

# TEXT\_SizewellC\_ISH5\_Session1\_13072021

Tue, 7/13 11:47AM • 1:35:33

00:03

Good morning everyone and welcome. It is now time for me to open this issue specific hearing, which has been held in connection with an application made by nnb generation company SNC limited for an order for development consent with construction operation and maintenance of the sysvol c project. Before I go any further, can I confirm with the case team that they can hear and see me and that the recording and live streaming of this event has commenced? Yes, I can see and hear you and both have started. Thank you. For those people watching the live stream. Let me explain that if the proceedings are adjourned at any point, we will have to stop the live stream in order to give us clear recording files. When the meeting is resumed. You'll need to refresh your browser page to review to view the restarted live stream. I remind you again of this should we need to adjourn. Now let me introduce myself, my colleagues. My name is Helen Cassini and I am a chartered town planner. I've been appointed by the Secretary of State as a member of the panel of examining inspectors that together compromise the examining authority for this application. Either members of the panel are Wendy MCI, Edwin morn, David Brock and Neil Humphrey and they will now introduce themselves to you starting with Miss Mackay.

01:31

Good morning, everyone. I'm Wendy Chi. I'm a Bachelor of law and non practising solicitor. I'm examining inspector and lead member of the panel. I'll now hand over to Mr. Moreland.

01:48

Good morning, everyone. My name is Edwin lawned. I'm a chartered town planner. And I too have been appointed to be a member of the panel. Now pass over to David Brock.

02:02

Good morning, everybody. My name is David Brock. I am retired solicitor. I am about the examining authority appointed by the Secretary of State and I'll now pass to Mr. Humphrey.

02:16

Good morning, everyone. My name is Neil Humphrey. I'm a chartered civil engineer, and I've been appointed by the Secretary state to be a member of this panel. I'll now hand back to Mrs. Cassini.

02:30

Thank you. We also assisted at this hearing by the planning Inspectorate case team. Today, we have the planning Inspectorate case manager Sean Evans. You're the colleagues from the planning Inspectorate who will assist us today are Georgiana Hannigan, Jake Stevens and Leigh Robbins. If you have any questions or queries about the examination, or the technology that we're using for virtual

events, they should be your first point of contact. their contact details can be found at the top of any letter you've received from us on the project page of the national infrastructure planning website. Before I get onto the main part of this hearing, I'll ask my colleague Mr. Humphrey, to highlight a few housekeeping and background matters for today.

03:15

As explained in the examining authorities rule eight letter annex D they issue specific hearings will be live streamed and recorded. The recordings will be published on the project page of the national infrastructure planning website as soon as possible after each hearing closes. To assist viewers and listeners, anyone speaking should introduce themselves each time they speak. As recordings are retained and published, they form a public record that can contain personal information to which the general data protection regulation applies. The rule after rule eight letter includes the link to the planning inspector or its privacy notice, which provides further information on this topic. If there is a need to refer to information that participants would otherwise wish to be kept private and confidential. It should be in written form which can be redacted before being published. If you prefer not to have your image recorded, you can switch your camera off. I will repeat the request made in the arrangements conference. That in order to minimise background noise, please ensure your microphone or telephone is muted, and you stay muted unless you were speaking. During a physical hearing, we would normally have breaks to avoid fatigue. And we'll do the same in this virtual hearing. Our intention is to take a 15 minute break at about 90 minute intervals and a longer break over the lunch period. I will now hand over to Mr. Morgan who will outline the purpose and conduct of this issue specific hearing.

04:47

Issue specific hearing provides an opportunity for the issues raised by interested parties, and in particular the differences between them to be explored further by the examining authority. The PR political issues pursue the hearing he set out in Section 91 of the Planning Act 2008. It is held in the examining of if the examining authority decides it is necessary, the examination to hear oral representations to enable adequate examination of the issue or to ensure that an interested party has a fair chance to prove their case. As indicated in the agenda, questioning at the hearing will be led by a member of the panel supported by other panel members. It is the examining authority to determine how hearings are to be conducted, including the amount of time to be allowed at hearing for the making the person's representations. Our aim is to use our powers of control over the conduct of hearings to ensure that they are carried out as efficiently as possible. Whilst remaining fair to all parties and thorough in our examination of evidence. We have identified the matter to be considered at this issue specific hearing, and those on which we require further information. And these are set out in the agenda published in advance of this hearing. participants should know that written summaries of your oral submissions to this hearing should be provided to the planning Inspectorate by deadline five, which is Friday the 23rd of July 2021. Finally, I would like to reassure you that all members of the panel are present and listening carefully to what you have to say at all times during the hearing. However, we are not all remaining on screen throughout, as we wish to minimise the demand on the IT systems to ensure the best quality of audio and video for participants. I'll hand back to my colleague, Mrs. Cassini, who will continue with the introductory matters.

06:55

Thank you Mr. Moreland. At this point, I'd like to ask those parties listed on the detailed agenda to introduce themselves please, starting with the applicant.

07:10

Good morning, Madam that My name is Harry woodfill. Park Queen's counsel, instructed by Herbert Smith freehills and I appear on behalf of the applicant. During the course of the hearing. I'll be introducing a number of speakers to deal with specific agenda items are introduced as as we go along with that except

07:27

that's fine. Thank you very much. If I could now turn to Suffolk County Council please.

07:38

My name is Michael Bedford Queen's counsel. I'm instructed by sharp Pritchard on behalf of Suffolk County Council. And like Mr. Phil, but it may be best if I introduce individual county council offices at the time they come to

07:51

speak. Yes, fine. Thank you very much. If I could turn next to its Suffolk council please.

08:01

Good morning, Madam Andrew taikyu. See if you suffer cancel. I will be speaking together with Mr. Nicolas Newton was the council's our bar culture and landscape manager and Mr. Robert scrimshaw, who is the council's principal design and conservation officer.

08:17

Thank you very much. Could I next hear from Suffolk coast and Heath amb partnership please.

08:26

Hello, I'm Simon Amstutz from the Suffolk coast nice area of outstanding natural beauty team. But I'm also here to represent the partnership around 25 organisations that make up that partnership. But I should stress that those individual members of the partnership will respond reflecting their own priorities. But I would say that the partnership is the only organisation with the sole aim to conserve and enhance the AONB. Thank you very much. Just before you go, am I right to refer to you as the AONB partnership today, or is there a OMB team you would prefer? partnership? Thank you very much. Could I now turn to the national trustees?

09:16

morning madam, my name is Nick Collinson. I'm the general manager for the Suffolk and Essex coast for the National Trust and I'll be representing the National Trust today. Thank you.

09:26

Thank you very much. hearphones epitone and eastbridge. parish Council, please. Hello, can you see Oh, yes, I can see. All right,

09:40

it's Paul Collins from seven nations parish Council.

09:43

Thank you very much, Mr. Collins. I believe that miles first camp Sian Hutchison parish Council have been represented by one person today. Is that correct? Councillor Cooper? I believe that might be you.

09:57

Yes, that's correct. I'm a councillor for milestone parish Council and we're representing today. Campsie ash, pledges tree and hatch stump.

10:09

Thank you very much. If I could next hear from all of our town council, please.

