting Part 1 • Requests to be heard orally at Preliminary Meeting Part 2 • Draft section 106 Agreement(s) (s.106), s.106 Explanatory Memorandum and draft Confirmation and Compliance Document • Applicant's draft itinerary for Accompanied Site Inspection (ASI)¹ 	<p>Monday 7 April 2021</p>
	<p>Preliminary Meeting Part 2</p>	<p>Wednesday 14 April 2021</p>

¹ Please note: an ASI can only go ahead if Government guidance on COVID-19 at that time permits.

	<p>Issue by the ExA of:</p> <ul style="list-style-type: none"> • Examination Timetable <p>Publication by the ExA of:</p> <ul style="list-style-type: none"> • ExA's Written Questions (ExQ1) 	<p>Wednesday 21 April 2021</p>
	<p>Date reserved for issue by the ExA of:</p> <ul style="list-style-type: none"> • Any request for further information under Rule 17 of the Examination Rules (if required) 	<p>Thursday 6 May 2021</p>
	<p>Deadline 1 (D1)</p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> • Comments on Relevant Representations (RRs) • Summaries of all RRs exceeding 1500 words • Comments on Applicant's draft itinerary for ASI and suggested locations for site inspections (Accompanied or Unaccompanied), including justification, for consideration by the ExA • Notification of wish to attend ASI * • Local Impact Reports (LIR) from any local authorities • If needed, draft section 106 Agreement(s) (s.106), s.106 Explanatory Memorandum and draft Confirmation and Compliance Document • Notification by Statutory Parties of their wish to be considered as an IP by the ExA • Notification of wish to speak at any Open Floor Hearing (OFH) * (NOTE: notification of wish to speak at the OFHs w/c 17 May 2021 MUST be made on the appropriate form) • Notification of wish to make oral representations at an Issue Specific Hearing (ISH) * • Notification from any Affected Person of wish to speak at a Compulsory Acquisition Hearing (CAH) * • Notification of wish to have future correspondence received electronically • Responses to any further information requested by the ExA for this Deadline 	<p>Wednesday 12 May 2021</p>
	<p>Open Floor Hearings (OFH)</p>	<p>Tuesday 18 May 2021 to Friday 21 May 2021</p>

* All notifications of a wish to attend or speak at an Examination Event must be submitted separately from other correspondence

	<p>Deadline 2 (D2)</p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> • Post Hearing submissions including written submissions of oral case • Written Representations (WRs) • Summaries of all WRs exceeding 1500 words • Initial Statements of Common Ground (SoCG) requested by the ExA • Statement of Commonality of SoCG • Responses to the ExA's Written Questions (ExQ1) • Comments by registered Interested Parties only² on any updated application documents and Changed Application documents • Comments on draft s.106, accompanying draft Explanatory Memorandum and draft Confirmation and Compliance Document • One dimensional modelling of Soft Coastal Defence Feature (SCDF) • Design details and plans for Hard Coastal Defence Feature (HCDF) • Responses to comments on RRs • Applicant's revised draft of DCO • Updated DCO Signposting Document • National Policy Statement (NPS) tracker • Updated Navigation Document • Updated Book of Reference and Schedule of Changes to the Book of Reference (BoR) • Updated Statement of Reasons (SoR) Appendix B 'Status of Negotiations with Owners of the Order Land' • Updated SoR Appendix C 'Status of Negotiations with Statutory Undertakers' • Comments on any additional information/submissions received by D1 • Responses to any further information requested by the ExA for this Deadline 	<p>Wednesday 2 June 2021</p>
	<p>Dates reserved for:</p> <p>Accompanied Site Inspections (ASI) (if COVID-19 public health restrictions allow)</p>	<p>From Tuesday 8 June 2021 to Thursday 10 June 2021</p>
	<p>Date reserved for:</p> <p>Accompanied Site Inspection (ASI) to the Hinkley Point C site (if COVID-19 public health restrictions allow)</p>	<p>Tuesday 22 June 2021</p>

² See [Section 102 of the Planning Act 2008](#)

	<p>Deadline 3 (D3)</p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> • Operational modelling of Soft Coastal Defence Feature (SCDF) • Comments on WRs • Comments on LIRs • Comments on SoCG • Comments on responses to ExA's Written Questions (ExQ1) • Comments on Applicant's first revised draft DCO • If needed, revised draft s.106, accompanying draft Explanatory Memorandum and draft Confirmation and Compliance Document • Updated NPS tracker • Updated Navigation Document • Updated Book of Reference and Schedule of Changes to the Book of Reference (BoR) • Updated Statement of Reasons (SoR) Appendix B 'Status of Negotiations with Owners of the Order Land' • Updated SoR Appendix C 'Status of Negotiations with Statutory Undertakers' • Comments on any additional information/submissions received by D2 • Responses to any further information requested by the ExA for this Deadline 	<p>Thursday 24 June 2021</p>
	<p>Deadline 4 (D4)</p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> • Responses to any further information requested by the ExA for this Deadline 	<p>Thursday 1 July 2021</p>
	<p>Issue Specific Hearings (ISH)</p>	<p>From Tuesday 6 July 2021 to Friday 9 July 2021</p>
	<p>Issue Specific Hearings (ISH)</p>	<p>From Tuesday 13 July 2021 to Friday 16 July 2021</p>
	<p>Deadline 5 (D5)</p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> • Post Hearing submissions including written submissions of oral case 	<p>Friday 23 July 2021</p>

