



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

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

PART 4 OF 6

Chapter 14 DCO.1	<u>Draft Development Consent Order (DCO)</u>
Chapter 15 FR.1	<u>Flood risk, ground water, surface water</u>
Chapter 16 HW.1	<u>Health and wellbeing</u>
Chapter 17 HE.1	<u>Historic environment (terrestrial and marine)</u>
Chapter 18 LI.1	<u>Landscape impact, visual effects and design</u>

ExQ1 Question to: Question:		
Chapter 14 - DCO.1 Draft Development Consent Order (DCO)		
DCO.1.0	The Applicant	<p>Art 2. Definition of “commence” and the exclusions from it.</p> <p>The EM para 3.6. states that “the Environmental Statement does not indicate that these works would be likely to have significant environmental effects”. Could this be expressed positively as “The ES indicates that these works are not likely to have significant effects”? Is there a statement in the ES that the excluded works are not likely to have significant effects.</p>
	Response by SZC Co. at Deadline 2	<p>The activities excluded from the definition of the commencement of construction as defined within the Explanatory Memorandum (EM) (Doc Ref. 3.2(B)) para. 3.6. are referenced within the Description of Development Chapters of the ES Volume 2, Chapter 3 (Doc Ref. 6.14(A)) and Chapter 2 of each of Volumes 3-9 [AS-240] (NPR), [AS-242] (SPR) [AS-248] (SLR), [AS-256] (Rail), [PDB-003] (TVBP) and [APP-480] (OHI) and assessed as part of the construction phase as a whole within the relevant technical environmental assessment chapters.</p> <p>Where significant effects have been identified within the ES, these are in relation to specific activities or the peak construction period. No significant effects have been identified within the ES that relate to the activities excluded from the definition of the commencement of construction as defined within the EM para. 3.6.</p> <p>This is with the following exceptions:</p> <ol style="list-style-type: none"> 1) The removal of vegetation and site clearance works at the main development site would result in significant residual effects on ecological receptors due to habitat loss. The habitats would be reinstated through the landscape scale restoration of the EDF Energy estate at the end of the construction period, which would overall deliver biodiversity net gain and as such would provide a long-term significant beneficial effect during the operational phase. However, the effects during construction are significant adverse. 2) A residual significant adverse effect on the historic landscape character at the main development site has also been identified due to the removal of potentially important historic hedgerows. It is proposed that the historic landscape features would be recorded in accordance with an agreed written scheme of investigation prior to the start of construction. <p>The conclusion of ‘<i>no likely significant residual effects</i>’ has also been reached on the basis that measures set out within the Code of Construction Practice (Doc Ref. 8.11(B)) and other pre-commencement conditions will be implemented, as appropriate.</p>

ExQ1	Question to:	Question:
		<p>The text in para. 3.6 of the Explanatory Memorandum has been updated accordingly. The exclusion of the specified activities from the definition of 'commence' remains appropriate for the reasons identified in para. 3.6 of the Explanatory Memorandum (Doc Ref. 3.2(B)). Note that the drafting in Revision 4 of the draft DCO (Doc Ref. 3.1(C)) now removes from the exclusions to the definition of 'commence' the removal of hedgerows, and dewatering, following the ExA's comments. These elements of the project therefore would fall within the definition of 'commence'.</p>
	Response by East Suffolk Council at Deadline 2	<p>ESC is concerned that the definition of "commence" and precommencement activities is quite wide and that such activities excluded from the definition of commence may in fact have significant environmental effects and yet can be carried out without mitigation in place. It therefore proposes the following amendments to the draft DCO [AS-143]:</p> <p><u>Amendment to the requirements:</u></p> <p>Definition of "pre-commencement activities" to be inserted: "Pre-commencement activities" means any and all of those activities excluded from the definition of "commence".</p> <p>New requirement to be inserted:</p> <p><i>"Pre-commencement activities</i></p> <p><i>(1) No part of the pre-commencement activities may take place until environmental surveying for those activities has been completed to the satisfaction of the local planning authority.</i></p> <p><i>(2) Should the local planning authority deem it necessary for subsequent monitoring to be carried out in relation to any precommencement activity, no such activities are to be carried out until details of such monitoring has been agreed.</i></p> <p><i>(3) Pre-commencement activities must be carried out in accordance with any monitoring requirements of the local planning authority."</i></p>
	Response by SZC Co. at Deadline 3	<p>For the reasons given by SZC Co. at Deadline 2, and taking into account the updates that were made to the definition of "commence" in revision 4 of the draft DCO [REP2-015] (namely the inclusion of further carve-outs to the exceptions, SZC Co.'s position is that the pre-commencement activities (as defined in the DCO) will not give rise to significant environmental effects. It is also noted that all construction works will be undertaken in accordance with the mitigation and monitoring measures set out in the CoCP, secured by Requirement 2. This ensures all the measures secured by the CoCP, and relied on by the ES, will be implemented from the outset of construction activities, including those works excluded from the definition of commencement. As such, SZC Co. does not consider it necessary to include the drafting that ESC has suggested in its response at Deadline 2. SZC Co. does, however, acknowledge that ESC would not have</p>

ExQ1	Question to:	Question:
		had the benefit of SZC Co.'s full response to this question and the updates it made to the draft DCO at the time ESC submitted its response to this question. SZC Co. hopes that the position is now clearer. SZC Co. also refers the ExA to its response to DCO 1.2 for Deadline 2.
	Response by East Suffolk Council at Deadline 3	<p>Whilst ESC welcome the amendments that the Applicant has made to the definition of 'commence' in revision 4 of the draft DCO, it still has some outstanding concerns.</p> <p>In particular, ESC remains concerned that items (a), (b), (d), (e), (f), (g), (h) and (j) which are excluded from the definition of 'commence' may have significant environmental, specifically ecological, effects.</p> <p>In addition, the Applicant appears to indicate in their response to this question that the removal of vegetation will have a significant effect. ESC therefore queries whether mitigation for this ought to be in place for this before this work is carried out.</p>
	Response by SZC Co. at Deadline 5	For the reasons given in the Applicant's written responses to this question at Deadline 2 and Deadline 3, and in the Written Summaries of Oral Submissions at ISH 1 (Doc Ref. 9.41), the Applicant's position is that the activities listed at (a)-(j) in the definition of "commence" will not generate significant environmental effects provided the measures set out within the Code of Construction Practice (Doc Ref. 8.11(C)) and other pre-commencement requirements are implemented, as appropriate. In terms of ESC's particular concern regarding ecological effects, the Applicant would like to reiterate that the measures in the Code of Construction Practice (Doc Ref. 8.11(C)) and the Terrestrial Ecology Monitoring and Mitigation Plan (Doc Ref. 9.4(A)) are secured for the duration of construction activities and are not limited by the definition of "commence".
DCO.1.1	The Applicant	<p>Art 2. Definition of "commence" and the exclusions from it.</p> <p>Given that e.g. the Sizewell B Relocation Works will involve decontamination, is this exception from the definition of "commence" appropriate?</p>
	Response by SZC Co. at Deadline 2	To the extent remediation works are required in the land comprised in Work No. 1D or 1E, any such works of themselves would not be likely to have significant environmental effects provided the measures set out within the Code of Construction Practice (Doc. Ref. 8.11(B)) are implemented. For this reason, and the other reasons identified in para. 3.6 of the Explanatory Memorandum (Doc Ref. 3.2(B)), these works are appropriately included in the list of exceptions.
	Response by East Suffolk Council at Deadline 2	ESC does not consider it appropriate for this to be excluded from the definition of "commence".

ExQ1	Question to:	Question:
	Response by SZC Co. at Deadline 3	No further comments to add to SZC Co. response for Deadline 2.
	Response by East Suffolk Council at Deadline 3	ESC would like the Applicant to confirm where in the ES the conclusion that such activities would not be likely to have significant environmental effects, can be found.
	Response by SZC Co. at Deadline 5	An assessment of likely significant effects associated with the Sizewell B relocated facilities works is provided within Volume 1, Appendix 2A of the ES [APP-163]. This appendix includes the ES for the Sizewell B relocated facilities works. Chapter 12 of the Sizewell B relocated facilities works ES includes the land quality assessment, which concludes that no significant effects are likely. This conclusion is also reflected within Volume 2, Chapter 18 (Geology and Land Quality) of the ES [APP-280]. Volume 1, Chapter 2 of the ES Addendum, section 2.13 [AS-181] states that these conclusions remain valid with the Accepted Changes to the Sizewell B relocated facilities works.
DCO.1.2	The Applicant, the Host Authorities	Art 2. Definition of “commence” and the exclusions from it. (i) Are the exclusions justified for all of the Proposed Development? (ii) Might it be appropriate to exclude later phases and to limit the exclusions to the earliest phases of the Proposed Development? In both (i) and (ii) please explain concisely why.
	Response by SZC Co. at Deadline 2	(i) It is considered appropriate and justified that the exclusions (as updated in Revision 4 of the draft DCO (Doc Ref. 3.1(C)) to make an exception of important hedgerow and dewatering works on the main development site) apply to all of the authorised development. The site clearance and hedgerow removal works described in DCO.1.0 must be carried out in general accordance with the Code of Construction Practice (Doc. Ref. 8.11(B)), in accordance with the Terrestrial Ecological Monitoring and Mitigation Plan (TEMMP) [REP1-016] and the Main Development Site Clearance Plans [AS-120], as required by Requirements 2, 4 and 6 respectively. Requirements 2, 4 and 6 are not pre-commencement requirements and therefore the definition of ‘commence’ (and, in particular, the ‘ <i>site preparation and clearance works</i> ’ exception) have no bearing on the applicability of these requirements. It should be noted that <ul style="list-style-type: none"> the Applicant has updated the drafting of Requirements 14A and 14B in revision 4 of the draft DCO (Doc. Ref 3.1(C)) to ensure that the ‘<i>site preparation and clearance works</i>’ exception could not be

ExQ1	Question to:	Question:
		<p>interpreted as having the effect of overriding the requirement to submit and obtain approval of a fen meadow plan and wet woodland plan before vegetation clearance is carried out within the Sizewell Marshes SSSI; and</p> <ul style="list-style-type: none"> the Applicant has added to the '<i>site preparation and clearance works</i>' exception in revision 4 of the draft DCO (Doc. Ref 3.1(C)) a carve out for the removal of any important hedgerows within Work No. 1A to ensure that Requirement 3 must still be complied with in respect of such activities to ensure that site specific WSIs are submitted to and approved by SCC in relation to their removal. <p>(ii) For the reasons given in response to questions DCO 1.0, DCO 1.1 and part (i) above, it is considered that the exceptions to the definition of '<i>commence</i>' (as amended) are appropriate and justifiable, and that there are no gaps in mitigation (as secured by Requirement) created as a result. As such, the Applicant considers that it is not necessary to limit any or all of the exclusions to earlier phases of the development.</p>
	Response by East Suffolk Council at Deadline 2	<p>(i) and (ii) ESC is of the view that the exclusions from the definition of commence are unjustified and that they allow for various activities to take place that may have environmental effects, but without mitigation. In particular, ESC is concerned that site preparation and clearance works are being included – if these are outwith environmental surveys and monitoring then this could cause problems.</p> <p>ESC suggests that the following amendments are made to the requirements in order to deal with this concern:</p> <p>Amendments to the requirements:</p> <p>Definition of “pre-commencement activities” to be inserted:</p> <p>“Pre-commencement activities” means any and all of those activities excluded from the definition of “commence”.</p> <p>New requirement to be inserted:</p> <p>Pre-commencement activities</p> <ol style="list-style-type: none"> 1. No part of the pre-commencement activities may take place until environmental surveying for those activities has been completed to the satisfaction of the local planning authority. 2. Should the local planning authority deem it necessary for subsequent monitoring to be carried out in relation to any precommencement activity, no such activities are to be carried out until details of such monitoring has been agreed. Pre-commencement activities must be carried out in accordance with any monitoring requirements of the local planning authority.