10:18

Yes. Good morning, everyone. Madam Maryann fellows elected counsellor and representing over town council.

10:28

Thank you very much. If I could farnum environment residents and neighbours Association, please.

10:40

I can't hear Miss Morgan. I think you may be on mute. Can you hear me? No, no.

10:47

My name is Sarah Morgan. I represent Fern alongside Richard as who I might call him or we might put his hand up. Thank you.

10:55

Thank you very much. If I could hear from stop sighs I'll see please. Good morning, Mrs. Cassini. It's Alison downs representing stop signs of thing. Thank you very much and together against sizewell C. Please. morning, madam

11:11

Yes, my name is Ashley Bo's bastard instructed by lindane solicitors and I appear for together again sysvol See,

11:19

thanks very much. A representative from Wickham markets parish council will also be joining the hearing, but I understand this won't be until after about 1040 this morning. I also note that there are people in attendance today who have requested to speak at this hearing, but are not on the list of invitees set out in the detailed agenda. I won't ask you to introduce yourself now. But the first time you're invited to speak, please can you introduce yourself by giving your name and the name or names

of the organisation or people that you represent? I hope that you've had a chance to read the detailed agenda for this hearing. And during the hearing today, I'll have questions for the applicant and other invited parties. I am aware that there are a number of interested parties who may wish to speak on some of the agenda items. Once I finished my direct questioning on an agenda item. I'll ask if interested parties would like to make any submissions related relating to that agenda item. Before moving to my direct questioning on the next agenda item. I would like to remind you that this is not an open floor hearing on landscape and design matters. And submissions made orally should relate only to the agenda items we will be discussing. Want to reassure you, however that your previous submissions have all been read and noted. I understand there may be other issues not on the agenda that parties may wish to raise, but submissions on these matters. So agenda that parties may wish to raise but submissions on these matters should be made in writing at deadline five on the 23rd of July this year. Thank you in advance who cooperation with this approach. The list of the documents I intend to refer to today was made available on project website page yesterday. Please note that any page number reference I make in this hearing today relate to electronic versions of the documents and not paper versions. So I'm now going to move on to agenda item two which is going to look at the delivery of the statutory purpose of the eo MB so the OMB designation recognises a separate coast and hates is one of the finest landscapes and its landscape and scenic beauty is afforded the highest level of protection by National Planning policy. The OMB statutory purpose is to conserve and enhance the area's natural beauty. concern has been raised the development before is made both in its construction and operational phases, compromised to a significant degree they AONB statutory purpose, notably affecting how this part of the AONB relates and contributes to the designated areas a whole. I understand that interested party views on whether significant weight has been given to the statutory designate. So I understand the interested party views on whether significant weight has been given to the statutory designation. And in the interest of timeliness, I don't intend to rehearse his arguments again here. So I'd like to turn to the AONB partnership First, if I may. Thank you, madam. Thankfully, I do have a few questions for you. So I'll just run through them one at a time so that you get the opportunity to answer them. So the first point I'd like to discuss is could you talk me through what the outcome would be if the statutory purpose of the A RM B would fail to be maintained? And what the lot you considered long term quints consequences of this would be please. Could you just repeat that question? Yeah. So could you talk me through overall what the outcome would be if the statutory purpose The AONB sort of was unable to be maintained, and what the long term consequences would be.

15:11

Thank you. I think that's also a question for the government advisor on aonbs. Natural England. And I know they can't be here today, but I think that that will be a question you would wish to seek their view on as well. So my feeling on this is that the the A and B is a single entity, and where there is an acknowledged significant damage to that to that AONB through these proposals, if they were, if they were built out, it would mean that the coherent unit of the OMB would not be able to function and no statutory duties wouldn't be able to be delivered. And so yeah, I suppose there would be a risk of designation of the of the AONB.

16:07

Okay, thank you very much. Once the construction phase has ceased, what do you think that the risk to the delivery of the statutory purpose of the OMB would be reduced?

16:24

Yep. So I think we have to bear in mind that the construction phase is temporary. It's being described as nine to 12 years. And there will be work to enhance, conserve and enhance that the landscape of the OMB. But I still think that the purpose of the OMB will be compromised by the building of HP Sizewell C, not least in the introduction of another large scale building into the OMB and also for the effects on the mitigation is embedded mitigation of the Sizewell B development. And also in the long term, we will also see the introductions of more pylons into the AONB, which aren't a contributing factor, two, conservation enhancement of natural beauty.

17:29

Thank you. Well, we are going to talk about the power export solutions as a later date. So I will come back to you later in the agenda on that matter. And given the residual impacts that have been identified by the applicant in the OMB. Are you satisfied that the proposed natural environment fund is detailed in I think it's scheduled 11 of the deed of obligation, which is SS rep three, zero to four would be adequate in respect of the mitigation and compensation for such residual impacts.

18:05

The IRB partnership has made its position on the mechanism for the delivery of a fund known and that is in the public domain. And on the OMB partnerships website. As to the magnitude of the of that fund, I'm not sure that the OB partnership is in a position to have a coherent view across the whole of the 25 members of that organisation. But what we would draw your attention to is the president of the dry fuels store for Sizewell B, where similarly, an area of land was taken for the development of the dry fuel store that then couldn't meet the purposes of the the A and B designation. And I would suggest that in a similar way, the building of the Sizewell C proposals would also take that land from the ability to deliver a and b purposes. So I think there is precedent with a dry fuel store, besides well being.

19:16

Thank you. That's very helpful though. That's all the questions I have with you at the moment. Thank you very much. Like to turn to Suffolk County Council on D Suffolk, but obviously I'll deal with Suffolk County Council first. Suffolk County Council have confirmed that the proposed development presents a significant challenge to the purposes of the OMB designation. At this stage. Do you have anything else to add? In addition to the comments that you've made in your relevant submissions, and responses the AONB and its statutory purpose?

19:56

Thank you, Madam Michael Bedford, Suffolk County Council Madam Yes, if I can deal with the points in overarching terms and then bring in Mr. Tim de Keyser, who has particular responsibilities in relation to a and b matters, obviously, you're well aware of the underlying statutory context, section 85, subsection two of the Countryside and Rights of Access 2000, which imposes a duty on the secretary of state as the decision maker in this case, to have regard to the statutory purposes of the AONB in discharge of all

of his functions. And that obviously includes the function of determining a VCO application. You're also aware, by way of context for the representations from natural England as the government's statutory adviser in relation to this matter, which obviously, I don't rehearse, but we've endorsed their views, and they've clearly expressed strong concerns about the effect of the development on the statutory purposes of the AONB. And in particular, you will have noted from their written representation, that's rep 2153. If I give you a page reference, I'm afraid it's an unpaginated document. The page reference I'm giving you is page 44, of the electronic version, and its intersection on impacts where they state, most certainly, the sizable area occupied by the power station buildings, and ancillary infrastructure, would no longer be able to contribute to the statutory purpose. Now, in one sense, that's a statement of the obvious that the footprint of the immediate power station and ancillary infrastructure clearly cannot function so as to contribute towards natural beauty, however widely that concept is understood, because clearly, the manmade power station is the antithesis of contributing to natural beauty. But of course, and this is the point that the county council has made, I think, with some degree of detail in its various representations, the impacts on those statutory purposes go wider than just the footprint, because of the visual dominance of the built development over a wide area of the A and B, that has the effect of undermining the characteristics of natural beauty across a range of the natural beauty indicators. And you're aware, obviously, it's app 217 is the appendix to the landscaping visual impact assessment part of the ies which sets out the natural beauty indicators. And across a range of those indicators, it's quite clear that the visual dominance of the development in terms of its built form will impact on landscape quality across that wider area, scenic quality, relative wildness, relative tranquillity and cultural heritage, all of those being indicators of natural beauty. And then there's also separately the special qualities, also identified in the same document app 217. And in particular, that dominant influence exerts an undermining role on the health and well being special quality, which particularly impacts on the use and experience of the AONB through the rights of way and the permissive routes within the AONB. What we have stressed is the need to take a holistic approach to all of those effects on the AONB informing them the judgement about the degree to which there is

