

TEXT_SizewellC_ISH5_Session5_13072021

Tue, 7/13 6:00PM • 54:29

00:06

Welcome back to issue specific hearing five, before we commence, can I chat with the case team that they can see and hear me and that they'd live stream and recording has begun? Yes, I can see and hear and the live stream and recording have started. Thank you. For those watching via the live stream, can I please remind you to refresh your browser page? Before we move on. In terms of the agenda items, I am conscious of the time, and I'm aware that we do have one interested party that unfortunately leads to leave by 6pm. So that is when we will have to close the hearing, it is my intention to get through all of item six. And then if I could request that those wishing to make representations on item seven, eight, and nine, submit their MC submissions in writing on those agenda items for deadline five, I can only apologise that I have not got through the agenda, it is always difficult to gauge how long these things are going to take. But if I could ask all participants to be as concise as possible as we move through the agenda, in terms of item, agenda item number 10. Mr. Phil part, it is my intention to perhaps ask you these questions at the just before we close for you to take them away and respond in writing. They are only very short. And I may also ask you, if you don't mind, any questions I have for you. If we look like we're running out of time, I may post them to you. If you could respond in writing, if that's acceptable to you,

01:47

perfectly happy to do that, particularly on matters such as mitigation and controls where that's often the most effective way of doing it.

01:55

Thank you very much for your understanding. If I can move now on to Coast Guard cottages please. I'd like to speak to the National Trust if possible.

02:07

Hello, madam. Nick Collinson. National Trust, my camera has given up the ghost I think so.

02:13

That's fine. I too, have been experiencing it issues. So I'll just, yeah, I'll just talk at you. I can hear you perfectly well. So I know the comments that you've made in the statement of common ground at page 12 of rep 2089, insofar as its National Trust view that the applicant has not provided sufficient detailed designs to show the true scale of development, or how the applicant will mitigate and compensate the visual impacts of the proposed development for the extent of its lifetime. I know there has been additional information submitted as part of the response to the examination questions, but could you confirm for me what specific information you think is missing and how this would obviously, assist yourselves and the examining authority in terms of our understanding of the project for us?

03:09

Thanks, Martin. Well, well, then. We do agree with the conclusions of the viewpoint 17. And, as you know, we won't be surprised that gives us great concern, given the importance of cheating the alien ability of it as National Trust land. We've talked about many of the issues today, actually, I think particularly around construction. Those construction viewpoints, we know this is a very prominent viewpoint, overlooking the construction side, the applicant themselves points, points to the fact that this is one of the most prominent viewpoints, it's a valued AONB viewpoint. So we've talked this morning about many those additional, those additional that different information that would help us and I think particularly our members and the 175,000 visitors that we get to donachie the year. Now, this is a very popular site and a very popular part of the Suffolk coast. And it's very difficult, as we've discussed this morning to to have conversations with visitors and our members around the impacts of this, divert this development from those wire lines. So hence, the conversation we had this morning around a better construction viewpoints in exactly the same as the applicant at wilfer. Provided I think that would help us enormously. Similarly, with with nighttime viewpoints, we're very popular site for stargazing, and you know, we've got concerns around nighttime visual impact. So that's probably construction. I think in terms of operation, we haven't been involved with conversations around finishing and colour of some of those principal buildings. And we would welcome that and I refer back to conversations earlier about the OMB partnership being involved in those conversations given the viewpoint 17. We would like to be to we had we know we have a view and we have a view particular that viewpoint so so that would be I think would be really helpful. Given the scale of these impacts, and the conclusions of the RBI both operation and construction, our view is that many of these impacts can't be mitigated or done at Chase. So we are undoubtedly looking at very significant residual impacts, which given the nature of the site, given the nature of the orientation of coastguards cottages to the south, it's all looking that way. There's a lot of there's a lot of impacts here that aren't, we won't be able to mitigate. Yes, we're talking about colour and finishes some of the principal buildings. Yes, we've got Kenton and goose hills that do do mitigate some of the low level clutter. We accept that but you know, significant residual impacts which we are in the in discussions with the the applicant on a donachie resilience fund. And that is looking at some fairly small scale operation or mitigation. So boots on the ground to have conversation with visitors about what's happening in the in the landscape. Some some small bits of infrastructure, which may detract from views. So so that's of views, but I think we would point to the natural environment Fund and the importance of that, in terms of compensating the impact on the AMA, because we can't compensate the impact of damage. It's not a site where tree planting is suitable. It's a heathland triple si. So that view will remain open, we're not going to be planting trees on it. So that leaves the important natural environment fund, I think as a mechanism to mop up those residual impacts on donachie, which of course, in themselves significant impacts on the IRB because this is a valued IRB viewpoint.