ExQ1	Question to:	Question:
	Response by Suffolk County Council at Deadline 2	<p>As the Applicant explains in the EM, the excluded operations could be carried out without the need to wait for certain requirements to be discharged.</p> <p>The exclusions (save for two) are preceded in other recently made energy DCOs. The two unprecedented ones are (d) removal of hedgerows, trees and shrubs; and (j) erection of temporary buildings and structures (except the park and ride facilities and freight management facility). The Applicant refers to precedent in the (unmade) Wylfa Order.</p> <p>Advice Note 15 (para 21) mentions cases where the definition/exclusions have been removed because the Secretary of State considered them to be inappropriate, particularly where such advance works were themselves likely to have significant environmental effects, for example, in terms of noise or impacts on protected species or archaeological remains.</p> <p>The Applicant justifies the exclusions on the basis that the excluded operations will take place before detailed design is completed, that Advice Note 15 is complied with (because there will be no significant environmental effects) and that there will be control via the CoCP.</p> <p>(i) SCC considers that the preceded exclusions are acceptable but in relation to paragraphs (d) and (j) considers that the Applicant should justify why they are necessary. In particular a height limit should be considered for those temporary buildings which are exempted (as in Wylfa, where there was a two-storey limit). "Temporary" buildings could be in place for a number of years, and SCC considers it inappropriate for them to be included within scope, at least without some limitation on size.</p> <p>(ii) SCC has no view in particular on the phasing question.</p>
	Response by SZC Co. at Deadline 3	<p>In response to ESC's response to DCO 1.2, SZC Co. refers to its response to DCO 1.0 for Deadline 3 (above).</p> <p>In response to SCC's response to DCO 1.2, SZC Co. would point out that:</p> <ul style="list-style-type: none"> • references to the Wylfa Order were removed from the Explanatory Memorandum at Deadline 2 (see revision 3 (REP2-016)); • the erection of temporary buildings is controlled by Requirement 8 (Main development site: Temporary construction-related development), which sets out the defined height parameters for each part of the main development site; and • as explained in SZC Co.'s responses to DCO 1.0, 1.1. and 1.2 for Deadline 2, it is considered that the exceptions to the definition of 'commence' (as amended) are appropriate and justifiable, and that there are no gaps in mitigation (as secured by Requirement) created as a result. For this reason, the inclusion of exceptions (d) and (j) are considered appropriate.

ExQ1	Question to:	Question:
	Response by East Suffolk Council at Deadline 3	ESC directs the Examining Authority to its comments in relation to DCO.1.0.
	Response by Suffolk County Council at Deadline 3	<p>SCC will consider in due course any response from the Applicant to its Deadline 2 suggestion that the exemption for temporary buildings and structures should be limited (as per the draft Wylfa Order) so that the exemption only applies to buildings of a certain height (in Wylfa it was two storeys).</p> <p>SCC notes the change made in revision 4 of the Order to the exception for site preparation and clearance works (paragraph (a) in the definition), where removal of important hedgerows has been carved out. SCC would welcome an explanation of why a similar change has not been made to paragraph (d).</p> <p>In any event, as a consequence of the change to (a), it would seem paragraph (d) should now begin "(subject to paragraph (a))"</p>
	Response by SZC Co. at Deadline 5	<p>SZC Co. considers that it has already responded to SCC on the point raised at Deadline 2 regarding imposing a height limit on temporary buildings and structures by referring to Requirement 8 (Main development site: Temporary construction-related development), which sets out the defined height parameters for each part of the main development site.</p> <p>SZC Co. accepts that for clarity paragraph (d) should cross-refer to the exception in paragraph (a), so commits to making the necessary amendments to revision 5 of the draft DCO (Doc Ref. 3.1(D)).</p>
DCO.1.6	The Applicant, the Host Authorities	<p>Art 2 – definition of "local planning authority".</p> <p>This defines the phrase to mean East Suffolk Council and its successors in title. Successors in title is a phrase more normally used in relation to land interests (title) than statutory functions. Please will the Applicant and Host Authorities consider whether the phrase "successors to its functions as local planning authority as defined in the Town and Country Planning Act 1990" would be more appropriate? The ExA consider this is probably what is intended given that the functions of the local planning authority specified in the DCO are largely of a development control nature.</p> <p>However, might it not be simpler simply to adopt the definition in the TCPA 1990 (s.1 is the relevant section, combined with s.336). That way, any local government reorganisation or reallocation of planning functions will be taken through to the operation of the DCO automatically rather than relying on an interpretation of who is meant by the Secretary of State as the successor to the "title" or functions of ESC,</p>

ExQ1	Question to:	Question:
		<p>which are wider than planning. The ExA is aware of the Inspectorate's guidance note's preference for naming authorities.</p> <p>If the intention of the definition is to ensure that the planning matters allocated to the local planning authority by the DCO are allocated to the district council rather than to the county (which is normally limited to minerals and waste planning) then the use of the TCPA definition could be refined to exclude the county council.</p>
	Response by SZC Co. at Deadline 2	See Appendix 14A - DCO Drafting Note 1.
	Response by East Suffolk Council at Deadline 2	ESC considers that by defining, "local planning authority" as "East Suffolk Council", the Applicant is ensuring clarity for all those affected by the development consent order. ESC does not consider that there is any need to specifically reference a 'successor' or any legislation pertaining to the same as that is something that will automatically take place should any changes in structure or reallocation of functions occur. ESC notes that such an approach is precedented, for example, in both the A303 Sparkford to Ilchester Dualling and the A303 Stonehenge development consent orders.
	Response by Suffolk Contract Council at Deadline 2	<p>ExA is correct to point out that "successors in title" is inappropriate. It should be deleted without replacement. If ESC were to be succeeded as LPA by another body (e.g. as a result of further local government reorganisation, or by the establishment of a development corporation) the legislation under which that happened can be expected to ensure that planning control powers are transferred over.</p> <p>The latest version of the DCO shows that the term "local planning authority" appears to be used in only 3 substantive provisions of the order: articles 5 and 76 and Schedule 24, paragraph 6. In every other case where it was previously used, it has now been altered to a specific reference to either SCC or ESC. SCC is content with that approach.</p> <p>SCC is content that the LPA should be ESC in the 3 remaining cases mentioned above and is therefore content with the current definition of local planning authority as being ESC but without "successors in title" or other similar embellishment.</p>
	Response by SZC Co. at Deadline 3	<p>No further comments to add to SZC Co. response for Deadline 2 save for responding to SCC on articles 5, 76 and Schedule 24 specifically:</p> <ul style="list-style-type: none"> Article 5 has now been amended in revision 4 of the draft DCO [REP2-015] with "local planning authority" replaced with "East Suffolk Council";

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> • In article 76 the reference is to "relevant local planning authority" because these provisions relate to the statutory regime that governs removal of human remains and so to refer to East Suffolk Council (which pursuant to article 2(5)(A) would be referring to ESC in its capacity as local planning authority) would not be appropriate in this context; and • In Schedule 24 "local planning authority" has been retained because these provisions relate to a separate statutory regime (namely the Control of Pollution Act 1974) and therefore it is considered appropriate to retain use of "local planning authority" as opposed to specifying "East Suffolk Council".
	Response by Suffolk County Council at Deadline 3	<p>SCC is content with the change that has been made to the definition of "local planning authority" in revision 4 of the DCO, with the removal of "successors in title".</p> <p>SCC also supports the retention of the references to the names of SCC and ESC throughout the order. However, SCC does not consider that the proposed new paragraph 2(5A) (wrongly set out as "5(A)" in revision 4) is necessary. If there were a further local government reorganisation in the area, then the responsibilities of SCC and ESC would devolve to their successors in accordance with the legislation that underpinned the reorganisation. Such legislation would be very unlikely to say "the functions of SCC in its capacity as highway authority are transferred to [X] Council".</p> <p>SCC refers to the Local Government (Structural Changes) (Transfer of Functions, Property, Rights and Liabilities) Regulations 2008 and, in particular, regulations 3 and 4.</p> <p>In any event, not every reference to SCC in the Order relates to it in its capacity as a local highway authority. For example, the reference to SCC in requirement 3 is about its functions relating to archaeology.</p> <p>New article 2(5A) should therefore be removed.</p>
	Response by SZC Co. at Deadline 5	<p>The interpretation provision at article 2(5A) was added to address the ExA's original concerns raised in this ExQ1 (see above). At paragraph 5.3 of Appendix 14A - DCO Drafting Note 1 [REP2-111], it is explained that <i>"there are a handful of requirements in Schedule 2 where Suffolk County Council is tasked with approving requirements in its capacity as an archaeological authority, drainage authority or fire and rescue authority (rather than as highway authority). These capacities are all now referred to expressly in the relevant requirements."</i> In this regard, the Applicant draws SCC's attention to sub-paragraph (5) of Requirement 3. For these reasons, the Applicant does not agree that article 2(5A) should be removed.</p>

ExQ1	Question to:	Question:
DCO.1.7	The Applicant, the Host Authorities	<p>Art 2 – definition of “maintain” and Art 6 – power to maintain.</p> <p>The definition includes “alter, remove or reconstruct”. On its face, that would include decommissioning and the construction of a new power station. The ExA doubts this is what is intended and notes that there is intended to be a limit by reference to new or materially different environmental effects. However, lesser reconstructions may pass that test but nonetheless be development which ought to be regulated by planning control?</p> <p>(i) Might the following definition be adequate: “maintain” includes inspect, repair, adjust, alter, clear, refurbish or improve, and any derivative of “maintain” is to be construed accordingly”, with the addition of the prohibition relating to maintenance causing environmental effects?</p> <p>(ii) If the Host Authorities consider that the current definition is too wide, would they please give examples of development it permits but which the Host Authority considers should be subject to planning control? Would they please also consider whether the ExA’s suggestion above would deal with their concern and give reasons?</p> <p>(iii) If the Applicant disagrees with the ExA’s suggestion, please will it, in answering the question, explain clearly the intent of the breadth of the definition and reflect on whether it ought to be reduced?</p> <p>(iv) See also the ExA’s questions on Sch 2 para 1 (tailpieces in the context of EIA). Taking that also into account, how does the Applicant expect that the prohibition relating to maintenance causing environmental effects would work in practice and be enforced? How would the local planning know in advance of an item of maintenance that materially new / different effects would be caused by the maintenance? What action would they be able to take? Or is the intention and practice simply going to be that maintenance which breaches the prohibition would be without approval, a breach of the DCO and therefore a criminal offence?</p> <p>Please will the Host Authorities also consider question (iv) and respond?</p>
	Response by SZC Co. at Deadline 2	See Appendix 14F - DCO Drafting Note 6.
	Response by East Suffolk Council at Deadline 2	<p>(i) ESC agrees with the ExA that the words ‘remove’ and ‘reconstruct’ ought to be removed from the definition of ‘maintain’.</p> <p>(ii) Although ESC is comfortable that this is not the Applicant’s intention, it agrees with the ExA that the current definition is too wide and that, on the face of it, it could allow the Applicant to carry out decommissioning works and the construction of a new power station.</p>

ExQ1	Question to:	Question:
		<p>The definition suggested by the ExA under point (i) is considered sufficient by ESC to address this concern.</p> <p>(iii) N/A – for the Applicant.</p> <p>(iv) ESC would expect the Applicant to approach it should there be an instance in which any works or any operation was different to how it had been planned within the DCO application documents. ESC would then expect to be consulted on whether something had any new or materially different environmental effects to those identified in the environmental information.</p>
	Response by Suffolk County Council at Deadline 2	<p>(i) It is for the Applicant to say whether the ExA's proposed alternative definition is adequate. SCC would comment that it is not common practice for "remove" and "reconstruct" to be in the definition in made power DCOs (though it is commonplace in road schemes, which of course do not usually include buildings). SCC considers they should be removed.</p> <p>(ii) SCC has seen ESC's response and concurs with it. SCC consider in particular that any new or reconstructed buildings should be within planning control (in addition to development which would result in new or different significant environmental effects).</p> <p>(iv) In practice, SCC would expect (if it were the relevant authority) to be consulted by the Applicant if any "maintenance" had the potential to result in new or materially different environmental effects. SCC's response would not be determinative on the matter of course, but it might guide the Applicant. As the question supposes, the Applicant would be at risk of prosecution in borderline cases.</p>
	Response by SZC Co. at Deadline 3	<p>No further comments to add to SZC Co. response for Deadline 2. In SZC Co.'s view Appendix 14F – Drafting Note 6 [REP2-111] addresses ESC's and SCC's comments in response to this question. SZC Co. would be grateful if the ExA and ESC/SCC would consider Drafting Note 6 as it explains why, in SZC Co.'s view, the words "remove or reconstruct" serve an important and necessary purpose, and why their scope is inherently and sufficiently constrained.</p>
	Response by East Suffolk Council at Deadline 3	<p>The Applicant's draft DCO revision 4 includes an expanded definition of the term 'maintain', which now includes the words 'replace and improve'. ESC does not consider the inclusion of these words appropriate as they could be construed as having the same or similar meaning as the word 'reconstruct'.</p> <p>ESC invites the Applicant to explain the basis on which it has included these words.</p>
	Response by Suffolk County Council at Deadline 3	<p>(i) No further comment at this time.</p> <p>(ii) No further comment at this time.</p> <p>(iv) SCC remains of the view that where appropriate, it should be consulted on whether there are new or materially different significant environmental effects.</p>

ExQ1	Question to:	Question:
	Response by SZC Co. at Deadline 5	The Applicant has nothing further to add to its Deadline 3 response save for drawing to ESC's attention paragraphs 1.17-1.21 which address why additional activities have been included within the definition of "maintain".
DCO.1.9	The Applicant, the Host Authorities, MMO	Art 2, definition of "mean high water springs". Does the time period need to be specified?
	Response by SZC Co. at Deadline 2	The Applicant does not consider that it is necessary to specify the time period. The suggested definition is frequently used in granted development consent orders to express the landward boundary of the MMO's jurisdiction, for examples see: The Cleve Hill Solar Park Order 2020; The Hornsea Three Offshore Wind Farm Order 2020; The Norfolk Vanguard Offshore Wind Farm Order 2020; The Walney Extension Offshore Wind Farm Order 2014; Rampion Offshore Wind Farm Order 2014; Hornsea One Offshore Wind Farm Order 2014; Galloper Wind Farm Order 2013; and Triton Knoll Offshore Wind Farm Order 2013.
	Response by East Suffolk Council at Deadline 2	ESC considers that this is a well understood term and that no time period needs to be specified.
	Response by the MMO at Deadline 2	The MMO notes that the definition of "mean high water springs" does not need to have a specified period of time. This wording is found in other DCOs, for instance Hornsea 3- ""mean high water springs" or "MHWS" means the highest-level which spring tides reach on average over a period of time". The MMO notes that we have not yet received a copy of the Applicant's responses to any of the questions on the DCO and so cannot comment on their answers at this stage (this applies the entire "DCO" comments section).
	Response by Suffolk County Council at Deadline 2	Although SCC considers no time period need be specified. In harbour revision orders, for example, it is common for the following definition to be used: "level of high water" means the level of mean high-water springs; Though it is acknowledged that the definition used by the Applicant has been used in recent off-shore wind farm DCOs
	Response by SZC Co. at Deadline 3	SZC Co. agrees with the responses regarding the use of a time period within this definition and considers that the definition included in the draft DCO submitted at Deadline 2 [REP2-015] is suitable.