24:20

an ability for the OMB to perform its functions. I don't mention at this stage of the agenda, obviously, are specific concerns about the outage golf ball on the pylons, because I know that you're going to deal with those as a separate matter. And I just sort of end my remarks by emphasising that given that there will be serious, inevitable residual adverse impacts of considerable magnitude. It's therefore critical that there is an adequate package of mitigation. And in that context, I'm using the word mitigation. And it says it where it's broad sense mitigation, not merely to minimise or avoid impacts, but mitigation by way of compensation. And obviously, that's where the natural environment fund comes in as a matter of principle to deal with that. So having made those kind of general remarks, could I then just please, to Mr. Tim deays, and he is the head of natural and historic environment at the county council. Madam, you'll be aware we provided you with, as it were a pro forma, which provides a bit more technical CV of the individuals. We've read yourselves Mr. Decatur if he wants to then add any further comments on this first item. Thank you.

25:41

Thank you. Good morning. Yes, Tim, because a separate kind of counsel.

25:47

I don't have too much more to add to what Mr. Bedford has already covered. Mrs. Cassini, I think I would just reiterate perhaps the point that Mr. Amstutz made in response to your specific questions around the risk to the AMA, and particularly making that link with the point that Mr. Bedford has already spoken about in terms of the coherence of the RMB. So in our view, it's important that we don't just look at risk in terms of the immediate effects, and the ability of those immediate effects to be absorbed or to be tolerated. But actually, we look at what that means in terms of the integrity of the designated landscape as a whole. And we feel that is consistent with the purposes and the consideration of the purposes of the ANP designation. And you're going to come back to that later in the agenda. And the other point, I think I would just pick up as well, is in relation to the residual impacts, which have been acknowledged by the applicant. And we'll come back obviously, in the agenda to the weight that they have attached to the overdue residual impacts. But you asked the question, I think Mr. Amstutz in relation to whether the proposed natural environment proven fund was adequate response. That risk and I think on behalf of the County Council, I would just note that in principle as a mechanism, you know, we have, we have already indicated that we think that that potentially could be part of an appropriate response by the applicant. But there is still significant detail to be discussed with the applicant around scope, magnitude of that mechanism, and indeed, the longevity over which that mechanism can operate. So I think I'll stop there, as we've got lots to get through. Thank you. No,

27:51

that's fine. Could I just ask you, are those discussions ongoing with the applicant regarding the fund? Yes, I understand that they are. I would defer that to Mr. Bedford on that point. That's fine. That that are there. with it. Find out Could I turn to East Suffolk council to see if they have anything else on this matter? They would like to add at this point.

28:14

Thank you, Madam Andrew Tate, can I first of all confirm in relation to the last point that there are discussions ongoing in relation to the scale and ambit of the natural environment fund? And can I then ask Mr. Nicolas Newton, who is the council's our bar cultural landscape manager to see if he wishes to add any comments?

28:38

Good morning, Mrs. Cassini, Nicholas Newton a Suffolk Council. I don't have a great deal. To add to what's already been said. We've been working fairly closely very closely with Suffolk County Council for many years on these matters. So there is a fair degree of alignment. On this point, there is little doubt that the construction phase will cause a significant amount of adverse disruption to MB. But Once that's complete, yes, we have the issue of permanent land take. But we also consider that the proposed restoration of the remainder of the EDF estate from agricultural land to semi natural landscape highly characteristic of the air and be is a positive contributing factor into the balance that has to be made on this point, as well as the provisions of the natural environment fund which will emerge through ongoing and further discussion. But apart from those, those two minor additions, I don't have a great deal to add to what's already been said by my colleagues at the county.

29:46



Thank you very much, Mr. Newton. I don't see any hands up at this moment. So I'd like to turn to the applicant. See if they have anything in response to add. So All right, Miss. Oh, I do see some hands up. I apologise Mr. fell apart, would you be alright, just to wait for a few moments and then alaskey comment at the end. Sorry. As I said that three hands went up canceller fellows, would you like to comment?

30:21

Thank you Miss Cassini. And first of all, I do apologise for my brief interruption there. I misunderstood when you said at the end of each item, you would then call to see if we wanted to, I thought you would pause, say any hands up during the applicant? So it's my mistake? No, it's actually my I was waiting patient, just you know, and now I understood, I will thank you so much. And we do appreciate how difficult it is and your great efforts in facilitating the dialogue today and all parties to be heard. So thank you so much. Okay, I'll first of all turning to your question that you raise right at the beginning and the answer. Most of the speakers so far, have given you the impression that yes, during the construction and the operation of the site, there will be impact on E AR and B. But I must also bring to your attention that we will have a hundreds of years before it is then decommissioned. And as previous speakers have mentioned, the dry fuel store for size will be which is where the spent fuel is stored until it goes ultimately to a deep geological disposal facility if one is agreed in the UK, and as you know, plans for that are delayed, and it's still going through the consultation phase at the moment. So a similar with where we understand Dr. fieldstone will be required for size will be fuel, it will not leave site to be re processed it will be stored permanently on site. So the damage to the A and B of land take and having a building there that stores the dry fuel store waste spent fuel will be at least 200 years probably 175. They think. But we've been told from the industry, that the size of see spent fuel will be one of the last to go into the GDF the deep geological facility. So please, in your deliberations, bear that timeline in mind and bear that destruction in mind. The other thing I'd like to draw to your attention is the fact that as you know approval of major development within an AONB should be refused except for exceptional circumstances. And I don't think and the town council does not think that that test is met here. When there are alternatives. We're told that the application step stretch strategically and strategically, should include an assessment of and I quote, the cost of and scope for development elsewhere outside the designated area. And that's not included for your review. So the test that size will see has to go ahead in this area. for public interest that test is not met. And the protective characteristics, as you've heard, are significant here. And no point in mitigation can actually make up for that. So the last thing I want to say is that our experiences dry fuel storage size will be was yes, there was a monetary fund that was set up. EDF staff sit on that board and a part of the decision making, which we I don't think it's appropriate. The funds are also spent across the whole of the FBI, but don't actually mitigate the people right in the local facility. And last of all, part of the mitigation for the size will be dry fuel store was coronation wood that's cited in the planning decision that as you know, has been removed. So the visual mitigation, the sound mitigation for the dry field store is now removed. So we don't have confidence that the mitigation that might be in place for any of the visual aspects of size we'll see won't actually change in the future. Thank you.