06:44

Thank you, you. You second guess my second question, which was about the date of obligation. So thank you for that. And I'll turn to the RMB partnership. If they have anything additional they'd like to add.

06:59

Simon Amstutz, Africa nice to be partnership. Yeah. And also very much what Nick constant from the National Trust and AONB partnership member says that. Yeah, the view from coast guard corsages is one of the iconic views of the OMB. And the the impact of that, of that view, will be I think, significant from from as Nick describes the how the how the asset is orientated, you know, to look over to the, to the south and that view. What I hadn't actually thought of before was the point that Nick makes around mitigation and tree planting. Because Yeah, that heathland, again is a very important natural habitat, and obviously, planting trees in that location to do any screening would be totally inappropriate. Yeah, I think that's all I need to say. Thank you.

08:02

Thank you very much. Could I turn to a separate counsel, please, they have any comments?

08:09

Thank you, Madam, in relation to the Lv. A. The assessment in the in chapter 13. We don't disagree with that. Secondly, there's an overlap with heritage and chapter 16. Of course. And there we don't in fact, agree with the assessment is as is set out at 1234 of the Li er, we think it's been under understated. Bearing in mind also that this is k scar cottages is probably the heritage asset which is affected more than any other. And the third point is now a familiar refrain, but bearing in mind the absence of the constraints on other measures. The natural environment fund is of critical importance in this respect. Thank you very much. If I could turn to Suffolk County Council please.

09:19

Thank you, Madam microbead. For Suffolk County Council we would echo and endorse the points made by Mr. Tate just now. It's also just I knew cottage cheese is the focus of this view but you will appreciate there's a sequence of views and also a viewpoint 14 minsmere sluice is also a panoramic views and up closer, similar issues arise. Thank you very much. We could turn back to the applicant for comment.

09:51

Thank you very much. I'll try and keep this brief. From the responses we've heard. It's clear to me I would suggest that that There's no issue taken with the adequacy of the LDA in any strict sense that the concerns that have been raised really go to whether it will be helpful to have further visualisations in order to aid understanding. And that's the point we agreed to take away and look at it. But it's quite important to note, adequacy per se is not is not an issue. And so far as the National Trust input to decisions on colour, matters of that sort, that comes back to the point we discussed earlier that ultimately that is within the scope of normal decision making practice, for a separate council to take on board the views of people like national trustee who have an interest. I am also just going to briefly ask Mr. Rhodes, Mr. JOHN Rhodes, and quad just to pick up the point about the fund and mitigation. It's our passive to Mr. Rhodes.

11:12

It's where as I can see you, but I can't hear you I think possibly now I'll be able to hear.

11:16

Thank you. JOHN Rhodes on behalf of the applicant. Just briefly to confirm that we're in discussion with National Trust as Mr. Collins and says in relation to what's identified in the drafting of obligations resilience fund. There are some potential hence, to be funded within that fund. And that's a matter of continuing discussion. We have a meeting later this month, with the fund. fair to say I think the resilience funds are more in the nature of what you might call Good Neighbour funds. We recognise that there's an impact, we want to do what we can to address that impact directly on the national interest in interests. It's different from the natural environment Fund, which looks to directly mitigate the landscape impacts so far as they can be. And certainly in relation to Coast Guard cottages, we're not suggesting that that impact on that view can be fully mitigated through the natural environment and as the NBS recognises the nature of the coastland and the eastland environment is that there will be impacts which cannot be fully mitigated, the fund will do what it can. But there will be residual impacts that will need to be balanced in the decision. And the purpose of the funds is to go as far as we practically can.