ExQ1	Question to:	Question:
	Response by Suffolk County Council at Deadline 3	SCC agrees no time period is necessary and refers to its original response where it pointed out common drafting from harbour revision orders.
	Response by SZC Co. at Deadline 5	No further comments.
DCO.1.18	The Applicant, Host Authorities	Art 2(5) – references to statutory bodies. This reads as follows: “References to any statutory body includes that body’s successor bodies from time to time that have jurisdiction over the authorised development”. Why are bodies who do not have jurisdiction over the development excluded from the reference. Are all the references in the DCO to statutory bodies only to such bodies with jurisdiction over the development?
	Response by SZC Co. at Deadline 2	See Appendix 14A - DCO Drafting Note 1.
	Response by East Suffolk Council at Deadline 2	ESC does not consider the words, “that have jurisdiction over the authorised development” to be necessary. It also notes, that there are many other development consent orders where such wording is not used, for example: A303 Amesbury, A19 Testo’s, Drax.
	Response by Suffolk County Council at Deadline 2	It is not clear what “having jurisdiction over the authorised development” means, and if this paragraph is to be retained, then SCC does not consider the words are helpful. It is questionable whether the provision is required at all, because as mentioned in an earlier reply, where a statutory body is succeeded by another body, it usually happens by a statutory process which ensures the functions are inherited by the new body. But SCC acknowledges the paragraph has been included in other power DCOs.
	Response by SZC Co. at Deadline 3	No further comments to add to SZC Co. response for Deadline 2 (see in particular paragraph 4.6 of Appendix 14A – DCO Drafting Note 1 [REP2-111]).

ExQ1	Question to:	Question:
	Response by Suffolk County Council at Deadline 3	Whilst the changes to art 2(5) are an improvement, SCC remains unsure about why article 2(5) is required at all. If a statutory body is abolished, merged or reorganised, then it will be done by statute, and the statute will make provision about what happens to the original body's functions. There is no need to say that a statutory body includes its successors.
	Response by SZC Co. at Deadline 5	The Applicant has nothing further to add beyond its response to this question at Deadline 3 and its responses to ExQ1 DCO 1.6 at this deadline and Deadline 2 and Deadline 3.
DCO.1.21	The Applicant	<p>Art 4(1) – vertical limits of deviation.</p> <p>This permits unfettered vertical deviations, subject to the Requirements and provisions in Art 11 relating to streets. Art 4(2) limits vertical deviation to 1 metre for Work 4C (Saxmundham – Leiston branch line) and Works 11 and 12 (Two village bypass and the Sizewell Link Road).</p> <p>The ExA see that the Requirements contain some references to Parameter Plans. But to take requirement 11 as an example, it is not immediately clear that Work Nos. 1A (a) to (e) are subject to the Parameter Plans (though any variations from the Approved Plans and the design principles in Ch 5 of the Main Development Site Design and Access Statement must accord with the Main Development Site Operational Siting and Height Parameters and two of the three Main Development Site, Operational Parameter Plans). (to be found at SZC Book 2, 2.5, [APP-018]).</p> <p>Similarly, a somewhat close reading of the Requirements is necessary to see which Parameter Plans have been applied to which Work, whether they are applied to the right Works, to ascertain whether the whole of the Proposed Development is limited by the Parameters Plans and whether or not all the Parameters Plans have been applied.</p> <p>As the ExA reads the Requirements and the rest of the DCO there appears to be no general overriding rule that the development must not exceed the limits in the Parameter Plans. A clear straightforward limitation in the DCO preventing the Proposed Development from exceeding the Parameter Plans (which the ExA assumes describe the limits of what was assessed on normal Rochdale principles) would be helpful.</p> <p>(i) Please will the Applicant insert such a provision in the next draft of the DCO or alternatively explain why it would be inappropriate?</p> <p>(ii) Please will the Applicant also provide a reconciliation of the Parameter Plans in the DCO with the project assessed in the ES?</p> <p>Please will the Applicant specify and explain the power for Art 4 – it is not referred to in the EM?</p>

ExQ1	Question to:	Question:
	Response by SZC Co. at Deadline 2	See Appendix 14I – DCO Drafting Note 9.
	Response by East Suffolk Council at Deadline 2	ESC shares the ExA's concerns in relation to the clarity over the seeming lack of limits of deviation [AS-143] and refers the ExA to its response to question G.1.0.
	Response by Suffolk County Council at Deadline 2	Although not directed at SCC, SCC has seen the response of ESC on this question and concurs with it.
	Response by SZC Co. at Deadline 3	No further comments to add to SZC Co. response for Deadline 2; specifically Appendix 14I – DCO Drafting Note 9 [REP2-111].
	Response by East Suffolk Council at Deadline 3	ESC directs the Examining Authority to its comments in relation to G.1.0.
	Response by Suffolk County Council at Deadline 3	<p>SCC have focussed on the issue of the pylons in this response, and reserves its position on other works. In its response (drafting note 9), the Applicant sets out detailed responses in respect of different works. In relation to the main development site, for example, it refers to the detailed plans for approval set out in Schedule 7 and the various parameter plans. The Applicant says in paragraph 1.3.1(E), that "Pursuant to R11 (MDS: Approved buildings, structures and plant), R12 (MDS: Reserved matters); R12B (MDS: Coastal Defences) and R13 (MDS: Ancillary structures, other buildings and plant), the MDS works must be carried out either in accordance with the detailed plans which are for approval as part of the DCO, or with detailed plans to be approved by ESC in due course. In the latter case, the details must be in accordance with, inter alia, the relevant parameter plans (which are listed in each case)."</p> <p>However, those requirements do not appear to apply to all the pylons, presumably because they are not all in the MDS. In particular, the National Grid pylon (work 1A(q)) is not referred to in any of the requirements, unlike the 4 pylons within the MDS (Work 1A(d)) which are referred to in r11.</p>

ExQ1	Question to:	Question:
		<p>So even though all 5 pylons are shown on the "Pylons detailed plans for approval" [APP-019] (included in the list in Schedule 7), and those plans show the elevations of all 5 pylons, there appears to be nothing in the DCO requirements which requires the NG pylon to be no higher than shown on that plan, or in the operational parameter plans.</p> <p>SCC would ask the Applicant to clarify the position and explain if there are any other works which may be mentioned in works or parameter plans but not in the requirements.</p>
	Response by SZC Co. at Deadline 5	<p>Amongst other Work Nos., Requirement 13 refers to Work No. 1A (h) to (r). This includes Work No. 1A(q) and implementation of the National Grid pylon is secured. However, SZC Co. welcomes the response from SCC as this Work No. should be secured under Requirement 11, as the National Grid pylon is applied for in detail in the Pylon Arrangement plan (Drawing Ref. SZC-SZ0701-XX000-DRW-100128, Rev. 01), as listed in Schedule 7 of the draft DCO (Doc Ref. 3.1(D)).</p>
DCO.1.23	The Applicant, the Host Authorities	<p>Art 5(3).</p> <p>Is this inserted simply for the avoidance of doubt or is there a specific concern that Art 5 restricts any other powers in the DCO?</p>
	Response by SZC Co. at Deadline 2	See Appendix 14C - DCO Drafting Note 3.
	Response by East Suffolk Council at Deadline 2	ESC is of the view that this has been inserted simply for the avoidance of doubt, but it would welcome the Applicant's confirmation of this [APP-143].
	Response by Suffolk County Council at Deadline 2	SCC will await the response of the Applicant on this question but assumes the paragraph was inserted for the avoidance of doubt.
	Response by SZC Co. at Deadline 3	Confirmation in SZC Co. response for Deadline 2.

ExQ1	Question to:	Question:
	Response by Suffolk County Council at Deadline 3	The Applicant's response appears to be satisfactory.
	Response by SZC Co. at Deadline 5	No further comments.
DCO.1.24	The Host Authorities	Art 5(5). Will the Host Authorities indicate if they are content with Art 5(5) and the list of conditions and corresponding requirements deemed to be satisfied set out in Sch 8
	Response by SZC Co. at Deadline 2	No response from SZC Co. is required.
	Response by East Suffolk Council at Deadline 2	<p>Whilst ESC understands the Applicant's approach in Schedule 8, it is concerned that certain conditions in Permissions 1 and 2 are not appropriately reflected in the Requirement which is drafted as corresponding to the conditions [APP-143]. ESC has the following particular concerns:</p> <p>Schedule 8, Part 1, row 3, and Part 2, row 3: There appears to be no equivalent of conditions 7, 9, 10, 12, 13 or 17 in the CoCP (or other control documents or in the Requirements themselves). ESC would welcome an explanation from the Applicant as to how it considers that the provisions in these conditions are replicated in Requirement 2. In relation to conditions 7 and 10 in particular, ESC considers that this would be best addressed through a new separate requirement in Schedule 2 of the draft DCO. In addition, there also appears to be no equivalent of conditions 18 and 19 in relation to emergency plans. Although ESC notes that there is now a new Requirement 5A in draft DCO v.3.1, this requirement does not reflect the conditions.</p> <p>Schedule 8, Part 1, row 4, and Part 2, row 4: Requirement 14, or the OLEMP sitting under it, does not appear to specify any maintenance period whereas condition 12 refers explicitly to a 5 year maintenance period.</p>

ExQ1	Question to:	Question:
		<p>Schedule 8, Part 1, row 5: Condition 26 appears to be covered by Requirement 7 rather than Requirement 5.</p> <p>Schedule 8, Part 2, row 6: Not all of condition 21 is covered by Requirement 3. In particular, the following isn't: "None of the buildings hereby approved shall be occupied until the site investigation and post investigation assessment has been completed, submitted to and approved in writing by the Local Planning Authority, in accordance with the programmes set out in the Written Scheme of Investigation approved under Condition [20] and the provision made for analysis, publication and dissemination of results and archive deposition."</p>
	Response by Suffolk County Council at Deadline 2	SCC has seen the response of ESC on this question and defers to it.
	Response by SZC Co. at Deadline 3	<p>It should be noted that Schedule 8 of the Draft DCO [REP2-015] sets out the conditions from RF1 and RF2 that would approve details that pertain to the delivery of the Sizewell C project. In many instances the controls that were deemed necessary for RF1 and RF2 would not be the same as those needed in the construction of Sizewell C. Documents such as the CoCP Part B [REP2-056] and the Lighting Management Plan (Doc Ref. 6.3 2B (A)) have been drafted to include all necessary measures that would be needed to control the impacts of constructing Work No. 1. These measures are comprehensive and include an appropriate level of detail that would ensure that works would be delivered in a manner that is consistent with the ES. It is therefore deliberate that not all of the controls set out in the RF1 and RF2 permissions would be transferred across to the DCO when the Undertaker serves notice under Article 5 of the DCO.</p> <ul style="list-style-type: none"> • Condition 7: Access to the main development site during construction: the DCO includes the Construction Traffic Management Plan [REP2-054] which sets out the controls that would be put in place for construction vehicles entering and leaving the site. A requirement relating to Condition 7 is therefore not required. • Condition 9: Schedule of Plant: On a construction site of the scale and complexity of the Sizewell C project it would clearly not be practicable for the LPA to review and approve all plant and equipment to be used on the main development site. In order to ensure that the LAs have appropriate oversight of the construction process in so far as they relate to noise, the CoCP includes a