34:28

Thank you very much counsellor fellows, I could turn to Mr. Collinson. National Trust. Thank you, Madam, can you hear me? Okay. I can. I can't see. I can see you now.

34:43

Hello, hello. Yes, just a couple of points. I think. For us, we see an important interrelationship between the integrity of the AMD and its ability to deliver its purposes and the major significant and adverse impacts on viewpoint 17 from coast guards cottages. So the nature of viewpoint 17 from coast guards cottages as it can, it looks directly south towards the the power station. So very prominent views and the impacts are well rehearsed in the environment environment statement, both in construction and operation.

35:20

I'm sorry to interrupt Wisconsin, we are going to talk about Coast Guard cottages as its agenda. Please continue just I

35:27

think the important point for us though is is that that view looks at the full breadth of the AONB east west. And therefore the impacts that we experienced on that view, our full East West impacts on the end and the importance of the A and B as a single entity. the integrity of the AMA is its ability to deliver its statutory purposes based on it being a single entity. And both in construction and operational terms, I think, operational, particularly in light of, you know, a number of new features into that landscape, whether it's a be a new beach Landing Facility, new roads, large, very large new buildings, which have no design narrative with the existing size will be new power lines, which we know we'll come on to these, you know, these are clearly additional features, which potentially serve to cut the OMB in half. And I think that's a really important point. This is a long, narrow i o and B, it's not around one. And therefore, you know, the integrity of the IRB. And this development at its narrowest point, we think is a very significant matter. Thank you.

36:37

Thank you very much. Can I hear from Dr. Ashley about those? Is it together against that as well say?

36:45

Yes, thank you very much relevant, we've got three points, we'd like to make these under this heading. And they fall under the following topic headings, first of all construction effects, short point on that. Secondly, operational effects, the manner in which the applicant is has dealt with that. And thirdly, a very short point about en six. So our point one construction effects is this, it's that the applicant concedes that they would be significant, but it says within the EAS chapter 13, and that that they are tempered because the wider countryside, especially to the west of the construction area will continue to support the era and these general countryside characteristics, and madama frightening we say that's wrong for three reasons. First of all, it's plainly wrong as a matter of principle, to point to land outside the OMB as justification for loss of land within it, it plainly isn't at the same quality and characteristics to merit designation, and therefore shouldn't count as a matter of principle for its loss. Secondly, perhaps more importantly, in fact, specifically here, between the eo and D, and the wider countryside to the west. So going inland, Madam, you'll note that there is proposed to be the large construction area and sign tensions hub, and so that the buffer that that sought to be said to be between the AONB and the white countryside simply isn't there, because between the OMB and that wider countryside to the extent

that it functions as countryside, that will be a heavier urban influence of the construction area, and the site entrance hub. And third, and finally, your note, of course, that the applicant concedes that further works within the O and B are likely we're after the initial nine to 12 year construction period. And those are twofold. Firstly, the increase in maximum crest height of the sea defences before 2046 to 14.2 AOD. And before 2019, the maximum crest to the triple si crossing to 10.5, a nd. And the applicant tells us that those effects are predicted to be at no greater than the construction effects in the initial nine to 12 year period. So there is plainly going to be further construction work on going outside that initial decade of work that may want to have very significant effects. So for those three reasons, we don't accept that the significant effects are tempered, either in their duration or the functioning countryside to the west. Secondly, on operational effects, if I'm a madam the developer again concedes that they will be of a significant adverse category, but it said that that is tempered because they are over a very limited extent of the OMB designation. And for three reasons, Madam, we say that again, cannot be right. First of all, the AONBs, who quite properly draw attention to in your opening enjoys the highest statutory protection as a coherent whole. It was designated plainly for its qualities and characteristics as a single unit, and thus harm to one albeit not insignificant part is harm, we say. Playing new to the whole. And of course you all know natural England's advice to you and the government that the scheme would diminish the air and the as a whole. Secondly, the acknowledged permanent harms the LMB is in a very narrow and we say consequentially very sensitive section of the LNB which natural England describes as its narrow neck and that narrow section that you will have seen for our representations and others are already accommodates significant energy infrastructure, both in terms of the existing size well plant but also the galloper and great Gabbard substations as well of course the existing high voltage transmission lines. And thirdly, in no rational sense can the project be said to fulfil the objectives of the A and B a manual c that's conceded in respect of landscape quality, scenic quality, relative wildness, tranquillity and cultural heritage by the developer they accept that those objectives will not be supported by the project. They do attempt to say within the landscape as the there will be a positive effect on natural heritage, but you're No madam within the terrestrial ecology part of the FCC has accepted that there will be a permanent and adverse effect on the triple si and sizewell marshes, which is of course within an integral to the AONB. And secondly, it will introduce large scale development into an area that's described within the landscape character type assessment as being visually sensitive to new build developments. Moreover, it will introduce a significant pile on array into an area where existing pylons are described as having a substantial negative impact on the existing landscape. And finally, under this heading, Madam, and we say most alarmingly, is natural England's advice, which is on page 45 of rap 2153, where they say that the effect of all of this at the operational level so after construction effects have subsided and we're in the operational phase will be twofold. One, they will functionally remove the land of the development site from the A and B, and functionally sever the LMB at its narrowest point, affecting both the continuity and extent over which the statutory purpose is delivered, and not. And we say what that saying not so subtly, is that if the project was to be consented and implemented, and if it were to fall to be reviewed, that land would really struggle to meet the requirements to return to remain within the OMB. And that really pushes this project beyond just having an acknowledged adverse effect, which is, in a sense, inevitable of building a nuclear power station now and be put into the top most category of having really the critical catastrophic effect of severing an acknowledged landscape of national importance into two parts, which will obviously change it all together. And our third and final point, madam under the heading of vn six is simply to say that that was a materially different projects, and we've set out in our representations. So that was on a smaller

site, 117 hectares compared with 332. It was on the basis of a single reactor compared with the twin reactor here, it was a shorter construction period five years instead of nine to 12. And indeed, perhaps most importantly, for some of the offside effects of the main platform. It says that there was no presumption that development will take place in the area of the access road. And of course, finally, the acknowledged harm with which n six included a sizewell project, which obviously we say is manifestly less than was included in this project was only seen as acceptable, because it met the government's objective of deployment before 2025. plainly that isn't the case here. And the balance, we say greater harm, and less of a contribution to the government's objectives falls plainly against the project. Thank you, Madam for allowing us to contribute on that agenda item.

44:06

Thank you very much. If I could turn to Mr. Collins, please. I see you've got your hand up.

44:14

Thank you, Mr. Sweeney. Yes, Paul Collins. sabot nice bridge parish Council. Also Chair of stop sighs well see, but I'd like to agree with what the points that counsellor fellows Dr. Bose Mr. Collins, and I've just said the sheer size of this development including significant developments on its board, like the Campus Recreation and administration buildings, two storey carpark, borrow pit, entrance, roundabout entrance Plaza, serve as the amb physically, ecologically and environmentally for 210 to 12 years. And it has a huge residual impact permanently due to the continued severance by the access road and the car parks. cubes Hill. Yes, East Suffolk council pointed out that the applicant is going to restore the ground to a semi natural landscape, interestingly, with a couple of new hills on it, but in fact, the degradation over time and over time, which is likely to require the landscape to contribute positively and furthermore, to recompense for the decade of impacts, means there's a there's a mitigation, it's of questionable value to biodiversity. And this is something I'll talk about later on Thursday. I think it is. So that's all I would have to say additional. Thank you.