12:39

Thank you very much. Thank you. I'd like to move on to the design and location of beach landing facilities on the additional suggested requirement if I could turn to the AONB partnership. First, please, again, out of sight on the cusp of a RV partnership. I have a question for you. If you don't if you don't mind. I've noted your statement that a permanent beach Landing Facility in the OMB and a temporary beach Landing Facility in the setting of the air and Bay are not features that contribute to the purpose of the air and be a negatively impact on defined features such as landscape quality, scenic quality, and tranquillity. So I'm losing the ability to speak. With this in mind, could we briefly discuss what additional if any mitigation and bedded mitigation would sort of assist in reducing the levels of impact on the defined features of the air and Bay? Yeah,

13:56

I slightly take the view that the applicant should be looking to to do some of that work. But if we take the permanent beach Landing Facility first, as I understand it, that there will be considerable efforts to minimise the impacts of the permanent beach Landing Facility but of course it will change the character and the scenic quality of the of the amb and again, you're perhaps more in terms of putting yourself to the north of the proposed size. We are walking down the Suffolk coast path walking down the the proposed England England coast path from the viewpoints that we were just talking about and seeing this type of structure. Yeah, in a permanent situation. Then I think if we turn to the the temporary beach Landing Facility Let's see. And I can understand why the applicant would wish to move more materials through in this mechanism rather than road transport, but I don't think I've ever seen an analysis of, of what the impact upon the A and B, from a road lead strategy to a C lead strategy would be. I may be wrong, that analysis may may have been done. But if I I can imagine the pressure put onto people about trucks coming down down the road. But I think, yeah, we should be also balancing that around the impacts of 500 metre jetty with noise and light, visual intrusion upon a nationally designated landscape. Yeah, and that's before you think about vessels moving into that area, which is relatively devoid of human activity at the moment. Hope that answers your question to a degree.

16:12

No, no, that was very, very useful. Thank you. I'm gonna turn to his support Council and Suffolk County Council just if they have any additional points regarding this matter. So could start with a separate please. No, thank you, madam none, in addition to the ones I've mentioned earlier, thank you and Suffolk County Council.

16:34

Thank you, Madam micropatterned Suffolk County Council. But inevitably, however you achieve access to the construction site, there's an impact on the AONB. And that would be so with it, as it were a purely road based strategy as much as any other strategy. We clearly are very keen to ensure for a wider range of sustainable transport reasons that there is a sustainable freight strategy. And we see the beach landing facilities both the permanent and the temporary, as essential to that. So obviously, we we see what is proposed as justified and that there are exceptional circumstances for those features. In the Airbnb, if you've accepted the premise of size, we'll see in the AONB and certainly we would not want to see any kind of outcome, which left us as it were with sizewell C, but without those facilities, because necessarily the corollary of that would be that we would be in a purely road based strategy subject to any rail freight etc. So we see it as albeit that there may be regrettable that there is, as it were, hard infrastructure being provided on the waterfront, and obviously, associated vessel traffic with that, we see that on balance is being preferable to the alternative, which would be to remove those and therefore necessarily all of that material having to come primarily by road.

18:14

Thank you very much. I'm going to turn to Paul Collins. So you've got your hand up. Mr. Collins, could I ask that you are concise please and the matter of time?

18:26

Certainly, I mean, I would I agree with what Mr. Bedford just said regarding in some ways the necessity of actually having these two facilities if you go to reduce road transport, etc etc and get a more sustainable transport strategy my my concern in terms of landscape and visual impact is much more to do with the permanent beach Landing Facility because not only does it have these fairly substantial piles going down the beach and into the into the water and the pontoons etc, etc. For moring vessels as they come up, this is a structure which also has a roadway basically at five metres which is right at the edge of that which is going to be very prominent in the landscape. Although it is going to be surrounded by soft coastal defence as far as we can see, and it is something which is going to be there not only for the entire duration of the operation is probably going to be they're well into the decommissioning to to remove materials or remove these large structures as the decommissioning goes on. So I think that impact is quite extensive. As far as the AONB and any sort of view of the site is from north south or even Of course, offshore. We do have plenty of people that actually sail up and down the shore from time to time, so Net point of view. I think it's the permanent beach Landing Facility that filled with more concern than the temporary. Thank you.