ExQ1	Question to:	Question:
		<p>commitment to prepare a Noise and Vibration Management Plan, which would be a separate and more comprehensive management plan than RF2 requires. Deemed approval or replication of this condition is therefore not required.</p> <ul style="list-style-type: none"> • Condition 10: Construction Working Hours: the working hours for the main development site are set out within the CoCP Part B [REP2-056]. These working hours are consistent with those assumed in the ES and the mitigation measures set out in order to minimise and reduce noise impacts. Deemed approval or replication of this condition is therefore not required. • Condition 12: Landscape plan: Requirement 14 of the Draft DCO [REP2-015] relates to the detailed design of the landscape restoration works. This includes the commitment to prepare a Landscape and Ecological Management Plan, which would set out the long-term management arrangements for the works. ESC have noted that this does not include a specific timescale, with 5 years mentioned in RF2 Condition 12. This omission is deliberate, as the LEMP would cover the maintenance of the landscape for the duration of the operation of the project. Deemed approval or replication of this condition is therefore not required. • Condition 13: Ground Contamination: the CoCP Part B [REP2-056] includes the relevant ground contamination measures that are necessary to avoid and limit impacts from potential ground contamination. No further measures are considered necessary. Deemed approval or replication of this condition is therefore not required. • Condition 17: Construction Environmental Management Plan: RF1 and RF2 are not supported by a Code of Construction Practice. Instead, those applications include commitments to prepare CEMPs, the scope of which was based on the outline CEMPs submitted with the applications and as set out within Condition 17. The Sizewell C CoCP has been prepared to include the mitigation measures necessary to reduce and minimise environmental impacts during the course of construction works. The CoCP includes the mitigation measures that are in the CEMPs. Deemed approval or replication of this condition is therefore not required. • Condition 18: Emergency Planning: RF1 and RF2 relate to the preparation of an emergency plan. The DCO includes Requirement 5A which relates to the construction stage. Once Sizewell C is in operation, the Nuclear Site Licence would then require an ongoing plan to be in place for the duration of operations. Deemed approval or replication of this condition is therefore not required. • Condition 21: Archaeological WSI: It should be noted that discussions are ongoing with SCC regarding the wording of Requirement 3 and it is expected that the wording will be updated to reflect the agreed position as part of Deadline 5.

ExQ1	Question to:	Question:
	Response by East Suffolk Council at Deadline 3	ESC remains concerned that in Schedule 8, certain conditions in Permissions 1 and 2 are not appropriately reflected in the Requirement which is drafted as corresponding to the conditions (please see ESC's response to DCO.1.24 for Deadline 2 for full details). In addition, ESC notes that in revision 4 of the draft DCO submitted for Deadline 2, the Applicant has inserted additional reference to requirements 2 and 5. ESC would like the Applicant to provide a full explanation as to the equivalence between the conditions and the requirements listed in the table in Schedule 8.
	Response by SZC Co. at Deadline 5	In light of the comments made by ESC in response to this ExQ1, the Applicant has undertaken a thorough review of the conditions that are subject to the deemed approval provisions in article 5(5) and which therefore are listed in Schedule 8, and has made further amendments in revision 5 of the draft DCO (Doc Ref. 3.1(D)). Schedule 8 now includes just those conditions that are for approval of details and does not include compliance conditions, which, as explained in the Applicant's response to this ExQ1 at Deadline 3 are adequately covered by equivalent DCO requirements.
DCO.1.26	The Applicant, the Host Authorities	<p>Art 9(6).</p> <p>The EM states (para 4.25) "As the undertaker will be entering into a section 106 agreement with local planning authorities, this provision is necessary to ensure that the transferee complies with all obligations etc. that have been imposed on the undertaker, as well as ensuring that the undertaker is released from liability upon transfer (given that it would no longer be involved in the authorised development). This approach is standard under section 106 agreements".</p> <p>(i) Whilst confirmation that planning obligations are to bind the transferee / lessee is welcome, why would the planning obligations under s.106 TCPA not bind the transferee under s.106(3)? Or is this paragraph addressing transfer / lease of the benefit of the DCO without transfer / lease of land?</p> <p>(ii) Should transfer / lease of benefit without transfer / lease of land be permitted?</p> <p>(iii) If so, is it proper to allow the transferor to escape from its obligations in the s.106 agreement?</p> <p>(iv) Is it appropriate in the case of any transfer or lease on this project to allow the original covenantor to escape from its obligations under s.106?</p>
	Response by SZC Co. at Deadline 2	See Appendix 14A - DCO Drafting Note 1.
	Response by East Suffolk	i) Having the benefit of the DCO is not an interest in land for the purposes of s106(1) and therefore s106(3) will not apply as the obligations are not provided as planning obligations pursuant to s106 (1)

ExQ1	Question to:	Question:
	Council at Deadline 2	<p>TCPA in the absence of a proprietary interest in the development site. Questions therefore arise regarding the legitimacy of providing mitigation through an alternative means to a s106 agreement.</p> <p>ii) If the person with the proprietary interest in the land signs the s106 agreement than no issue with this provided the transferee covenants directly with the Councils to perform the “planning obligations”, as such obligation would run with the land (assuming such obligations fall within s106(1)(a) – (d)). Where the signatory has no proprietary interest in land, any agreement could not be entered into pursuant to s106 and any such agreement would not automatically run with the land. In such circumstances other powers will need to be considered. However, such alternative powers/provisions should only be considered where there is a legitimate reason why the landowner cannot sign a s106 agreement. Section 111 of the Local Government Act 1972 is an incidental power and cannot be used unilaterally, other LPA Powers would need to be used in conjunction with s111. In these circumstances, the agreement would have to include provisions that ensure that the signatory is not released from any of the obligations in the agreement until such time as the new transferee had provided mirror covenants to the relevant LPAs.</p> <p>iii) Yes, provided that the transferor’s liability only ends once the transferee is on the hook for the “planning obligations” and only if the transferor parts with all of its interest in the DCO as set out in the paragraph above.</p> <p>iv) Yes, once the new transferee has provided mirror covenants to the LPAs as set out above or if the owner of the land entered into the s106 agreement, the s106 agreement can provide that the owner is released (save for antecedent breaches) upon disposal of its proprietary interest.</p>
	Response by Suffolk County Council at Deadline 2	<p>SCC understands that the Applicant is putting forward an alternative proposition as regards the section 106 agreement which may affect these questions. However, SCC’s responses are:</p> <p>(i) SCC agrees that it is essential that any section 106 obligations will be binding on transferees and lessees under this article. However, the mechanism to secure this outcome is a matter of ongoing discussion with the Applicant. Paragraph 5(2) of Schedule 24 to the Order has the effect of saying that the Applicant and any transferee will be deemed to have interests in the Order land so any s106 agreement will bind them. SCC reserves its position on that proposition until it has considered the alternative fully, but whatever the outcome, the DCO must make it clear that transferees and lessees must be bound by a s106 or equivalent. Whatever the outcome, the s106 (or equivalent) must ensure transferees / lessees are bound by the s106 or alternative arrangements are put in place to ensure that the commitments are enforceable.</p>

ExQ1	Question to:	Question:
		<p>(ii) SCC reserves its position on this question until it has considered the new proposals mentioned above in detail but its initial view is that the default position would need to be that obligations should be contained in a s106 and bind the land in the usual way</p> <p>(iii) SCC's initial view is that the s106 obligations should remain enforceable against only those with interests in the land</p> <p>(iv) SCC's view is that if the Applicant is to "escape" its obligations, as the ExA puts it, then it must be made crystal clear in the DCO and the agreement that SCC should be able to enforce the provisions of the agreement as if it were a "normal" s106 agreement.</p>
	Response by SZC Co. at Deadline 3	<p>In addition to Appendix 14A – DCO Drafting Note 1 [REP2-111], SZC Co. has set out its approach to securing these obligations through a Deed of Obligation in Appendix 26A to Responses to ExQ1 [REP2-113].</p> <p>Appendix 26A of this document 'Obligations Enforcement Paper' (Doc. Ref. 9.30A) sets out SZC Co's proposed enforcement measures for the Deed of Obligation.</p>
	Response by Suffolk County Council at Deadline 3	<p>The issue of the approach to how obligations are to be secured is evolving, and SCC's latest position is set out in its D3 submission "Suffolk County Council comments on draft s.106, accompanying draft Explanatory Memorandum and draft Confirmation and Compliance Document". The following summarises SCC's position on the evolving approach:</p> <ul style="list-style-type: none"> • The Applicant now proposes that a Deed of Obligation is entered into under powers in section 111 of the Local Government Act 1972. This document would not be entered into using the powers in section 106 of the Town and Country Planning Act 1990 ("1990 Act"). This Deed of Obligation is proposed to only bind the "undertaker" under the DCO (or an entity who is transferred the benefit of DCO provisions) and not bind any land. • SCC seek clarity on the powers that the Applicant intends to utilise to enter into the Deed of Obligation (e.g. whether section 1 of the Localism Act 2011 would also be used) and the advantages of circumventing the legal requirements of section 106 of the 1990 Act are questioned. • Given no land (or land owner) is proposed to be bound into the Deed of Obligation, SCC raise questions as to how confident it can be that it may only be the undertaker who may construct, take the benefit of and also subsequently carry out and use the authorised development permitted under the DCO (so no other entity should be bound) and what action may be taken in the event others who have the benefit of the DCO breach such a Deed of Obligation.

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> • SCC have yet to see the Applicant's drafting which the Applicant considers might incorporate some of the enforcement options that would be open to SCC under a section 106 agreement, and this is highlighted in the note. • Particular concerns about the mechanism for transferring the benefit of some or all of the DCO provisions and the liability of a transferee under any Deed of Obligation are raised in the note. A deed of adherence from any such transferee is sought before such a transfer may take effect to provide comfort that a transferee will be bound by the provisions in such a Deed of Obligation (and which provisions they would be bound by). • SCC's dissatisfaction with the Applicant's proposed deemed approval mechanism in the document is reiterated and requirements to only use "reasonable endeavours" to comply with certain obligations.
	Response by SZC Co. at Deadline 5	<p>In addition to Appendix 26A - Obligations Enforcement Paper [REP3-047], further details of the enforcement of obligations in the Deed of Obligation are provided in the Written Summaries of Oral Submissions at ISH 1 (Doc Ref. 9.41), Written Submissions responding to actions arising from ISH1 (Doc Ref. 9.48) and Post-Hearing Note: ISH1 – Response to Enforcement Issues (Doc Ref. 9.48), including in respect of transfers of the benefit of the DCO.</p> <p>See also SZC Co's Response to Earlier Submissions (Doc Ref. 9.54) which responds to SCC's comments on the draft Deed of Obligation submitted at Deadline 3.</p>
DCO.1.27	The Applicant, the Host Authorities	<p>Art 9.</p> <p>(i) 9(1) Is it appropriate to transfer the CA powers in this DCO? The Applicant is required to demonstrate adequate resources to pay compensation. A transferee may not be have the same resources and the article does not expressly require that they are shown to exist.</p> <p>(ii) 9(1)(b) Should the CA powers be lettable? What would be the lessee's title to land compulsorily acquired and to whom would such land be transferred on CA? Does CA by a lessee raise any difficulties?</p> <p>(iii) 9(1) and (2) What would be the criteria for the SoS to decide whether or not to consent?</p> <p>(iv) Art 9(4). Is it appropriate for decisions of the Secretary of State on what is largely a regulatory issue to be subject to arbitration?</p> <p>(v) Art 9(6)(a). It is clear that the alienation provisions of Art 9 allow alienation of part of the land or part of the benefits. It would appear that Art 9(6)(a) attempts to limit the burdens transferred to those "imposed by virtue of the provisions to which the benefit relates". However, it is unusual for burdens to be divided up across the land or benefits. And burdens may be imposed on the whole development or project.</p>