45:38

Thank you very much. Mr. Amstutz. I see you have your hand up to do you the RMB partnership have something else you wish to add.

45:48

Thank you very much, Madam. Simon Amstutz from the soft cousin. He's a OMB partnership. Very briefly, the A and B partnership recognises the national policy statements that have identified side as well as a potential nuclear side. But I would just suggest that when those national policy statements were written, I would imagine that they were looking at sizewell B, which I think we've just heard is, was built over five years and covers 117 Hector's, whereas sighs Well, the proposals for sizewell C, have two turbines, nine to 12 years of construction time, I think covering 370 actors. So I think although the site was recognised in the national policy statement, there are significant differences in scale of the proposals. Thank you.

46:46

Thank you. Thoughts? Do you have something to add to see but you've come around? Mr. Scott. Scott, I see you've got your own. Oh, sorry. I've been offline. My apologies. If you could just turn your camera

off. Thank you. If nobody else has anything else to add, I'd like to turn to Mr. Phil part, to hear me out if you can, please. Thank you, madam.

47:18

So although your initial question was focused on the impact of the main development site on Airbnb, in its ability to continue to live, deliver its purpose, the points that you've heard, go wider than that they deal both with the impact, but also with the policy context. And they also go to the fund that is proposed in the deed of obligation. So I'm going to call upon more than one speaker to deal with those matters. What I just like to check with you is is the order in which you would find it most helpful to deal with points, I might normally call upon the policy context, first, before dealing with impact if that's most helpful, and then finally, deal with the deed of obligation. That's fine. So with that in mind, again, to turn first to Mr. Richard Jones from quad the examining authority have heard from him before, I'm going to ask him to deal with the policy matters, including the question of whether or not at the time of Ian six, we were dealing with a single reactor or not. And when he's finished, I'll pick up the next matter of impact with Mr. house to craft who I'll introduce when we come to him. Thank you. Good morning. Can you hear me? Okay? I can indeed Mr. Jones.

48:48

Thank you. Okay. So, what I will do, clearly there's, there's there's a fair amount to to get through that is I will just start I think by touching on some of the comments made by the AONB partnership, National Trust, and together against sides, we'll see specifically where they question whether the AMD will continue to operate as a single single entity. So I think it's important just to just to be clear, that the construction phase of sizewell c is a two and a half square kilometre area out of out of an overall area of 403 square kilometres. So whilst its size is clearly substantial, and this is a nationally significant infrastructure project, the Airbnb is very significantly large larger than that, and the permanent built footprint is is a is a substantial further reduction from that point down to A third of a square square kilometre. So my colleague Mr. Crabb will come on to come on to impact shortly. But the key point in terms of statutory purpose and that the single entity is that for the, for the for the vast majority of the AONB, my view is the inverse it exerts no influence on its on its purpose whatsoever, because it can't be physically experienced in one way or another. But there are specific points about how this part of the oenb narrows. And so, it is indeed the case as as you as you will have noticed from the accompany site visit that the extent of the AONB runs from the beach, out to East Ridge Road is pre drove and lovers lane, which substantially comprises the the extent of the temporary construction area. Access will of course, remain along the coast except where it's deemed unsafe to do so and that work will be temporary. Before moving on to its its post construction state, where we will come on to to explain that the the quality of the AONB will actually be enhanced across the landscape masterplan area, to compared to where it stands at the moment when it's measured against those, those indicators. But I think it's really important to recognise that this this part of the Airbnb has a has a long standing nuclear presence. And so the Airbnb functions perfectly well, in that context, it was designated back in 1970, which was when sizewell A was already operational. And then sizewell B was constructed between 1988 and 1995. And no one is suggesting that the construction activity that was associated with size will be back when that is when that was being constructed, now exert any influence on the OMB whatsoever. And indeed, there's no suggestion that the presence of sizewell B is detracts from from the purpose of the designation, either and so in my view, sighs we'll see is, is the same in that sense. And,

you know, particularly when you have the post construction in enhancements in place, but we've also had a few comments on on specific policy matters as well. So I think what we're obliged to do, if it's, if it's helpful to you, is just to explain art my understanding of how the policy framework is constructed, and what we've done to, to respond to to that specifically. So I'm afraid I'm going to jump around a few different policy reference numbers. But starting at in one paragraph 5.9. point nine requires the decision maker to have regard to these specific statutory purposes to help ensure the continued protection of the AONB when there's been a vast amount of work on that, specifically that Mr. Clark can can elaborate on if necessary, indeed, to the extent where the the natural beauty and special qualities indicators document was authored

53:24

by LDA design, Mr. Krabs, and his team in order to allow the assessment to take place. So throughout the throughout the design evolution process, there's there has been a strong degree of regard had to statutory purpose. But 5.9 point nine then goes on to talk about conservation of natural beauty, and the need to give substantial weight to it. And I think it's really important to recognise the difference between the formulation of the NPS policy and the formulation of mptf policy. Because in the submissions that I heard earlier, there was some conflation of that point. The MPs specifically makes reference to the need to give substantial weight to the conservation of natural beauty. Whereas the nppf first, very deliberately to the need to provide great weight. And so there's a clear difference in the in the formulation of that wording. And we've set out in our response to first written question as I point 1.2, which is rep two dash 100 the specific ways that we have given substantial weight to to to the island be and so I won't necessarily go go through them all here but they clearly demonstrate how there's been very significant consultation and and sensitive design work done, done throughout an NGO going to 5.9 point 10. It sets out the development needs to be in the in the public interest. And then there needs to be exceptional circumstances. Well, as you might expect, that's all covered in the in the planning statement at reference app, slash 590. Where we highlight all those significant benefits, including the urgent need, and also the economic benefits, the infrastructure improvements, and then the benefits in terms of housing and tourism, education, jobs and skills just to, to name but a few. And so the public benefits associated with this project are, are undeniably substantial. And significantly above and beyond the public benefits that would come with a normal project that that is that is subject to, to, to this policy test, recognising that the MPs test is indeed different to the nppf test. And then that becomes most apparent I think, when we start to look at the subcomponents of 5.9 point 10 where it requires the application to include an assessment of of need. And paragraph 3.5 point one of em one is very clear that the government believes that there is an urgent need for for new generation plants. And so you know, that that is an important consideration. And rep two, dash 043, you will find an update to our original planning statement, where we set out our updated analysis on that need, which concludes that substantial weight should be given to the importance of sizewell C in meeting the urgent need. And deadline five, we're intending to submit a further document to summarise an urgent need. So you have that before you the final content that occurs then goes on to alternatives