20:08

Thank you very much. If I could turn to the applicant, please.

20:16

Yes, no, I can respond briefly on this. Important to start with a recognition that policy effectively directs the sort of approach that we have in mind here 513 10 rbn. One says that waterborne or rail transport is preferred over road transport at all stages of the project were cost effective. And that's pretty much reflected in the freight strategy that has emerged as you've heard, rail is effectively being maximised. And that is, therefore not something that can be increased. And there is, I suggest no real difference between ours and the council's in terms of the importance and justification of having both BLF. So I'm not conscious that the operational need for the retention of the permanent BLF is seriously challenged by any party, the effects of those on the A and B and generally have been assessed in a robust way. And it's quite clear that the approach taken is a balanced approach, recognising the impact on the AONB, but balancing that against the other sustainability considerations that are identified in policy, or coming up with something which is, which is justified, and you've heard from the council's their views on this matter, we've sought to respond to them with the with the change. And therefore what we've put forward is fully justified, clearly establishes exceptional circumstances, and the impacts in that context are acceptable.

22:05

Thank you. I do have as I said, I've got some questions for you. So what I propose to do if I was with you now, and can you let me know whether you can either answer them today, or take them away might be easier in terms of timing, if I just discuss them with you now and you take them away. But once I've told you what they are, please let me know. So the first one, and it's regarding the temporary beach Landing Facility. So there's going to be an increase in numbers in the vehicle numbers in the air and be just through the necessity to unload the shells from the barges to actually physically just deliver them to the construction site. And, again, please correct me if I'm wrong, but I believe that references only lead to addition in vehicle movements on the main road network as a result of the temporary beach Landing Facility. So what I'm looking for is can you signpost me to whether an assessments been undertaken, which looks at the increased vehicle movements in respect of impact on the AONB?

23:08

I'll take that away. I think rather than volunteering one of my team to despondency will take that away,

23:14

and it's probably a Trump more transport related issue. And also, I do believe one interested party raise the issue of whether in terms of minimising visual impact within their MB has any consideration being given to the location of moving the church to beach landing facilities closer together? Now, I would imagine that, you know, the site selection process has been undertaken, but I can't find and please direct me to, to any information, which explains why they are located where they are. So if somebody could signpost me to that, and whether it is technically feasible to bring them closer together, and any impacts that was would have, I will be very grateful.

24:02

I can pass that over to Mr. Richard Jones who

24:10

Yes, just just a very quick response on that. So I think the easiest thing to look at would be examination reference, PDA 005. That includes a general arrangement plan that shows the temporary BLF. And you can see the other marine infrastructure that sits alongside that VLF and essentially bringing the two BLS closer together, creates a conflict with the construction drainage outfall, and also means that the trucks can't turn the barges on the permanent BLF service. There's physical constraints that stop

24:44

them from being closer. If you could just put that in your submission. So I've got the correct references. I'd be really great. Oh, Mr. Philpott. I do have one last ish discuss and it's about the new requirements suggested by EC Council in relation to the poles beach Landing Facility. The wording for this is contained within Annex A of the EC Council and Suffolk County Council, the joint impact of rec 105 and its operators.

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Consideration has been given the data requirements and if any discussions are ongoing with Isa.

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My understanding is that discussions are ongoing with a Suffolk in relation to requirements. As to the specific This is the beach Landing Facility new requirement as I understand

25:52

it, yeah. Proposed working with beach Landing Facility requirement.

25:56

Yeah. In terms of the response to that I had anticipated that that might come up in tomorrow's hearing. And so I've got someone looking at it at the moment, but I don't have an answer to give you right away.

26:11

That's absolutely fine. If I just had to East Suffolk, is there anything they would like to add on that? matter?

26:20

No, we were planning to address address you on that tomorrow under the coastal heading.