	<ul style="list-style-type: none"> • Written Representations from additional affected persons, additional Interested Parties and Interested Parties on the proposed provision to compulsorily acquire the additional land • Written Representations made by additional affected persons and additional Interested Parties on the application as a whole • Notification of wish to speak at any Open Floor Hearing (OFH) by additional affected persons and additional Interested Parties* • Notification of a wish to speak at a Compulsory Acquisition Hearing (CAH) by additional affected persons* • Any revised/updated SoCG (if any) • Applicant's revised draft DCO • Updated DCO Signposting Document • If needed, comments on revised draft s.106, accompanying draft Explanatory Memorandum and draft Confirmation and Compliance Document • Updated NPS tracker • Updated Navigation Document • Updated Book of Reference and Schedule of Changes to the Book of Reference (BoR) • Updated Statement of Reasons (SoR) Appendix B 'Status of Negotiations with Owners of the Order Land' • Updated SoR Appendix C 'Status of Negotiations with Statutory Undertakers' • Comments on any additional information/submissions received by D3 and D4 • Responses to any further information requested by the ExA for this Deadline 	
	<p>Publication by the ExA of:</p> <ul style="list-style-type: none"> • Second Written Questions (ExQ2) (if required) • ExA's proposed commentary on, or schedule of changes to, the dDCO and s.106 documentation (if required) 	<p>Tuesday 3 August 2021</p>
	<p>Deadline 6 (D6)</p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> • Comments on Applicant's revised draft DCO • Comments on any revised/updated SoCG • Comments on WRs received at D5 from additional Interested Parties, Interested Parties and additional affected persons 	<p>Friday 6 August 2021</p>

* All notifications of a wish to attend or speak at an Examination Event must be submitted separately from other correspondence

	<ul style="list-style-type: none"> • Updated NPS tracker • Updated Navigation Document • Updated Book of Reference and Schedule of Changes to the Book of Reference (BoR) • Updated Statement of Reasons (SoR) Appendix B 'Status of Negotiations with Owners of the Order Land' • Updated SoR Appendix C 'Status of Negotiations with Statutory Undertakers' • Comments on any additional information/submissions received by D5 • Responses to any further information requested by the ExA for this Deadline 	
	<p>Compulsory Acquisition Hearings (CAH)</p>	<p>From Tuesday 17 August 2021 to Friday 20 August 2021</p>
	<p>Dates reserved for:</p> <ul style="list-style-type: none"> • Accompanied Site Inspections (ASI) (if COVID-19 public health restrictions allow and if required) • Open Floor Hearings (OFH) (if required) • Issue Specific Hearings (ISH) (if required) • Compulsory Acquisition Hearings (CAH) (if required) 	<p>From Tuesday 24 August 2021 to Friday 27 August 2021</p>
	<p>Deadline 7 (D7)</p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> • Post Hearing submissions including written submissions of oral case • Responses to the ExA's Second Written Questions (ExQ2) (if required) • If needed, revised draft s.106, accompanying draft Explanatory Memorandum and draft Confirmation and Compliance Document • Response to ExA's commentary on, or schedule of changes to, the draft DCO and s.106 documentation (if required) • Applicant's revised draft DCO • Updated DCO Signposting Document • Any revised/updated SoCG (if any) • Updated NPS tracker • Updated Navigation Document • Updated Book of Reference and Schedule of Changes to the Book of Reference (BoR) • Updated Statement of Reasons (SoR) Appendix B 'Status of Negotiations with Owners of the Order Land' 	<p>Friday 3 September 2021</p>

	<ul style="list-style-type: none"> • Updated SoR Appendix C 'Status of Negotiations with Statutory Undertakers' • Comments on any additional information/submissions received by D6 • Responses to any further information requested by the ExA for this Deadline 	
	<p>Publication by the ExA of:</p> <ul style="list-style-type: none"> • Report on the Implications for European Sites (RIES) • ExA's further commentary on, or schedule of changes to, the dDCO and s.106 documentation (if required) • Third Written Questions (ExQ3) (if required) 	<p>Thursday 9 September 2021</p>
	<p>Dates reserved for:</p> <ul style="list-style-type: none"> • Accompanied Site Inspections (ASI) (if COVID-19 public health restrictions allow and if required) • Open Floor Hearings (OFH) (if required) • Issue Specific Hearings (ISH) (if required) • Compulsory Acquisition Hearings (ISH) (if required) 	<p>From Monday 13 September 2021 to Friday 17 September 2021</p>
	<p>Date reserved for issue by the ExA of:</p> <ul style="list-style-type: none"> • Any request for further information under Rule 17 of the Examination Rules (if required) 	<p>Monday 20 September 2021</p>
	<p>Deadline 8 (D8)</p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> • Post Hearing submissions including written submissions of oral case (if required) • Responses to the ExA's third Written Questions (ExQ3) (if required) • Responses to ExA's commentary on, or proposed schedule of changes to, the draft DCO and s.106 documentation (if required) • If needed, comments on revised draft s.106, accompanying draft Explanatory Memorandum and draft Confirmation and Compliance Document • Updated Navigation Document • Comments on any revised/updated SoCG • Updated Book of Reference and Schedule of Changes to the Book of Reference (BoR) • Updated Statement of Reasons (SoR) Appendix B 'Status of Negotiations with Owners of the Order Land' • Updated SoR Appendix C 'Status of Negotiations with Statutory Undertakers' 	<p>Friday 24 September 2021</p>