57:05

or to purchase another way the cost of in scope for meeting the need in some other way. And again, I think there was some confusion previously, in terms of NPS and nppf policy, and in terms of the need to consider alternatives because unlike unlike the nppf policy, the text requires the decision maker to to

take account of Section four of em one and 4.4 point three is clear that for an alternative to be relevant, it needs to have a realistic prospect of delivering the same capacity in the same timescale. And the decision maker should not reject any proposals because it might have less impact. And importantly, paragraphs 2.4 point three and 2.5 point four explained that there are no alternatives. The government considers that there are no alternatives to it to the nominated sites that were listed within IE n six, and that is of course different to to the nppf, which does not discount the need to consider alternatives in that context. And so it's clear, it's government policy is looking for new nuclear to contribute as much as possible to meeting the need for low carbon energy set out in section three of of of empathy MPs. So just wanted to make that point clear. 500% I think goes on to look at effects on the environment. And of course, we can talk about impact shortly. And that's coming to a close in 614 to has some important information that we need to bear in mind as well, particularly at paragraphs c point 8.72 and C point 8.73. Where the potential for for long lasting adverse effects on the landscape, character and visual impacts on this AONB is absolutely recognised by the government in preparing that and it recognises that there's there's limited potential to mitigate that. But notwithstanding that government included sizable as a potentially suitable sites, and and some sites were not some nominated sites were not identified as potentially suitable and the appraiser of sustainability went through that process and discounted some that it did not consider to be potentially suitable. And so therefore, my view is that there there should be no in principle objection to size well be because of its location on the LNB when there was a government selection exercise specifically, to rule out to rule out that that process and If I can just turn to the comments that were made in relation to the site selection process and the appraisal of sustainability, there was, I think, some confusion there from the amund. AONB partnership about the 117 hectares in the five to six year construction period. That doesn't relate to size, the that relates to sizewell C's nomination report back in back in 2009. Where that detail was set out. But importantly, that nomination report also sets out that the nomination is for at least one reactor with associated plants and facilities on on the size of our site. And therefore, the government was fully aware of the potential for there to be two reactors in that site. And, indeed, when it comes to the government's appraisal sustainability report, specifically the one for size, well, it notes that the base case for the appraisal is for is for one reactor to be assessed. But for size, well, it's specifically assessed the basis of there being at least one reactor, ie, there could be very well being be more than one. And through that process, and identified there are there are likely to be long lasting effects. And it notes that existing power station features are already prominent features within Airbnb. So the government wasn't fully aware of all of that information. And there was also a comment about the the extent of the temporary construction area being being very significant, carrying out

1:01:53

larger than the nominated site boundary beyond the 117 hectares that was identified in that nomination report. And it's important to have regard to paragraph 2.3, point four of n six, where it specifically says that the the site selection process was carried out on the basis that additional land may be needed for construction purposes. And that at the point of nomination, and it would not be considered reasonable for for promoters to to have identified the full details at that stage. So the government again would have been aware that the the construction area would have sat out with the nominated site boundary. Thank you very much, Mr. Jones. Madam, if

1:02:46

I may, before I hand over to Mr. Crap to deal specifically with a question of impact. And just to make a couple of short points. The first is so far as points were raised, in particular, I think by Dr. Ashley Bose, in relation to the significance of the 2025 date, we have covered that extensively in our written material. And indeed, we've alluded to it in the context of 2035 new record discussions of that earlier sessions. And clearly, you'll understand we don't accept what's being said, but I don't propose to go over that ground again. Now, that that's the first point. The second point is in relation to the points that were just being articulated by Mr. Jones, in the context of paragraph 5.9, point 10 of n one. And it just for your note, the reference to need, and the way in which that is assessed in part three, there is a specific footnote 128 in the first bullet point in five 910 where it this is an addition to what's in the NPP f equivalent, which after the reference to the need for development, including in terms of national considerations. The footnote says national consideration should be understood to include the national need for the infrastructure, as set out in part three of this NPS and the contribution of the infrastructure to the national economy. So there's a specific addition to the policy for the purposes of considering proposals of this time. The second point is that, as Mr. Jones explained in that the end of the second bullet point, add further words to the equivalent words and the nppf in terms of alternatives, which is These were taking account of the policy and alternatives set out in Section 4.4. And so that is a specific injunction to the decision maker and the examining authority when considering the that element of the test, to go back to the section, alternatives and 4.4 and apply the principles that are set out there. So that's just by way of sort of completing the the references. The next point that I just wanted to refer to is that in terms of the approach that is to be taken under AONB policy, there is a helpful discussion of this in a recent case, concerning this site, which is which we can provide as part of the agenda to the speaking notes, it's a case concerning a challenge to the approval of the size will be relocated facilities brought by a local resident, Jim girling. And the reference if you want to look it up in the meantime is 2020 EW, Hc 2579 admin. And what that helpfully does is it examines the current the concept of exceptional circumstances. And in in AONB policies. Specifically, you may be aware that there are cases which look at those words in the context of greenbelt policy, but this is a helpful encapsulation of what's different about a OMB policy when applying them. So I won't go into detail on that now, but it's just it's helpful to have that in mind, because in due course, you'll need to consider that. And then just before I hand over one further reference, which I've been helpfully provided me and six, Part three per impact in general citing considerations. Section 3.3 impacts of multiple reactors 3.3 point one says that for the majority of the SSA criteria, the number of reactors that may be developed at a site would not affect the outcome. However, for criteria where it was more relevant, the assessment was carried out on the basis of one reactor. Then it says the nuclear als also used a base case of one reactor. Apart from that Hinkley Point in size well, where it assessed twin reactors as a result of nominator proposals. So that just completes the references and makes clear that it's not right to say that at the stage of putting together IE n six, it was one reactor that was in contemplation in the government's mind when it was putting those policies together. So with that, I'm going to pass over to Mr. Alister kratt. And I had us to create you won't have heard from before. He's from LDA design. He's the landscape architect, and the master plan lead on the project. So I'll hand over to Mr. Crap now.

1:08:27

Thank you. Good morning. So unanchored, can I just check you can hear me? I can, I can hear you. Fine, thank you very much. Indeed. I've made notes of the points discussed by a number of those who've already spoken. So that I don't have to refer to a series of numbers throughout my points