26:25

That's fine, then in that instance, I shall move to coastal defences. Again for the applicant, please. Again, if you need to tear this one away, that's fine. I noticed in response to examination question. So this relates to the northern mound, sorry if I set the scene for people that may not be familiar. So the North Mount will utilise rock armour which will be overlaid with site one film material and seeded to allow vegetation to grow as early in the construction period as possible. Now, natural England did raise concern in their statement of common ground. That's paragraph 59. of Rep. 2071. And I know that the applicant replied to a question posed as I ii 160. And the commitments being made to a management plan to monitor and protect the soft and hard coastal defences to maintain the landscape while the

character of the area just wondering if any progress had been made in respect of that management plan. And what what measures are likely to be contained within it?

27:52

I'm going to ask Mr. Alister Kratt, to provide you with an answer to that. Thank you.

28:03

Thank you. We are in we are currently preparing management plan for that area as part of a more comprehensive set of information in relation to long term management. I think it would be useful things zoning authority to be aware that those involved with the original establishment of Sizewell B, and the specification of that work and the ongoing management of it are party to the drafting of that management plan. And we're also involved in the emerging specification for how that would be delivered. And our view is that that gives a good degree of certainty regarding the ability to deliver that. But we will be providing additional information in due course, it won't be for D five, but as soon as possible.

28:49

Thank you. And so could I ask is certainly considerate can't cancel if they have any comments to make on that starting with a separate please.

29:01

Thank you, Madam in relation to the landscaping aspects of the coastal defence proposals. That's very much dependent on the acceptability of those proposals which are emerging. And so in that sense, the LDA may be incomplete because there is that dependency which is critical. I don't know whether Mr. Newton wants to add anything to that

29:36

necklace Newton, the sofa counsel, no, I think we frankly we need to wait and see what this new information is and understand it because it's a it's a it's something of a rolling changing picture as to exactly what these these these coastal defence provisions need to be and therefore how they can then be addressed in terms of mitigation landscape treatments. So it's a rolling picture and we're gonna have to risk under that later deadlines on this, to be honest,

30:02

thank you very much effect could turn to Suffolk County Council.

30:08

Thank you. Mike Bedford, Suffolk County Council briefly, we agree and endorsed that point that clearly if there are changed details in the LPA, or some agenda needs to be updated to reflect the latest position, so you're properly informed as to what the effects are of what is being proposed.

30:25

Thank you very much. Mr. Philpott, unless you have anything to add to that I'm going to move on to temporary sheet piling, if that's

30:34

what I think Mr. Kraft wanted to come back very briefly on the points that were just being made about whether the VA might need to be updated and so on.

30:45

I'll keep this brief, just three points. One, we are aware of the ongoing evolution of the coastal defences and have been in discussion with relevant stakeholders on that. And additional information will be provided for discussion, to confirm and give comfort to the examining authority that the proposals as they come forward will be within the parameters of the original assessment. And we do not anticipate that the significance of the effects will alter. But we do and really going harking back to comments made by Sage earlier today, the experience of walking through that area is very important. And we will be providing a narrative regarding the change or any changes in the character of that area that differ from the submission made in January. And really just to emphasise that the design principles we've already established will also be adhered to. So whilst there are changes anticipated, they will be contained within parameters and working to the principles already outlined. But we appreciate there is a journey still to go on to finalise these matters.

31:57

Thank you very much. I'm going to move on to the temporary sheet piling now. So as part of the change request, it is Mr. Phil got a question for you again, I'm afraid. So as part of the change request, I understand that the rock armour temporal sea defences are going to be replaced with the 7.3 metre temporary defence in order to increase the amount of working space on and it also in this sheet piling will encompass northern nouns by protection to the main construction area during the reconstruction of more than mounds. I noticed in documents, I think it's sizable sea coastal defences design report, which one and that one was sick. It's the golden key in detailed design stages now appreciate it says in detailed design stages. But could that possibility be looked at now? Could it be brought forward? And could you elaborate on the likelihood of the reduction of the North extent of the sheet piling? And what if any discussions have been undertaken with relevant stakeholders regarding this session?

33:22

Madam just before I, I asked one of my colleagues to address that kind of just with your assistance, get the reference, I've got the document that is whereabouts within the

33:34

document. You know, can you you can ask me this? I think that is the one I haven't got the page number for badly. I would that would it be easier to that one? If I repeat the question, and that one's to be taken away?