ExQ1	Question to:	Question:
		<p>Please will the Applicant amend the article so as to ensure that burdens, whether they relate to the whole benefit of the order or only the benefit transferred, bind the transferee or lessee as the case may be?</p> <p>(vi) Art 9(6). Para (b) – how can “benefits” be enforced “against” the undertaker (original or otherwise). What is the Applicant’s intention by this provision?</p> <p>(vii) Art 9(6). If the intent is to release the transferring undertaker from liability, is it really appropriate to release the undertaker where only a lease is created? The lessor undertaker should surely remain liable and take whatever indemnities are appropriate from the lessee. What would the position be at the end of the lease, whether it runs its full term (and the term is not known at this point in time) or is terminated for breach?</p> <p>(viii) Art 9(6)(c). It is good to make it clear that development consent obligations are intended to bind the transferee / lessee. Please will the Applicant state whether there are any concerns that they would not do so? Is this paragraph seeking to cut down the provisions of s.106 TCPA 1990 which make obligations bind persons deriving title?</p> <p>What would be the position if Art 9(8) is not complied with? Please will the Applicant amend the article so as to make it clear that in such a case the transfer or lease would be invalid?</p>
	Response by SZC Co. at Deadline 2	See Appendix 14A - DCO Drafting Note 1.
	Response by East Suffolk Council at Deadline 2	<p>(i) and (ii) The transfer of the benefit of the Order, including the transfer of any compulsory acquisition powers, is subject to obtaining the written consent of the Secretary of State, save for two very specific entities identified in Article 9(7) [AS-143]. ESC is of the view that the Secretary of State, before consenting to any such transfer, would ensure that the transferee or lessee would have adequate resources to pay compensation.</p> <p>(iii) ESC considers that this is a matter for the Secretary of State to consider.</p> <p>(iv) ESC considers that the Secretary of State’s decision on matters under Article 9 should be final and that it is not a decision that should be subject to arbitration.</p> <p>(v), (vi), (vii), (viii) – ESC considers that these are considerations for the Applicant to respond on.</p>
	Response by Suffolk County Council at Deadline 2	<p>(i) SCC acknowledges that it is not unusual for DCOs to allow CA powers to be transferred. The Secretary of State would need to consent to the transfer and would no doubt satisfy him/herself that the transferee/lessee would have sufficient funding</p> <p>(ii) As above. Ultimately this would be a matter for the Secretary of State.</p>

ExQ1	Question to:	Question:
		<p>(iii) This would be for the Secretary of State to decide.</p> <p>(iv) Again, this is for the Secretary of State, but SCC are not aware of any precedent to say that the Secretary of State's decision is subject to arbitration. SCC also note that article 9(2) would impose a time limit on the Secretary of State to give consent. Again this will be a matter for the Secretary of State but SCC is not aware of a recent precedent.</p> <p>(v) to (vii) These are questions for the Applicant.</p>
	Response by SZC Co. at Deadline 3	No further comments to add to SZC Co. response for Deadline 2.
	Response by Suffolk County Council at Deadline 3	<p>(i) The Applicant's response aligns with SCC's,</p> <p>(ii) No further comments.</p> <p>(iii) No further comments.</p> <p>(iv) SCC note the exclusion that has been inserted as article 82(4) to meet this point. This is a matter for the Secretary of State rather than SCC. SCC also notes that article 9(2) which would have imposed a time limit on the Secretary of State to give consent has been removed.</p> <p>(v) to (vii) As noted before, these are questions for the Applicant.</p>
	Response by SZC Co. at Deadline 5	No further comments.
DCO.1.30	The Applicant, SCC	<p>Part 3 (Arts 11 – 23) generally.</p> <p>Please will the Applicant and SCC explain how the adoption of new roads is addressed.</p>
	Response by SZC Co. at Deadline 2	<p>The construction and maintenance of any new or altered streets is provided for in Article 20 of the draft DCO (Doc. Ref. 3.1(C)). As set out in Article 20(1):</p> <p>the construction must be to the '<i>reasonable satisfaction of the highway authority</i>'; the undertaker will be responsible for maintenance for 12 months following completion; and the new or altered street '<i>must... be maintained at the expiry of that [12 month] period by and at the expense of the highway authority</i>', unless otherwise agreed between SZC Co and the highway authority.</p> <p>Further details of the types of agreements which may be entered into are then set out in Article 21.</p>

ExQ1	Question to:	Question:
		<p>Articles 20 and 21 are similar to those included in the Hinkley Point C Development Consent Order and it is expected that they will be used in a similar way for the Sizewell C Project.</p> <p>Therefore, in practice, highway works at the Sizewell C Project will be carried out pursuant to agreements made with the highway authority under Article 21.</p> <p>These agreements perform the same role as agreements made pursuant to section 278 and section 38 of the Highways Act 1980, documenting the agreed specification of the works in detail and the sign-off process for the carrying out of the works. In this way, what constitutes the completion of the highway works '<i>to the reasonable satisfaction of the highway authority</i>' is captured and documented, such that it is clear when the 12 month maintenance period commences prior to adoption by the highway authority.</p> <p>At Hinkley Point C, such agreements have been based on an amended version of the highway authority's standard section 278 agreement and include the usual provisions typically included in such an agreement, including provision for:</p> <ul style="list-style-type: none"> (i) approval by the highway authority of the detailed design and specifications for the highway works and approval of a programme of works; (ii) arrangements for any required traffic regulation orders to be obtained and for the undertaker to be responsible for the highway authority's costs associated with those; (iii) a performance bond to be put in place before works commence, and associated step-in rights for the highway authority in the event that the undertaker is in default under the agreement; (iv) monitoring and supervision by the highway authority of the works (including safety audits and the production of a health and safety file); (v) the usual indemnities in favour of the highway authority against claims arising out of the execution or use of the works; (vi) payment of a commuted sum for ongoing maintenance costs post-adoption (where applicable); (vii) arrangements to provide evidence of compliance with Construction (Design and Management) Regulations 2007 and for the undertaker to be responsible for such compliance; (viii) the issuance by the highway authority of a Certificate of Completion where it is satisfied the works have been completed in accordance with the terms of the agreement; and (ix) a minimum 12 month maintenance period and provision for a Final Certificate to be issued once the relevant requirements under the agreement have been met (following which the highway works become maintainable by the highway authority).

ExQ1	Question to:	Question:
	Response by Suffolk County Council at Deadline 2	<p>Although this may be for the Applicant to explain, SCC's understanding of the position in summary is as follows:</p> <ol style="list-style-type: none"> 1) Article 20(1) provides that any "street" to be constructed under the Order must be completed to the reasonable satisfaction of the highway authority. 2) Art 20(1) says new "streets" are to be maintained for 12 months by the Applicant, then at the highway authority's expense 3) "Street" is defined in article 2 and includes (amongst other things) the whole or any part of any highway or road 4) Scheduled Works to be constructed under this provision include, for instance, the Two Village Bypass and the Sizewell Link Road 5) It is, of course, acceptable for a statute to create a new highway, but it is not usually done in DCOs by saying "X road is designated as a highway from X date" 6) The DCO could be clearer as regards the descriptions of the Two village bypass (Work 11B) and Sizewell Link Road (Work 12B); for instance, by amending slightly the description of each as follows – "A highway, being a bypass..." <p>In respect of 2) above, the Council considers the Applicant's maintenance period is far too short. 24 months, or to the end of the construction period (whichever is longer) would be appropriate. This timescale would be based on the usual guarantee periods for highways surfacing materials.</p> <p>SCC's responses are without prejudice to its contention that the SLR should be a temporary road.</p>
	Response by SZC Co. at Deadline 3	<p>In relation to point 6) of SCC's response, it is considered unnecessary and potentially misleading to add reference to "highway" at the front end of the Two Village Bypass and Sizewell Link Road works descriptions. This is because not all of the relevant works area will become adopted highway following completion of the works meaning that to categorise the entire works description as "highway" (which is a term defined by reference to the Highways Act 1980) could be inaccurate.</p> <p>In relation to the point raised in SCC's response regarding the length of the maintenance period provided for at article 20(1) of the draft DCO [REP2-015], a 12 month maintenance period is usual for highway schemes secured under section 278/38 agreements entered into in connection with developments consented under the Town and Country Planning Act 1990 and SZC Co does not see why the highway schemes comprised in the authorised development should be treated any differently. SZC Co. is also not aware of any DCOs that impose maintenance periods longer than 12 months. Against this context, it is considered reasonable for the maintenance period to be 12 months.</p>

ExQ1	Question to:	Question:
	Response by Suffolk County Council at Deadline 3	<p>SCC's position as regards taking on the responsibility for maintenance of new highways is evolving and SCC is suggesting protective provisions as regards highways matters, so its replies are subject to that. Please see SCC's response to CA.1.67 on this point. In summary, SCC considers the regime proposed under article 21 (agreements with street authorities) of the dDCO is unsatisfactory and, to best protect its position, considers protective provisions should be included in the dDCO at Schedule 18 (protective provisions).</p> <p>SCC will shortly share its proposed protective provisions with the Applicant for their comment / approval. SCC notes the Applicant's response and (a) still considers that the descriptions of the relevant highway works could make clearer that they are indeed to be highways and (b) still considers that the Applicant's maintenance period should be 24 months, or to the end of the construction period (whichever is longer) would be appropriate.</p> <p>As before, SCC's responses are without prejudice to its contention that the SLR should be a temporary road (and therefore possibly not a highway at all).</p>
	Response by SZC Co. at Deadline 5	The Applicant acknowledges that there is ongoing dialogue with SCC regarding the securing of the highway works comprised in the Sizewell C Project.
DCO.1.34	The Applicant, SCC	<p>Art 22(5)(b).</p> <p>In line with the ExA's earlier comments on identifying authorities by reference to function rather than name, the ExA invites the Applicant and SCC to consider whether it would be better to specify the capacity (e.g. highway authority if that is the case) in which this power is to be exercised.</p>
	Response by SZC Co. at Deadline 2	See Appendix 14A - DCO Drafting Note 1.
	Response by Suffolk County Council at Deadline 2	<p>In section 32 of the Road Traffic Regulation Act 1984, only the County Council can authorise the use of any part of a road in its area as a parking place. (See also section 36(3) of the 1984 Act).</p> <p>SCC would have no objection to the paragraph saying, for example, "(b) Suffolk County Council (in its capacity as a local authority for the purposes of section 32 of the 1984 Act) as an order under that section of that Act..." but does not consider it necessary.</p>

ExQ1	Question to:	Question:
	Response by SZC Co. at Deadline 3	No further comments to add to SZC Co. response for Deadline 2 save for pointing out that the inclusion of "(in its capacity as a local authority for the purposes of section 32 of the 1984 Act)" has not been included in revision 4 of the draft DCO [REP2-015] because SZC Co. agrees with SCC that it is not necessary especially since SZC Co. has now included the new article 2(5)(A) in revision 4 of the draft DCO [REP2-015], which clarifies the function of Suffolk County Council.
	Response by Suffolk County Council at Deadline 3	See SCC's previous response and its response in relation to DCO 1.6. SCC does not consider that referring to SCC "in its capacity as local highway authority" is necessary, and it does not reflect the reality of the situation.
	Response by SZC Co. at Deadline 5	No further comments.
DCO.1.38	DfT, BPA, Chamber of Shipping, UKMPG, Trinity House, Maritime and Coastguard Agency, MoJ	Part 6 – Harbour powers. Please consider and comment on Part 6 of the dDCO (comprising Arts 46 – 75) which creates a harbour (without walls) in the area of Greater Sizewell Bay adjacent to the Proposed Development. The ExA is interested in hearing your views in particular on the application of the Harbours, Docks and Piers Clauses Act 1847 with amendments (see Art 46), but that is not intended to limit any comments you wish to make. The MoJ is requested to comment on the offences and penalties created by Part 6. Please will the MoJ address specifically whether the fact that Part 6 incorporates the standard "boilerplate" for Harbour Orders addresses concerns?
	Response by SZC Co. at Deadline 2	No response from SZC Co. is required.
	Response by UK Chamber of Shipping at Deadline 2	The UK Chamber of Shipping has no concerns over the application of the Harbours, Docks and Piers Clauses Act 1847 with amendments, and supports efforts to ensure the safety of navigation, and the safety and security of vessels using the harbour.