	<ul style="list-style-type: none"> • Updated NPS tracker • Comments on any additional information/submissions received by D7 • Responses to any further information requested by the ExA for this deadline 	
	<p>Deadline 9 (D9)</p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> • Comments on the RIES • Responses to any further information requested by the ExA for this Deadline 	<p>Thursday 30 September 2021</p>
	<p>Deadline 10 (D10)</p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> • Comments on responses to the ExA's third Written Questions (ExQ3) (if required) • Final DCO to be submitted by the Applicant in the SI template with the SI template validation report • Final DCO Signposting Document • Final updated Book of Reference • Final SoCG • Final Statement of Commonality of SoCG • List of matters not agreed where SoCG could not be finalised • Final Navigation Document • Final Statement of Reasons (SoR) Appendix B 'Status of Negotiations with Owners of the Order Land' • Final SoR Appendix C 'Status of Negotiations with Statutory Undertakers' • Final NPS tracker • Final signed and dated s.106, final s.106 Explanatory Memorandum and final Confirmation and Compliance Document • Final ES signposting document • Final Mitigation Route Map • Comments on any additional information/submissions received by D8 and D9 • Responses to any further information requested by the ExA for this Deadline 	<p>Wednesday 6 October 2021</p>
	<p>The ExA is under a duty to complete the Examination of the application by the end of the period of 6 months beginning with the day after the close of the Preliminary Meeting.</p>	<p>Thursday 14 October 2021</p>

Publication dates

All information received will be published on the project page of the National Infrastructure Planning website as soon as practicable after the Deadlines for submissions. An Examination Library will be kept up to date throughout the Examination and can be accessed via the 'Documents' tab on the project page. Each document will be given a unique reference. These references will be used by the ExA during the Examination:

<https://infrastructure.planninginspectorate.gov.uk/projects/eastern/the-sizewell-c-project/?ipcsection=docs>

Hearing agendas

Please note that for Issue Specific Hearings and Compulsory Acquisition Hearings the ExA will aim to publish a detailed draft Agenda on the project page at least five working days in advance of the Hearing date. However, the actual Agenda on the day of each Hearing may be subject to change at the discretion of the ExA.

For Open Floor Hearings Agendas will not be published unless, in consideration of the number of participants notified to the Planning Inspectorate, the ExA decides that establishing a running order will facilitate the process on the day.

Report on the Implications for European Sites

Where an Applicant has provided a No Significant Effects Report or a Habitats Regulations Assessment (HRA) Report with the application, the ExA may decide to issue a RIES during the Examination. The RIES is a factual account of the information and evidence provided to the ExA on HRA matters during the Examination up to the date of the publication of the RIES, for the purposes of enabling the Secretary of State, as competent authority, to undertake its HRA. It is not the ExA's opinion on HRA matters. Comments on the RIES will be invited by the ExA and any received will be taken into account as part of the ExA's Recommendation to the relevant Secretary of State.

The Secretary of State may rely on the consultation on the RIES to meet its obligations under Regulation 63(3) of The Conservation of Habitats and Species Regulations 2017 and / or Regulation 28 of The Offshore Marine Regulations.

New issues arising in respect of the Additional land at Pakenham (Change 11)

The issues arising are the same as for the Initial Assessment of Principal Issues (IAPIs) originally raised [PD-007] but specifically applied to the additional land. Furthermore, the following new issues arise in relation to the additional land at Pakenham (Change 11):

- The need for the land as compensatory fen meadow.
- The likelihood of successful creation of fen meadow in this location.
- Whether the extent of the land sought to be compulsorily acquired for that purpose would be excessive.
- The hydrological and flood risk implications of the proposed use of this land as fen meadow including in relation to neighbouring properties and existing ecology with particular regard to the nearby SSSI and CWS.
- Whether the fen meadow proposals would have any adverse impact upon the historic interest of the Grade II* listed building at Pakenham Watermill.
- Public rights of way over any new fen meadow created.
- Traffic and highway safety implications for users of the local roads in and around Pakenham.
- Construction noise impact upon neighbouring residential properties.