response. If I could maybe just refer you to previous documentation and responses for ease of reference, and then I will talk through our What are essentially 10 points and I'll try and keep them brief and relevant documents relating to the AONB is rep three dash o four, six, and specifically, Li 1.2, Li 1.3 and Li 27. And then, in relation to certain changes proposed as a result of the changes document, rep to dash 100. And specifically, Li one, point 54. And then two other references in relation to comments on the local impact report. And our responses to chapter six and seven. I've referred to our rep three dash oh four, four. And then finally, comments on written representations. Rep three dash Oh, four two. I don't have the most up to date numbers for the statements of common ground, but I will be referring to those and more recent discussions we've been having. Post, the June latest edition. Okay, thank you. So if I may, I've made a note of approximately 10 points, if I could just run through those. And I'm happy to provide these to the examining authority, should that be helpful at a later point? The first point really relates to the landscape and visual impact assessment itself. Our understanding from the statements of common ground and certainly information we've seen during the examination so far, the methodology and the assessment outcomes, with the exception of the impact on the NBA at a wider extent, are agreed by Suffolk County Council and East Suffolk Council. And as a result, it's more a case of not any dispute regarding the impact being in question, but the consequences of that impact with regard to the judgments I have made, and those in my project team, we undertook at a very early stage, the assessment document, which I should also refer to and again, I will give you the reference in due course, in earlier in 2012, I think it was we undertook the Suffolk coast and he's a when the natural beauty and special qualities indicators work. That work has since become adopted by other local authority and indeed the A and B partnership as a proper explanation of natural beauty indicators, which point directly to purposes and in addition to special qualities, which are slightly less physical, in terms of their description. So from that perspective, I believe the work we've undertaken, and the judgments we have made have been properly properly informed by a full appreciation of the natural beauty and special qualities indicators. And as a result, I think we are have demonstrated that we are having a proper regard and the judgments we are making with regard to the source should have numbered those for you. So first one was item one on methodology and assessment, a secondary understanding of AONB with regard to the published document. Thirdly, the geographic extents. It's already been stated that at construction, the extent of impact on the AONB as a definition, because of its both its physical and its visual effects. And if operation that extent, shrinks, certainly in terms of its physical nature, and indeed, its visual nature, because the scale of the overall structures are substantially lower than the construction cranes by example that are taken to counter the construction phase.

1:13:23

But I do believe that the extents that we should be talking about properly under the landscape and visual impact assessment, as it relates to the A and B are those visual and physical impacts, harm and those impacts on natural beauty criteria. And as a result, I believe that we should be focusing on the proper judgments being made regarding the physical and visual effects within the AONB when we are talking about the impact on the AONB itself. Now with regard to the extent of the physical boundaries, and I'm sure the examining authority have obviously been to site and I'm sure we'll revisit, if I could maybe just give some compass points with regard to the extents that we believe for construction phase are the relevant extents as they relate to significance. So to the north of the main plant area, we would consider the cutoff of significance to be approximately at Coast Guard cottages. And Mr. Collinson has

already referred to the point 17, which I know we're going to pick up later. To the east. The extent of significant outcomes approximately aligns with a two kilometre buffer offsets that has been assessed to the south. The extents extend to approximately the size of our gap and to the west approximately to Broadway 19 and in all cases, we are talking in the order of two to Three kilometre in each direction. Physically with regard to the wider AONB impacts. I don't believe these are matters relating formally to LBA in terms of methodology, and these matters are more related to perception. Other words have been used about cues and wider effects, which I don't believe formally go to the root of the landscape and visual impact assessment as reported. We do however, within our weakening the landscape and visual assessment refer to the effects being localised in terms of their significance. But in the context of the wider AONB, as my colleague, Richard Jones has already alluded to the impact in landscape and visual terms as it relates to the wider area when B is not significant. And therefore, I believe that the lvh should be focusing properly on the limited extent, both visually and physically. Now sixthly, if I may, referring to the point raised by natural England and quoted in relation to the narrow neck, also references to severance and particularly of roads. The the shift in the landscape character that has been described in certain areas of exchanges to date, is one that talks about, primarily a shift associated with moving away from essentially an area that is characterised by natural beauty to one that is characterised by energy infrastructure. I don't believe that that characteristic is so fundamentally impacted. And to the extent that those console tees have expressed, I believe that the expansive coastal setting of the size we'll see site will remain dominant. And those are long range views north south, down, up and down the coast will remain dominant and the landscape and seascape character will essentially prevail. And we can perhaps look at that a little bit more detail as we turn to the Coast Guard cottages by example. Seven storeys sixthly setting and supporting landscape. A point was made with regard to the word buffering and the wider role of the landscape and joining the AONB. And just to provide some clarity on on these issues. I acknowledge that development in the setting of amb can harm the AONB and those setting judgments are based on an understanding of the characteristics of the AONB. So in the case of the Suffolk AONB, it is a coastal landscape as Mr. Collins referred to it as a relatively narrow relates strongly to the sea.

1:18:15

And the wall more report which originally defined the physical extents of the A and B by its designation, define those physical extends inland by the samplings landscape and that is, is clearly identified. So, for the purposes of making judgments, what I'm not saying and what I'm not seeing in the landscape and visual impact assessment is that we don't recognise the impact on the AONB at its narrowest point. But what I am saying is that the wider landscape and that landscape not just immediately adjoining the AONB, but even further east, does play a role in providing a countryside context. But I entirely accept that it is not the same as the AONB itself in discussions with the A and B partnership, and I think this has been stated in the statement of common ground, it was clearly stated between professionals that if you stood on rightaway 19, and you looked on the boundary of the A and B, and you looked east, effectively into the OMB, you would acknowledge a landscape. And if you looked to the west, you would also experience landscape, but it would be very difficult in the immediate context to make a judgement whether you were in or outside of the AONB. And I think those matters are, while slightly nuanced are relevant to some of the discussions we're having. With regard to statutory purpose, I think that point has been well covered by my colleague Richard Jones. But I think the The point that I wish to raise

really relates to short term and long term effects really just to bring clarity. So I'm getting some interference.

1:20:11

Yeah. I can't see anybody else's microphones being on. Okay, fine. Well,

1:20:17

I'll carry on. So, with regard to statutory purpose, obviously the the definition is clear in the countryside and rights away act. And it is essentially to conserve and enhance natural beauty. While significant effects arise from the proposal as a whole, I consider the MB will continue to perform its statutory purpose as an entire thing. And that the purposes of its degnan nation will not be fundamentally disabled as a result of the construction and or the operation of sizewell C. I acknowledge that in the short term. During construction, the effects are at their widest effect, but they are for a defined period, and they are reversible. Reference has also been made to sizewell B as precedent and precedent is also useful in these cases. sizewell b as already has been stated, was built and constructed, and as essentially integrated into the AONB, as it's now recognised, I do not consider that sizewell c would be any different. It is accepted, from my perspective, that it has different characteristics. But it's behaviours which my colleague or you and Jones who will be speaking later, will speak to the behaviours of the size will see proposal do respond to that high bar of the site will be designed. And I have no reason to believe that size we'll see will not meet that the high bar and bed into that landscape in due course. So in the longer term, I believe that the fact on the purposes of the AONB, we'll be significantly reduced, and the narrowness as it has been referred to historically will not be a relevant consideration. I think this is also reinforced by the making the landscape more resilient and better aligned to the AONB landscape character and the wider master plan which we've been involved with evolving, essentially naturalising that landscape into something Wilder and more appropriate to the AONB has been recognised by both authorities in the local impact report as being of benefit to other points if I may, design response to the AONB. I've already referred to this but what I would say and what I believe is exceptional. I've worked on a number of major infrastructure projects in the UK over a number of years. And I do think that the extent of exposure and intentional authority we have been given an I have been given within the project to properly influence every aspect of the project where it's appropriate to have due regard to the AONB and to proper landscape considerations has been exceptional. That goes back to establishing the earliest vision for the state wide master plan. But also even in addressing the construction phase Master Plan, which we have had a fundamental role in shaping the influence of its extents and relying on areas of topography and existing tree cover to help contain the and minimise those effects. So those issues also go all the way through to reducing the footprint of the main plant which Hinkley Point is approximately 46 Hector's and its size well 33 again, very cognizant of the need to reduce effects. I won't cover buildings other than to signpost you to you and Jones later he will talk about the importance of size Welby, but also the nature of the work we have collaborated on in undertaking our design work. I would also just say and again to maybe signpost to later that in the design response to the AONB. We have undertaken some extensive work in relation to establishing design principles. Those have been in place and agreed at a very early stage during consultation and I also believe those are exceptional with regard to how early they were conceived. And how influential they have been today. data and how influential and important they will be in terms of controlling design governance moving forward. So, my final point then relates to

1:25:10

the matter of regard. I believe, as a consultant, we have had proper regard to the AONB. And then working also with the local authorities as well. The collaboration as principle stakeholders has been very important in establishing those early design principles. And to the point we've now got to with our statements of common ground, which I would refer you to, in due course. So I hope those are clear and helpful. And I'm happy to take any other points.