ExQ1	Question to:	Question:
	Response by Trinity House at Deadline 2	<p>Extract from the Response by Trinity House:</p> <p><i>"Trinity House is generally content with Part 6 of the draft DCO. In particular, the saving for Trinity House (article 74) is incorporated in its standard form and its inclusion in the draft DCO is welcomed. Articles 58 (lights on marine works etc. during construction), 59 (provision against danger to navigation) and 60 (permanent lights on marine works) are standard provisions in Orders which confer powers in relation to the marine environment.</i></p> <p><i>Again, their inclusion is welcomed by Trinity House and we have no comments in relation to the drafting of these provisions.</i></p> <p><i>We do however, have some comments to make in relation to article 52 (application of Marine and Coastal Access Act 2009), article 61 (safety of navigation) and article 82 (arbitration) of the draft DCO.</i></p> <p><i>."</i></p> <p>Please refer to [REP2-169] for full response.</p>
	Response by The Maritime and Coastguard Agency at Deadline 2	<p>The MCA understands that due to the nature of the site and the safety critical requirements, the establishment of a SHA is considered an appropriate mitigation measure to empower the proposed authority to regulate vessel movements within the area.</p> <p>The MCA has no objections or concerns to raise with regards to this approach or the application of the Harbours, Docks and Piers Clauses Act 1847 within the DCO, and is considered wholly appropriate for safety.</p> <p>However, the MCA would like the following two points clarified:</p> <ol style="list-style-type: none"> 1) Whether the SHA ceases to exist once the site is decommissioned in 2035; 2) The specific reasoning why a CHA is required under the Pilotage Act for this site, as is included in the DCO.
	Response by SZC Co. at Deadline 3	<p>Trinity House</p> <p>The Applicant thanks Trinity House for its comments on the draft DCO. Article 52 has been corrected to refer to Article 74 rather than 69 in the draft DCO submitted at Deadline 2 [REP2-015] and will amend Article 52(1) as proposed by Trinity House in the next version of the draft DCO.</p> <p>Article 61 has been moved to Condition 38 of the DML in the draft DCO submitted at Deadline 2 [REP2-015], as requested by the MMO but we will consider Trinity House's comments on the scheme of safety navigation with the MMO making any necessary changes to the next version of the draft DCO which will be</p>

ExQ1	Question to:	Question:
		<p>submitted at Deadline 5. The Applicant considers that Article 82 is sufficiently clear to include the MMO and the additional wording is not required.</p> <p>MCA</p> <p>1)SZC Co confirms that the SHA will cease to exist once the site is decommissioned in 2035. Clarity on this point will be included in the next version of the draft DCO which will be submitted at Deadline 5.</p> <p>2)The purpose of making the undertaker a competent harbour authority for the purposes of the Pilotage Act 1987 (the "1987 Act") is to ensure that it has all necessary controls over any vessels entering the harbour limits. Competent harbour authority status will enable the undertaker to provide pilotage services within the harbour limits to ensure the safety of the harbour in accordance with the 1987 Act. It is not uncommon for a harbour authority to also be a competent harbour authority for the purposes of the 1987 Act and, in this instance, it is particularly important and necessary due to the nature of the proposed NSIP development.</p> <p>The basis on which Article 50 is incorporated into the Order is explained in paragraph 8.21 and 8.22 of the Explanatory Memorandum for the Order [REP2-016].</p>
	Response by MMO at Deadline 3	<p>Trinity House response to ExQ1 - [REP2-169]</p> <p>The MMO note that Trinity House (TH) is generally content with Part 6 of the draft DCO, but have highlighted errors in the drafting of Article 52.</p> <p>The MMO observe that TH raise concerns regarding clarity of the powers conferred upon the Applicant by Part 6. The MMO supports this request for clarity, and for the inclusion of revised wording.</p> <p>With regards to Article 61, the MMO note TH's concerns that precommencement works could take place prior to a scheme to secure safety of navigation being in place. The MMO welcome TH's comments on this point and support the establishment of such a scheme prior to works commencing. The MMO support the suggestion made by TH that pre-commencement works which may interfere with navigation are covered under Article 61. Should any further conditions be required within the DML, the MMO can liaise with the Applicant and TH to develop these.</p> <p>The MMO welcome the suggested wording within Article 82 to clarify that the DML is not subject to arbitration.</p>

ExQ1	Question to:	Question:
		<p>Maritime and Coastguard Agency ("MCA") response to ExQ1 - [REP2-145]</p> <p>The MMO note that the MCA have no objections or concerns regarding the establishment of a Statutory Harbour Authority (SHA) or the application of the Harbours, Docks and Piers Clauses Act 1847 within the DCO.</p> <p>The MMO note the MCA have requested two points of clarification within their response to Written Questions. The MMO support this request.</p>
	Response by SZC Co. at Deadline 5	<p>The dDCO has been updated for Deadline 5 to address the points raised by Trinity House. Condition 38 has been updated and agreed with Trinity House and addresses the MMO's comments at Deadline 3. SZC Co. has no further comments regarding Article 82 and SZC Co has responded to the MCA's comments at Deadline 3.</p>
DCO.1.50	The Applicant, The Host Authorities	<p>Art 79.</p> <p>This allows felling and other tree surgery to any tree or shrub "near any part of the [Proposed] Development". How far is near? Could a maximum distance be added?</p>
	Response by SZC Co. at Deadline 2	<p>Article 79 only permits trees or shrubs to be felled or lopped where the Applicant reasonably believes that this is necessary to prevent that tree or shrub from obstructing or interfering with the authorised development or constituting a danger to those using the authorised development. It is in this context that the reference to the tree or shrub being '<i>near</i>' should be interpreted. The greater the distance between the individual tree or shrub and the proposed development, the less reasonable any belief that the Applicant may have that works are required. The reasonable distance will vary depending on the part of the authorised development concerned and so the concept of nearness must be flexible. Moreover, given that felling or lopping may be required to avert danger, the Applicant considers that it would be inappropriate to define '<i>near</i>' by reference to a maximum distance.</p> <p>Compensation is payable under Article 79(2) to any person who sustains any loss or damage arising from the Applicant's carrying out of such felling or lopping.</p> <p>Provisions equivalent to Article 79 of the draft DCO using the word '<i>near</i>' can be found in The Infrastructure Planning (Model Provisions) (England and Wales) Order 2009 as well as many other granted DCOs, including: The Cleve Hill Solar Park Order 2020; The Norfolk Vanguard Offshore Wind Farm Order 2020; The National Grid (Hinkley Point C Connection Project) Order 2016; The Thames Water Utilities Limited (Thames Tideway Tunnel) Order 2014; and The Hinkley Point C (Nuclear Generating Station) Order 2013.</p>

ExQ1	Question to:	Question:
	Response by East Suffolk Council at Deadline 2	ESC is concerned that this Article [AS-143] is currently drafted to include a power that is far too wide and which is unjustified. ESC considers that it would be sufficient for the Applicant to have the power to fell trees etc. solely within the Order Limits. It therefore proposes that this Article be amended so that it reads: "The undertaker may fell or lop any tree or shrub within the Order limits, or cut back its roots or branches to the extent that they are within the Order limits, if it reasonably believes it to be necessary to do so..."
	Response by Suffolk County Council at Deadline 2	SCC has seen the response of ESC, and concurs with it, but would also add that if the ExA were minded to recommend some flexibility to the Applicant then article 79(1) could begin: "The undertaker may fell or lop any tree or shrub within or overhanging land within the Order limits," This wording is precedented, for example, in article 35 of the A63 Castle Street Improvement Hull Order 2020
	Response by SZC Co. for Deadline 3	For the reasons given in SZC Co.'s response for Deadline 2, it would not be appropriate or necessary to confine the power to trees solely within or overhanging the Order Limits.
	Response by East Suffolk Council at Deadline 3	ESC remains concerned that Article 79 is drafted too widely. Please see ESC's response to DCO.1.50 submitted at Deadline 2 for full details.
	Response by SZC Co. at Deadline 5	No further comments.
DCO.1.54	The Applicant, The Host Authorities, parties to which the deemed consent provisions in the Articles of the dDCO apply	<p>Art 83 and Sch 23 – procedure for approvals, consents and appeals.</p> <p>(i) The ExA invites comments in general on Sch 23 from the Host Authorities who will be the recipients of most applications and appeals to which Sch 23 will apply.</p> <p>(ii) Parties to which the deemed consent provisions in the Articles of the dDCO apply are also invited to comment on Sch 23, and their attention is drawn to the EM para 9.25 and following.</p> <p>(iii) In para 1(2) of Sch 23, there are two different time periods for discharge of requirements depending on whether consultation is necessary. The shorter period, 5 weeks, is shorter than the period specified in the model Sch at Appendix 1 of the Inspectorate's Advice Note 15. Whilst the ExA note the Applicant's more generous 8 week period in consultation cases, what is the justification for taking a week off the standard period?</p>

ExQ1	Question to:	Question:
		<p>(iv) Fees. The ExA notes that there is no drafting at present and that the Applicant hopes to cover these with a performance or s.106 agreement. Until such time as that is concluded satisfactorily, the ExA would prefer to see drafting on fees in the dDCO. Please will the Applicant insert in the next draft of the dDCO the wording to be found at Sch 2 Part 2 para 3 of the Northampton Gateway DCO as made, (2019/1358). The ExA is not, by requiring this, expressing any view as to the desirability or fairness of those provisions.</p> <p>Please will the Applicant explain why para 3(11) of Sch 23 which reads: "the appointed person must have regard to Communities and Local Government Circular 03/2009 or any circular or guidance which may from time to time replace it" refers to Circular 03/2009 rather than "the Planning Practice Guidance published by the Department for Communities and Local Government on 6th March 2014 or any circular or guidance which may from time to time replace it" which is the wording in Appendix 1 of AN15?</p>
	Response by SZC Co. at Deadline 2	<p>i) Not for the Applicant.</p> <p>ii) Not for the Applicant.</p> <p>iii) Para (1)(2)(b) has been updated to allow for six weeks as per the model schedule at Appendix 1 of Advice Note 15.</p> <p>iv) Council resources will be included in the next revision of the draft Deed of Obligation which will be submitted at Deadline 3 so it is not considered necessary to add fees-related drafting to the draft DCO.</p> <p>To confirm, in revision 3 of the draft DCO [AS-143] the reference to Circular 03/2009 was replaced with reference to the Planning Practice Guidance.</p>
	Response by East Suffolk Council at Deadline 2	<p>(i) ESC has a number of comments to raise in relation to Schedule 23 [AS-143], as follows:</p> <p>1(2)(b) is considered unnecessary as, as far as ESC is aware, there is never a situation in which a body does not have to consult further. If the Applicant considers that this is necessary, ESC would welcome an explanation of when such a situation would arise.</p> <p>2(1): ESC considers it important that it is explicitly set out within this Schedule that it is not confined to being able to ask for further information just once and would invite the Applicant to make an appropriate change to 2(1) in response to this concern.</p> <p>2(2): 7 working days is considered too short a period, and shorter than the proposed period in Advice Note 15 which advises 10 business days. ESC considers that 10 working days would be more appropriate.</p> <p>2(3): 3 working days is considered too short a period, in particular as this does not even cover a full working week when the relevant person may be on leave or not working; ESC considers that 10 working days would be more appropriate.</p>

ExQ1	Question to:	Question:
		<p>3(2)(d) and (e): 10 working days is considered too short a period, and shorter than the proposed period in Advice Note 15 which advises 20 business days. ESC considers that 20 working days would be more appropriate.</p> <p>(ii) ESC has commented under (i) above.</p> <p>(iii) ESC has provided a comment on this under (i) above.</p> <p>(iv) ESC agrees that reference to fees ought to be made within Schedule 23 and considers that it would be appropriate for Schedule 23 to cross refer to the section 106 agreement to the extent that it relates to staffing costs for the discharge of requirements. ESC would welcome the Applicant providing some wording in this regard.</p>
	Response by Suffolk County Council at Deadline 2	SCC has seen the replies of ESC on questions (i) to (iv) and concurs with them all.
	Response by SZC Co. at Deadline 3	<p>In response to each of ESC's comments:</p> <ul style="list-style-type: none"> • 1(2)(b): as stated in SZC Co.'s response at Deadline 2, paragraph (1)(2)(b) has been updated to allow for six weeks as per the model schedule at Appendix 1 of Advice Note 15. An example of where ESC's approval is required without further consultation can be found in Requirement 12A (Sports Facilities: Reserved matters). • 2(1): the drafting of paragraph 2(1) does not preclude ESC from requesting further information on more than one occasion; indeed, it is considered that the reference in 2(1)(4) to "or otherwise fails to request any further information within the timescales provided" makes it clear that as part of the approval process further information can be requested in respect of the same matter more than once. • 2(2): this update was made to revision 4 of the draft DCO [REP2-015]. • 2(3): updates were made to revision 4 of the draft DCO [REP2-015] to reflect that the undertaker must issue the consultation to the requirement consultee, as opposed to the discharging authority. • 3(2)(d) and (e): this update was made to revision 4 of the draft DCO [REP2-015]. • (iv): SZC Co. has nothing further to add to its response for Deadline 2 on this point.
	Response by East Suffolk	ESC welcomes the changes that the Applicant has made to Schedule 23 in revision 4 of the draft DCO submitted for Deadline 2, to bring the timescales in line with Advice Note 15.