33:50

Sure, just one moment. Richard Jones is able to deal with it. Now I think even without the reference, I do apologise. No problem at all. So yes, this forms part of the suite of further enhancements to the detailed design that

34:10

Mr. Crouch just referred to. So essentially, there's three things that we're looking to do and submit details on a deadline five within within the parameters. So the first is, is to bring in the C defence, the hard coastal defence feature as it sits around the permanent BLF. And remembering that further back by 15 metres, by looking very carefully at the design that sits in this in and around that area. Essentially there was a there was a turning head and a few other bits of infrastructure associated with the permanent BLF that we've been able to to remove from the project. There's also a general reduction in the use wood extent of the permanent abcdf of around five metres where we've looked to without changing the The height, or the slopes or the appearance, and the sitting within the parameters. The intention is to is to is to pare that back by by further five metres. And then specifically on the on the temporary sheet PowerPoint, there's been a detailed look of how that sits around the northern mound. And it's now proposed that it's not necessary to have a temporary sheet piling up and around the northern boundary with with minsmere and that area. So that information will be with you at a deadline.

35:29

Thank you. Miss Jones, could I just ask you one other question? And it may be that I have overlooked it but I understand the height of the sheet piling is 7.3. What is the total length of the sheet piling? Is that is that figure available? And or? If not, could you could you put that in your deadline five submission and the total length of the sheet piling we can certainly put that in our on our deadline for submission. Thank you very much. If I turn to East Suffolk Council, do you have any comments on this? Because I realise you have raised the issue that sheet piling would result in further industrialization of the beach.

36:16

Thank you. But no, I think we'll await receipt of this information before we respond. But we hear what's being said. Thank you and to Suffolk County Council.

36:29

Thank you, Madam, same position.

36:32

Thank you. And I'm gonna move on to borrow hurts now. But before I do so, could I check with the case team whether Mr. Michael Horton is still on the phone or not? No, I don't believe he's in the hearing at the moment. Okay, thank you very much. So, concern has been raised in relation of borrow pits and temporary spoil heaps in terms of proximity to eastbridge. And can I turn to the applicant please? Thank you, Mr. And Mrs. Darley arts rep to full rate raised an issue regarding a lack of information in respect of the exact exact exact types of works become proceeded to spoil heaps and borrow pits during construction and also in respect of what would be left behind. Now, I can't find an answer to this question. And I'm not sure whether it has been answered. And I just need to be signposted to it. Is there anybody in the room that can help me with that? Or is that something that will need to be taken? taken away?

37:58

We'll take that away and provide an answer in writing. That's probably more helpful to the interested parties as well, I suspect

38:05

it is and I am obviously interested in in the answer to that as well. And the other point I have to make is that a number of representations have raised the issue that spoil heaps at Hinkley have increased to 45 metres now I appreciate we're talking about two different sites. And I understand that construction activities are controlled by a maximum heights within construction zone parameters. But if an increase in height was necessary, how would potential additional visual and immunity impacts particularly on those living in close proximity be taken into consideration

38:44

and guide us understand the concept underlying the question is this something which would exceed the parameters? Yeah, something that exceeds the parameters would go beyond what is permitted by the decio. And therefore, if it was necessary to do that, one would need to make an application to amend the decio

39:11

is that the process and therefore would extra assessment work be undertaken? It is answered that

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if one wanted a new decio then that new authorization would itself have to go through the rigours of the EIA regulations. So the way as we discussed last Tuesday, the way that the requirements are set up is that where there is any flexibility within the scope of any requirement or any control, it is strictly limited so that it can't go beyond what is assessed and is actually therefore relatively limited flexibility in that respect. If one wanted to exceed a parameter in a way Therefore, that requires a fresh application, you would be looking at it effectively de novo because you're making that change. And therefore, you would need to fully assess the impact of the parameters that were then being proposed. So one couldn't escape. The limitations that are imposed will be imposed on this decio without triggering the EIA regulations and needing to go through a full assessment.

40:27

Thank you. Could I turn to a separate counsel, please, if you have any comments on Mario pits spoil heaps, please.