1:25:47

No, that that was useful. Thank you. And I don't have anything else to ask you at this stage. And I do see that we have time just fell apart.

1:25:56

So I promised you three speakers. The third will be the shortest, because the first two had to cover more areas of detail. But I'm going to ask Mr. JOHN Rhodes, just briefly to deal with the question of the natural environment and proven Fund and the deed of obligation because that was another point that was raised in the comments by interested parties. So I'm going to hand it over to Mr. Rhodes, who's known to the examination. Thank you.

1:26:37

Good morning, John Rhodes for the applicant. Madam, I'm aware that we spoke for quite a long time. I'm not sure how much I can help you with the natural environment funding, but I'm certainly perhaps just explained very briefly, and I'm very happy to answer answer questions. So

1:26:56

if you could keep it without being rude, as concise as you can. I would be grateful. Thank you. Absolutely.

1:27:03

So the draft deed obligation changes, and sets out proposals for a natural environment fund, we've been discussing the structure and approach to the fund with the stakeholders, including the AONB partnership. You've seen the administration arrangements proposed within the schedule for the way in which the fund works, they've been very much shaped by those discussions. So for instance, we've taken from our engagement with the A and B partnership, and there should be a ring fenced element to the Fund, which is specific to the AONB, that there should be an officer resource available to the A and B partnership to help with the administration of the fund. And we've been, we've shaped the criteria for the fund. Having regard to feedback from the partnership, and also from the from the authorities. As you know, it's intended that there's an awards panel, there are five core members proposed for the awards panel, including the A and B partnership with local authorities natural England and one from ourselves and then three other members to be appointed by that call. And again, the chair to be appointed by those core members, as well. The the criteria are aimed at mitigating the impacts of the development, we've tried to set out the criteria. It's important to say that sheduled 11 is very much draft and we continue to discuss it with the stakeholders. These are our best approach in a moment to what we think irrelevant criteria would be just important, perhaps to say a couple of things about the those

criteria. And our approach to the fund. One is that we see it as a landscape mitigation fund, there's been some discussion about whether it should also be an ecology mitigation fund. Our approach to that has been decided there are separate proposals to mitigate ecology. But we can see the benefit to ecology and the wider area from the work that may come from the landscape fund. And so the ecological benefit is one of the criteria to take into account when considering project so you'll understand the way in which it proposed to work is that within the area of benefit or the natural environment improvement area, which is essentially the AONB within East Sussex and the remainder of East Sussex, there are ring fenced funds, and people bid into the fund for landscape improvement projects, which are then assessed and determined by the awards panel. We've suggested that the project officer would be employed for a period of the construction period plus three years after the construction at the end of construction. That's not to say that the fund would end at that time and there's a review proposal within the obligation to say closer to the end of construction. The parties would review what the sensible proposals are to continue the operation of the fund. But we do think sensible to think about the fund being front loaded, that if there are landscape mitigation proposals that can be achieved in the wide area, the benefit would be to bring them forward earlier within the within the lifetime of the construction and the development. And we also see and probably important to say, we see this as a mitigation scheme and not as a compensation scheme. And there are two reasons for that. One is because we think that's what the requirement of policy is. So I won't cite references from the NPS. But clearly, the emphasis is to say that this is a very unusual policy position. Even within AONB large scale, nuclear development may be acceptable, so long as it's properly designed, and it's mitigated its impact. So our principle approach to mitigation is through the quality of design, that the natural environment fund has a role in mitigation in an insight identified directly in the NPS. So there may be a role for offsite landscaping, and we see that the fund would enable offsite landscaping in the way that the NPS anticipates, in order to reduce the visual impacts of the project on the wide area. And as Mr. Kraft says, to enhance the resilience of the landscape. So that's its purpose, we're aware that the size of the fund is something that needs to be negotiated and agreed. And we want to continue those discussions with stakeholders. And we're very open to any suggestions about how the administration of the fund can be improved. But this is our best proposition at the moment.

1:31:44

Thank you very much. Mr. Rhodes. Thank you. Mr. Phillpotts. I think that was the end of your three points. Am I correct? Yes, madam. That's right. That's, that's our responsibility. And I noticed Dr. burrows you have your hand up again, it Have you something new you wish to add? Just Well, I'm still referenced about and funny. Is it what you are, you will be aware that I am conscious of time. Is there any point or is it just a reference, you want to make

1:32:15

it a reference, Mr. Porter, your attention just to power 3.1 of n six, about the one or two reactors where it says nuclear, as we'll see is a base case apart from Hinkley and sizewell where it assess reactors at the base of two. And all I want to do is just draw your attention to the IRS, which says on page 12, that the base case for size was in fact one nuclear reactor. Thank you. Thank you.

1:32:46

Mr. Scott, you have your hand up, I can see Have you got a point you wish to make?

1:32:51

Yes. Can I just make a very brief point that I think I've been listening very carefully to what's been said by the EDF legal team. And it strikes me that quite a lot of what they've talked about could be could be put into, if you like the managerial duties of the AONB. But what is not being talked about is the immunity value of it to the public. And it's a general point that I think can't be separated from the judgement at the end of the day of the various criteria that are set out in legislation and schedules and so on. And you know, a concrete version of that is is to do with access to the beach. It's not simply a matter of cutting AONB in to is what is the purpose of the AONB? It isn't simply a managerial set to manage your objectives. It's actually for the communities as well. And it seems to me that is a judgement of very considerable weight. So just the point I want to make we did raise that in a in our written representation. Thank you.

1:34:04

Thank you, Mr. Scott. Mr. fell apart. Do you have any brief comments in relation to be made?

1:34:13

Yes. Just in relation to what Dr. Bose has said. I don't recognise what he said as being correct. Nor would that be consistent with what the government itself has said. I'm, I've been shown table 1.2 from the appraisal of sustainability site report for sizewell which identifies a base case but then it says in the second column, variations considered in excess of sizewell as proposed in nomination This is at least one reactor which is the variation that was considered in relation to size while which is consistent then, of course with what the government has subsequently said about it in the end six so we can set this out in writing rather than taking more time on it now. But just to say we don't accept the correctness of what Dr. Bose has just said.

1:35:05

Do you wish to make a point about Mr. Scott's comment at all? I don't think we need to come back on that and take. Thank you. Thank you. At this point, I'd like to adjourn for 15 minutes. So if we come back at 1150, please thank you very much.