ExQ1	Question to:	Question:
	Council at Deadline 3	However, ESC maintains its previous position that reference to fees relating to staffing costs for the discharge of requirements ought to be made within Schedule 23. ESC would welcome the provision of some wording from the Applicant to address this issue.
	Response by Suffolk County Council at Deadline 3	<p>SCC supports the general points made by ESC to this question and reserves its position on those points until the Applicant's response to those not addressed has been considered.</p> <p>The Applicant has not responded to questions (i) and (ii).</p> <p>(iii) In its response to the question, ESC (supported by SCC) consider that paragraph 1(2)(b) of Schedule 23 is unnecessary, and sought an explanation. SCC reserves its position until a response from the Applicant is made and considered, but in the meantime notes the alteration made to paragraph 1(2)(b)(i) and (ii) of Schedule 23, extending the decision period from 5 weeks to 6 weeks, in line with Advice Note 15.</p> <p>(iv) SCC reserves its position on fees until it has considered the next version of the draft deed of obligation, mentioned by the Applicant.</p> <p>SCC welcomes the alteration that has been made to paragraph 2(2) extending the period for requesting further information from 7 to 10 working days, in line with Advice Note 15.</p> <p>SCC notes the changes made to paragraph 2(3). It would like an explanation as to these changes. The DCO places duties on the discharging authorities to consult other bodies under Schedule 2 (for example, in requirement 3(1), SCC must consult Historic England before approving a written scheme of investigation). The changes to paragraph 2(3) appear to require the undertaker (rather than the body carrying out the consultation) to issue the consultation, which seems unusual. The changes also appear to have removed any reference to requests for further information by the requirement consultee, so the revised subparagraph (3) does not now sit easily in paragraph 2.</p> <p>SCC considers that the discharging authority should carry out the consultation, though the time limit of 3 days for the consulting body to issue the consultation should be increased to 10 days as in the previous draft of the DCO.</p>
	Response by SZC Co. at Deadline 5	<p>In response to ESC's Deadline 3 comments:</p> <ul style="list-style-type: none"> • Council resources will be included in a future draft of the Deed of Obligation so it is not considered necessary to add fees-related drafting to the draft DCO. <p>In response to SCC's Deadline 3 comments:</p>

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> • Questions (i) and (ii) were directed at the Host Authorities • Question (iii): the Applicant provided in its response at Deadline 3 that an example of where ESC's approval is required without further consultation can be found in Requirement 12A (Sports Facilities: Reserved matters) – this justifies why there are there are two different time periods for discharge of requirements. • Question (iv) regarding paragraph 2(3), the Applicant refers SCC to the Applicant's Deadline 3 response, bullet points 2, 3 and 4 regarding paragraphs 2(1), 2(2) and 2(3).
DCO.1.61	The Applicant, ESC, MMO, Natural England	<p>Sch 1 Part 1. Work No 2.</p> <p>The routes of the tunnels are not shown. Please will the Applicant explain why. Please also confirm that whether shown or not, they will not extend outside the Order Limits or the limits to the Works comprised in Work No. 2 shown on the Works Plans.</p> <p>Work numbers 2B and 2D shown on the works plans indicate the separation between the cooling water intakes for units 1 and 2.</p> <p>Can the applicant explain the separation distances between them, which presumably accounts for tunnelling for unit 1 (work no. 2A) being 200m shorter than the corresponding water intake for unit 2 (work no. 2C)?</p> <p>Whilst the intake locations are set out on the works plans, the limits of deviation for the bored tunnels themselves are unlimited within the harbour area as shown on the works plans. This also applies to work no. 2E, 2G, 2I and 2K, which extend between work no 1A and terminate at work 2F, 2H, 2J and 2L respectively Can the applicant confirm what assumptions have been made regarding their alignment within the ES and HRA, and why more defined limits of deviation cannot be set out on the works plans.</p> <p>ESC, MMO and Natural England may also wish to comment on this.</p>
	Response by SZC Co. at Deadline 2	<p>The boundary within which the cooling water and fish return tunnels (Work Nos 2A, 2C, 2E, 2G, 2I and 2K) may be carried out is shown on the Works Plans 2, 4, 5 and 6 by reference to the green dotted line shown in the key which refers to these works. The description of these works in Schedule 2 expressly cross-refers</p>

ExQ1	Question to:	Question:
		<p>to these Works Plans. The Applicant confirms that these works will not extend outside the Order limits. This is clear on the plans, since the boundary of the green dotted line within which these works are to be carried out does not extend outside the solid red line on the Works Plans which indicates the Order limits. It was not considered necessary to show the exact alignment of the completed tunnel within these areas, since:</p> <p>(i) the alignment of the tunnels will be constrained in practice by the location of the outfalls for each tunnel, which are shown by dotted black lines in the form of circles/ovals shown on the Works Plans and labelled as Work Nos, 2B, 2D, 2F, 2H, 2J and 2K, and the need for the tunnels to be built in straight lines from the power station onshore; and (ii) the deemed marine licence requires details of the tunnels to be approved by the MMO prior to commencement of these works. See DML condition 44 and 48 which refer to <i>'the alignment (horizontal and vertical)'</i> of these tunnels.</p> <p>Abstraction of cooling water is not only part of the conventional electricity generating process of a direct-cooled station, but it also serves to cool essential and safety systems. Therefore, the cooling water infrastructure is safety classified and needs a degree of redundancy built in, such that if cooling water from one source is lost then cooling can still be maintained from another source. Relative geographic separation of the two intake tunnels achieves this redundancy (each intake tunnel also has two intake heads, separated by 100m for the same reason). The ExA is correct that the tunnel lengths simply reflect the shortest route to the intake heads. There is no significance attached to this.</p> <p>The alignment of the three cooling water tunnels is completely disregarded in the ES and HRA assessments as, being several tens of metres below the seabed there is no pathway for them to cause environmental impacts (concerns regarding bentonite frack-out from the Tunnel Boring Machines notwithstanding as that has no relevance to the route of the tunnels). Indeed, it is likely that the tunnels themselves will be exempt from needing a Marine Licence for those same reasons.</p>
	Response by East Suffolk Council at Deadline 2	<p>ESC agrees with the ExA that it is not clear if, or where, the routes of the tunnels are shown on the plans submitted as part of the application. Furthermore, ESC agrees that the limits of deviation for the bored tunnels appear to be unlimited within the harbour area and ESC is concerned with this approach [AS-143]. In particular, ESC's concern relates to the adequacy of environmental assessment carried out and reported in the ES. ESC would welcome the Applicant's explanation as to how the environmental impact assessment has been carried out and what assumptions about tunnel locations have been made in coming to conclusions on the likely significant effects of these works.</p>
	Response by the MMO at Deadline 2	<p>The MMO notes that this question is for the Applicant. The MMO would like to further note that we have not yet been provided with the applicant's response to this, and as such will defer to a later deadline should we wish to comment on their response.</p>

ExQ1	Question to:	Question:
	Response by Natural England at Deadline 2	Natural England have no comment to provide on this matter at this deadline.
	Response by SZC Co. at Deadline 3	No further comments to add to SZC Co. response for Deadline 2 in response to ESC's comments on the route of the tunnels on plans, limits of deviation and the EIA assessment of the tunnels.
	Response by East Suffolk Council at Deadline 3	ESC's previous concerns remain (for full details please see ESC's response to DCO.1.61 submitted for Deadline 2). In addition, ESC notes that the Applicant's response to this question appears to be internally inconsistent in that it says that the MMO will have to confirm the locations for tunnels in the Deemed Marine Licence but then also states that a Deemed Marine Licence may not be necessary.
	Response by SZC Co. at Deadline 5	The Applicant has no further comments to make save for clarifying that the location of the outfall heads will be approved under the DML and this constrains the location of the tunnels themselves. However as the tunnels are several tens of metres below the seabed the locations of the tunnels it is not necessary for the locations of the tunnels to be approved directly under the DML as an Exemption will likely apply. For this same reason, no environmental impact is predicted to occur. Furthermore, DML Condition 47 requires that the alignment of the tunnels is provided and approved prior to works commencing.
DCO.1.66	The Applicant, SCC	Sch 1 Part 1, Work No. 9, para (b). Is reinstatement of the A12 alignment in some 60 years time the appropriate course? Or does "operational use" refer to use of the Northern park and ride? If the latter, some clarificatory wording would seem sensible.
	Response by SZC Co. at Deadline 2	This is intended to refer to cessation of the operational use of the Northern park and ride site. Clarificatory drafting has been added to Rev 4.0 draft DCO (Doc Ref. 3.1(C))
	Response by Suffolk County Council at Deadline 2	SCC considers it would be helpful if para (b) clarified what "operational use" refers to in the next version of the DCO.

ExQ1	Question to:	Question:
	Response by SZC Co. at Deadline 3	No further comments to add to SZC Co. response for Deadline 2.
	Response by Suffolk County Council at Deadline 3	The Applicant's response says that, in Sch 1 Part 1, Work No. 9, para (b), the words "operational use" refer to use of the Northern park and ride and that "Clarificatory drafting has been added to Rev 4.0 draft DCO (Doc Ref. 3.1(C))". Based on the Rev 4.0 draft DCO published in the Examination Library, this drafting has not been included in Sch 1 Part 1, Work No. 9, para (b).
	Response by SZC Co. at Deadline 5	The update to Work No.9(b) has been made to revision 5 of the draft DCO (Doc Ref. 3.1(D)).
DCO.1.69	The Applicant, ESC	Sch 1 Part 2, Other Associated Development. The Works in Sch 1 Part 2 may be carried out during both the construction period and the operational period which is some 60 years. They apply also to maintenance. Many of them are works which would normally require planning consent. For example para (b) would allow new drainage systems; (c) allows stacks and chimneys; (i) allows new amenity buildings; (i) also allows "associated structures and plant; and (i) also allows associated post-operation phase work" without stating with what they are to be associated (the post-operation phase is presumably some 60-70 years hence and includes the decommissioning phase); (k) allows extensive alterations to highways; (n) includes habitat creation; (o) includes works for the protection of land or structures; and (p) allows "such other works as may be necessary or expedient" for construction, operation and maintenance (with a reference to environmental effects). (i) Is it justifiable to have such extensive powers in relation to the operation and maintenance of the Proposed Development? (ii) Is the location of the works limited to the Order Limits? (iii) What will be the constraints in the DCO if made on the development they permit? (iv) The EM para 10.4 says they are "minor works". Where is such a limit set out in the dDCO? (v) Please will the Applicant supply a reconciliation of the works described in Sch 1 Pt 2 with the development assessed in the ES?

ExQ1	Question to:	Question:
	Response by SZC Co. at Deadline 2	See Appendix 14B - DCO Drafting Note 2.
	Response by East Suffolk Council at Deadline 2	(i) and (ii): ESC is of the view that the principle of including such works is justifiable, but this list does appear more extensive than usual and contrasts with the precision with which the numbered works are specified in words and shown on the works plans [AS-143]. Some of the works listed here are of an equivalent nature to the numbered works (e.g. (c) and (n)) and should be their own numbered work; and others would only apply to specific works rather than any of them (e.g. (g) and (l)) and should be included in the descriptions of those works only. ESC would further wish to be satisfied that: - the Applicant has assessed the likely significant effects of these appropriately in the ES; and - that any works are limited to being within the Order Limits. ESC would welcome the Applicant's confirmation on these points as well as clarification and/or confirmation on points (iii), (iv) and (v).
	Response by SZC Co. at Deadline 3	SZC Co's full response is set out in Appendix 14B - DCO Drafting Note 2 [REP2-111] No further comments to add to SZC Co. response for Deadline 2.
	Response by East Suffolk Council at Deadline 3	ESC's previous concerns remain (for full details please see ESC's response to DCO.1.69 submitted for Deadline 2).
	Response by Suffolk County Council at Deadline 3	The ExA will need to be satisfied that the works set out in Part 2 of Schedule 1 have been assessed. SCC notes the contents of DCO Drafting Note 21 and has considered the content of Part 2 of Schedule 1 against the documents referred to in paragraphs 5.2.1 to 5.2.8 of DCO Drafting Note 2. It is not clear to SCC that the works referred to in sub-paragraphs (g) concerning marine works and (n) concerning habitat creation and management have been assessed and SCC would welcome the Applicant's confirmation on these points. SCC also looks forward to hearing the Applicant's response to ESC's suggestion that certain works listed in Part 2 of Schedule 1 should be their own numbered work and others would only apply to specific works rather than any of them.
	Response by SZC Co. at Deadline 5	The Applicant considers that Appendix 14B – DCO Drafting Note 2 [REP2-111] adequately responds to ESC's suggestion that certain works within Part 2 of Schedule 1 should be their own numbered work.