40:40

Madam, our position is that the the impact landscape have been adequately assessed? I think what I could add is that the council is seeking control of some elements associated with the spoil heaps that have a relationship with an appreciation of landscape and in particular, noise from vehicles, travelling over the spoil heaps and lighting that will be secured we expect through the cscp. And we're in dialogue about those, those matters. Thank you very much to Suffolk County Council.

41:19

Madam briefly, it is a cicp matter than it certainly needs to be addressed, but we think it can be addressed through the CFPB.

41:27

Thank you both very much. I am conscious of time and that is the

41:34

last

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agenda item on number six that I am going to cover. I am going to move to Agenda Item Number 10. And Mr. Fill pot. If I could speak to you. Yes, I do have some, we do actually think we do have probably enough time to have a brief on this. I'm going to move to mitigation and control zone. Understand that you're totally mad at DCR was a subjective and issues hearing last week. But I do have some specific questions. I'm going to move to climate 14 please. PAGE 75 2015. I in that requirement 14 is now linked to the commencement of unit one. And this date is within six months. One commencing operation is a new it's an addition to requirement 14. Can you talk me through the six month date and how that was decided on?

42:50

I shall have to look to Mr. Sharp, Matt sharp, who you heard from on the Tuesday of last week, who has been intimately involved with these things and he will be able to explain the six month edition which as you say is changed to recline 14. Thank you. nutshell.

43:18

It's a shark. Could you put your microphone down for me? Please? I can't hear you.

43:25

Yep, that's Matt sharp on behalf of the applicant. The six month deadline follows the process established as part of Hinkley Point C, which is the that the timing trigger for the landscape requirement. And so it provides useful sort of, you know, a clear trigger point that allows us to create an enforceable control and brings forward the the details of the landscape proposals.

43:58

Thank you very much, also, and perhaps a question for Mr. Phillipotts. But in paragraph one of requirement 14 References made to unit one. Could you confirm where this is defined within the fees? Not necessarily in relation to this requirement? But the same? I'm assuming we'll go to unity.

44:22

I think that's perhaps a clarification that we need to to make. It should be a unit one or unit to whichever the earlier and

44:30

also looking for the definition of unit one within you know as well, that would be

44:38

I believe that needs to be added.

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Yes. Just looking at the definitions I didn't there is a definition of unit one. And clearly we don't want there to be any ambiguity about that. So we'll take that away unless I'm subsequently told that there is a definition elsewhere or that it's not necessary for some good reason. We'll add something

45:00

Thank you very much. I'm Alison doubt you have your hand up. Sorry, madam, it's just a procedural point that there's a lot of background noise coming from the applicants. Office and for the last 510 minutes, I've really struggled to hear your questions because of the interference. Thank you for pointing that out. I have to say, it's very quiet here. Maybe a technological matter. There was the noise earlier, but it has since ceased. But yeah, I think as long as it's quiet now, that's fine. And if I could just turn to a separate counsel, do you have any comments to make on requirement 14?

45:46

No, other than that, we are looking at triggers. in further detail following issues specific hearing one, this will be encompassed in that in that consideration.

45:59

Thank you, if I could turn back to Mr. Phil. Pop, please. Yes. I think this point was picked up in the issue specific hearing one regarding requirement 22. A, which is Associate associate with developments in landscape works. reference, you probably don't need to look at it references made to an ecology management plant, I believe my colleague, Mr. Brock, highlighted, this should be a landscape ecological management fund. And I believe that was taken as an action to be updated.

46:34

Indeed, indeed it is. And I understand that requirement to institute a is to be updated deadline, five, which and that update will pick up that point.

46:48

And if we could move to requirement 24, please. If you refer you to the end of paragraph two, the requirements states and the land restore to a condition suitable for agricultural use. I'm just interested in knowing what the definition of suitable for agricultural uses and how is this measure defined, secured and affected? And has this wording been discussed with a specific counsel

47:23

as to whether that wording specifically has been discussed with the sort of counsel? I would have to share? I don't believe it, it has. That clearly, one of the things which needs to be looked at with this requirement? Is that the question of how one knows whether it's been restored to a suitable condition, we're live to that issue. And what I can say is that we're looking at the wording of requirement 24, just to ensure that it deals with that adequately. I fully understand the point that's been raised, what I can say is that it is being considered and if there are changes to be made to it, they'll come forward at deadline five, if having looked at it, again, we consider is okay, as it is we'll obviously explain why. But we are alive to that issue in relation to the second part of it.

48:19

Thank you. Just quickly to East Suffolk Council, do you have any comments to make on this word?

48:26

Yes, thank you, madam Yes. 24 to the restoration requirement is rather subjective at present. And it does need an overlay of some form of objective mechanism, whether it's a discharge requirement for the local authority, which would seem to make sense or otherwise, it certainly needs to be addressed. And can I also just mention, very briefly, 22. A, because although that is going to refer to the landscape and ecological plan, the wording at present with the use of the language general accordance without opening that discussion up again, is consistent with being an outline LMP. And indeed, the only documents that I think exists at present are the outline le MPs at as 262 and as to six, four. So that needs to be clarified as well, whether it's to be an outline, in general accordance, whatever that means, or air lamps and in accordance, but I just raised that. And the other point, I think, is that the discharge is for

49:40

an agreement. The alternative is an agreement with Suffolk County Council and we think that probably should be the local planning authority bearing in mind its landscape works. Again, we're in discussion on that.

49:53

Thank you, Mr. Pell port. Do you have any further comments make

49:58

just just briefly and I have not contravened We are looking at the wording of 22. A, as I indicated, and including the structure and wording of it generally not just the plan that is referred to so the sort of points that Mr. taters alluding to are understood, I would say, of course that one needs to understand the reference to Suffolk County Council in the concept that the requirement is seeking to deal with which is ongoing maintenance of the to village bypass and the works, that landscape works associated with it. So at the moment, there are a number of concepts bundled together in there, one of which is about ongoing maintenance. And that's why there's reference to Article 21. And then agreement with Suffolk County Council because that's to do with ongoing maintenance as opposed to approval of landscaping details. And so one of the things we're looking at in relation to 22 a, is how to word it in a way so that it perhaps more clearly expresses its purpose. And generally is more easily understandable, because that amendment is a, a, an area where it needs improvement. Thank you. Mr. Bedford, you have your hand up.

51:26

Thank you, Michael Bedford, Suffolk County Council. Yes, there are some issues with 22. A as presently formulated. And it's really helpful to know that dialogue and discussion is continuing. But one issue which certainly needs to be addressed, and which isn't presently addressed. It's our view that certainly as a Highway Authority, we would not want to take on responsibility for the areas which are shown as landscaped areas, beyond the highway structures and a reasonable distance from the

highway structures. Because they don't serve a highway purpose, obviously, they're important, because they're part of the landscape mitigation for the visual effects of the whether it's the size of our link road or the to village bypass, but they're not matters which the Highway Authority would want to take responsibility for. So there's need, there's going to need to be a discussion as to how they are dealt with. And obviously, the resolution to that discussion will then impact on on the way that 22 A is worded. And then there is also in relation to 22 a and the reference the size worldlink. Road. I know we haven't dealt with that item on the agenda. But you know, there's a completely different point that we've raised as to the temporary or permanent nature of that feature. And obviously, depending on how that is resolved, that also goes to what form of restoration and or longer term management is appropriate for that feature. So I just make those general points. But clearly there is a dialogue to be had about 22. A, and particularly the landscape treatment.

53:12

Thank you Mr. Bedford. Mr. Phillpotts, I'm assuming those points will be taken away and considered. Indeed,

53:19

I'm told that there is a meeting arranged with both councils on the draft development conceptual consent order on the 27th. And hopefully that will allow us to resolve a number of outstanding matters, said that information will then come into deadlines six, anything arising out of that meeting will come to deadline success. Right. That's good. Thank

53:42

you. I was going to talk about the deed of obligation. But in all honesty, we've covered quite a lot of the well all of the questions I was gonna have, that I don't see any hands up. So I'm going to close the hearing. But before I close the hearing, please let me remind you that any post hearing submissions, including written summaries of the cases you have made orally at this hearing should be submitted a deadline five, which is Friday the 23rd July 2021. If there are no other matters that anybody else wishes to raise, I shall now close the hearing. Many thanks to you all for your attendance and participation. The time is now 554 and this hearing is now closed.