ExQ1	Question to:	Question:
		<p>In terms of sub-paragraph (g) concerning marine works, the requirements for dredging and navigational markers are described within Volume 3, Appendix 2.2.A of the ES Addendum (Description of Permanent Development) [REP2-036] and Volume 2, Appendix 3D Construction Method Statement of the ES [REP3-015]. These works were subsequently assessed within Volume 2, Chapters 20 to 24 of the ES [APP-311 to APP-339], as updated by Volume 1, Chapter 2 of the ES Addendum [AS-181].</p> <p>In terms of sub-paragraph (n) concerning habitat creation and management, these works are described within each of the relevant Description of Development chapters of the ES (e.g. [REP2-036], [AS-244] and [AS-248]), and have been subsequently considered within the relevant site volumes of the ES. It is noted that the park and ride, green rail route and freight management facility sites are to be returned to agricultural use following the removal and reinstatement of temporary development, and therefore, habitat creation and management works are limited to temporary soft landscaping shown on the relevant landscape masterplans.</p>
DCO.1.73	The Applicant, ESC	<p>Schedule 2 para 1(3).</p> <p>This paragraph is relevant to approvals of details or documents under a requirement “<i>where compliance with a document contains the wording “unless otherwise agreed” by the discharging authority</i>”. The approval is not to be given unless the changes or deviations have been demonstrated to the discharging authority not to give rise to “<i>any materially new or materially different environmental effects to those assessed in the environmental information</i>”.</p> <p>Environmental assessment is a process which assesses not effects but projects to see what significant effects the project is likely to have.</p> <p>(i) Why is comparison with assessed effects relevant? Those effects will include things found to have various degrees of significance, which may then have been mitigated by for example secondary or tertiary mitigation.</p> <p>(ii) Should the assessment instead be against the position at the time of seeking the “unless otherwise agreed” - the baseline may have changed by then. If there is to be a comparison with the current assessment, or the assessment after mitigation, what is the appropriate documentation against which the comparison should be made and how is it to be identified and accessed?</p>

ExQ1	Question to:	Question:
		<p>(iii) How is the decision on effects to be taken? Could the “subsequent application” approach in the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017/572 be applied by the DCO to the approvals addressed by para 1(3) of Sch 2 and provide a suitable procedure? The ExA notes that the subsequent approvals process incorporates a screening process so as to weed out matters not needing EIA.</p>
	Response by SZC Co. at Deadline 2	<p>See Appendix 14E - DCO Drafting Note 5. It should be noted that in considering its response to this question, the Applicant has decided to remove the drafting at Schedule 2, paragraph 1(4) as it is not considered necessary. This is because the Applicant has factored in to the parameter heights for all buildings and structures an allowance for all necessary external projections, and these parameters have been used for the purposes of carrying out the environmental assessment. Notwithstanding this, the Applicant sets out below information in response to the ExA's questions which is hopefully helpful.</p> <p>The construction of the approved buildings or structures, including their design, size and location, is regulated and constrained by Requirements which also apply to external projections. These include, in particular:</p> <ul style="list-style-type: none"> • R11 (Main development site: Approved buildings, structures and plant). This requires the relevant numbered works to be carried out in accordance with the Approved Plans (including elevations and roof plans). Detailed designs for approximately 65 buildings and structures within the main development site have been submitted for approval. Any external projections on those buildings and structures would need to be in accordance with those Approved Plans. In addition, R11 requires those same numbered works to be carried out in accordance with the detailed design principles in Chapter 5 of the MDS DAS (Doc Ref. 8.1Ad2(A)). • Authority. The details must accord with the detailed design principles in Chapter 5 of the MDS DAS (Doc Ref. 8.1Ad2(A)) (see above). • R13 (main development site: Ancillary structures, other building and plant). This requires the relevant numbered works to be carried out in general accordance with the detailed design principles in Chapter 5 of the MDS DAS (Doc Ref. 8.1Ad2(A)) (see above). • R 17 (Accommodation campus: Buildings and structures). This requires the relevant numbered works to be carried out in general accordance with the detailed design principles in Table A.1 of the MDS DAS (Doc Ref. 8.1Ad2(A)) (see above). Although these principles do not specifically control the provision of plant, an area of plant is provided within the service area located to the rear of the recreation building, thus making it unlikely that any significant plant would need to be provided on the exterior of the proposed buildings themselves.

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> R20 (Associated development sites: Buildings and structures). This requires Work No. 9 (northern park and ride), Work No. 10 (southern park and ride) and Work No. 13 (freight management facilities) to be carried out in accordance with the relevant Parameter Plans and Approved Plans, and in general accordance with the relevant sections of the Associated Development Design Principles (Doc Ref. 8.3(A)). These three AD sites are the ones that will have buildings and the parameters for their dimensions, including heights, are stipulated on the for approval general arrangement and parameter plans. <p>The heights secured by the Requirements summarised above have been assessed in the relevant chapters of the ES and can be found in the descriptions of development – please refer to the DCO Signposting Document (Doc. Ref. 3.4(B)).</p>
	Response by East Suffolk Council at Deadline 2	<p>(i) ESC considers that with this provision the Applicant is appropriately trying to limit the amount of changes that can be made to the authorised development once consented, however ESC agrees that the wording is perhaps not as clear as it could be. The provision is intended to mean that any approvals given can only be given to activities within the scope of the environmental assessment [AS-143]. ESC suggests the following wording would be more appropriate:</p> <p>“(3) Where an approval of details or other document is required under the terms of any requirement or where compliance with a document contains the wording “unless otherwise agreed” by the discharging authority, such approval of details or of any other document (including any subsequent amendments or revisions) or agreement by the discharging authority is not to be given except in relation to changes or deviations where it has been demonstrated to the satisfaction of the discharging authority that giving such approval would not give rise to any materially new or materially worse adverse environmental effects in comparison with those reported in the environmental statement.”</p> <p>(ii) It is not considered appropriate for the authorised development to be subject to an ongoing assessment which compares any potential new effects to a changing baseline. The future changing baseline is taken into account in the ES: the ES assesses the likely significant effects of the authorised development and predicts the expected changes to the baseline in the cumulative effects section.</p> <p>(iii) ESC would welcome an approach to subsequent approvals similar to that set out in the Northampton Gateway Strategic Railfreight Interchange DCO, as made. In particular, Article 44 of that DCO gives clarity to the process for subsequent approval under the Requirements. It makes it abundantly clear what can and cannot be given approval, and it references an appropriate procedure within Schedule 2 ‘Requirements’ for applying for and obtaining such approval.</p>

ExQ1	Question to:	Question:
		ESC notes that Schedule 23 of the draft DCO appears to be an attempt on behalf of the Applicant to set out a similar procedure, but ESC would welcome the Applicant reviewing this procedure in light of the approach and the procedure in the Northampton Gateway Strategic Railfreight Interchange DCO.
	Response by SZC Co. at Deadline 3	<p>In response to ESC's response, the Applicant has the following comments:</p> <p>(i) Please see Appendix 14E - DCO Drafting Note 5 [REP2-111] and the amendments made to Schedule 2, para. 1(3) and the definition of "environmental information" in revision 4 of the draft DCO [REP2-015]. The suggested amendment (i.e. changing "the subject matter of the approval or agreement sought does" to "giving such approval would") is not considered acceptable to SZC Co. as it is the material submitted, not the decision made, which needs to be compared against the environmental information (as defined).</p> <p>(ii) Please see Appendix 14E - DCO Drafting Note 5 [REP2-111].</p> <p>(iii) SZC Co. considers that Schedule 2, para. 1(3) and Schedule 23 provide ample clarity on what the procedure for approvals of requirements is and what can and cannot be approved from an EIA perspective.</p> <p>The Applicant would also like to note that the response to ExQ1 DCO 1.73 should read "See Appendix 14E – DCO Drafting Note 5" only. The rest of the response is the response to DCO.1.73 and was included here in error.</p>
	Response by Suffolk County Council at Deadline 3	SCC has considered the Applicant's and ESC's replies to DCO.1.73 and considers ESC's proposed revisions to Schedule 2 para 1(3) should be adopted by the Applicant. SCC also agrees with ESC's reply to DCO.1.73(iii).
	Response by SZC Co. at Deadline 5	No further comments save to note that this issue was addressed at Issue Specific Hearing 1. A summary of the oral submissions on this point can be found at in the Written Summaries of Oral Submissions at ISH1 (Doc Ref. 9.41).
DCO.1.75	The Applicant, ESC	<p>Art 1(5).</p> <p>Is not the default meaning for the phrase "commencement of development" rather counterintuitive? Please will the Applicant consider reverting to the position that the phrase means commencement of any part of the Proposed Development? This would be consistent with the definition of "commence" in Art 2 of the dDCO. Please will ESC also consider and comment?</p>

ExQ1	Question to:	Question:
	Response by SZC Co. at Deadline 2	<p>The drafting at Schedule 2, paragraph 1(5) is not introducing a different definition of '<i>commencement</i>' but rather it is explaining for the avoidance of doubt that in Schedule 2 (Requirements) where there is a pre-commencement requirement which applies (or can apply) to a specific site or Work No. then references to '<i>commencement</i>' of development are to commencement of development of that specified site or work only. The purpose of this is to enable the discharge of pre-commencement requirements on a site-by-site basis. This is reasonable given the scale and nature of the Sizewell C Project and avoids details having to be submitted in respect of the whole authorised development when works are commencing in respect of a work or part of a work only.</p> <p>The Explanatory Memorandum (Doc Ref.3.2(B)) at paragraph 10.15 explains this in the following terms: <i>"As the requirements often apply to several Works, the undertaker has the ability to discharge requirements in parts. The discharge of a certain requirement may be required at different times for different Works through the construction programme as new information is delivered and the construction progresses. This allows the undertaker to prioritise discharging certain parts of requirements at the correct time in the construction programme."</i></p>
	Response by East Suffolk Council at Deadline 2	<p>ESC agrees with the ExA that this seems to be an inconsistent approach and would welcome an appropriate change to be made to 1(5) of Schedule 2 [AS-143] so that it states: "Unless otherwise provided in this Order, where a requirement relates to a specific site or Work and it specifies "commencement of development", it refers to the commencement of development of the authorised development." ESC would then expect to see, in line with the wording preceded in other DCOs, that certain requirements then refer more specifically to commencement of development for certain works.</p>
	Response by Suffolk County Council at Deadline 2	Although this question is not directed at SCC, SCC considers the ExA's suggestion is sensible.
	Response by SZC Co. at Deadline 3	SZC Co considers that its original response to this question explains the approach and adequately deals with ESC's comments.
	Response by Suffolk County	SCC notes the Applicant has decided not to amend paragraph 1(5) of Schedule 2 in accordance with the ExA's suggestion.

ExQ1	Question to:	Question:
	Council at Deadline 3	SCC agrees with ESC's response on the changes that should be made to paragraph 1(5) of Schedule 2.
	Response by SZC Co. at Deadline 5	No further comment, save to note that this issue was addressed at Issue Specific Hearing 1. A summary of the oral submissions relating to this point can be found in the Written Summaries of Oral Submissions at ISH1 (Doc Ref. 9.41).
DCO.1.76	The Applicant, ESC	R2 and (in Revision 1) R3 both refer to "removal and reinstatement" of the authorised development. Whilst this is so as to regulate such matters, what is "removal and reinstatement" this intended to cover?
	Response by SZC Co. at Deadline 2	Requirement 2 has been updated to clarify which works ' <i>removal and reinstatement</i> ' relate to.
	Response by East Suffolk Council at Deadline 2	ESC cannot confirm, and will leave it up to the Applicant to do so, but it considers that this particular reference to "removal and reinstatement" may be in relation to Requirement 16 [AS-143] which deals with the removal of certain things specifically in relation to Work No.3.
	Response by SZC Co. at Deadline 3	No further comments to add to SZC Co. response for Deadline 2.
	Response by Suffolk County Council at Deadline 3	The Applicant's response states "Requirement 2 has been updated to clarify which works 'removal and reinstatement' relate to" and R2 now states – "The construction, of the authorised development and the removal and reinstatement of the temporary works must be carried out in general accordance with the Code of Construction Practice, unless otherwise approved by East Suffolk Council". For the avoidance of doubt, SCC considers R2 needs to explain what "the temporary works" refers to. For instance, is it meant to cover each of the temporary works set out in Part 1 of Schedule 1 or something else?
	Response by SZC Co. at Deadline 5	Temporary works refers to any non-permanent elements of the authorised development. The reason for including specific reference to "temporary works" was to respond to the ExA's original ExQ1 DCO 1.76 by way of clarifying that "removal and reinstatement" does not relate to removal and reinstatement of the permanent elements of the authorised development (e.g. Work No. 1A).

ExQ1	Question to:	Question:
DCO.1.78	The Applicant, ESC	<p>R4.</p> <p>(i) Please will the Applicant collate where the ES sets out the need and content of ecological monitoring which is referred to in this requirement? Please will it also explain how R4 complies with the need for EIA prior to decision in the light of <u>R v. Cornwall CC ex p Hardy</u> Env L R 25; [2001] JPL 786?</p> <p>(ii) Why is the terrestrial ecology monitoring plan confined to the works listed on R4? Should it not be required for all the Works?</p>
	Response by SZC Co. at Deadline 2	Please see Appendix 14L – DCO Drafting Note 11.
	Response by East Suffolk Council at Deadline 2	<p>(i) For the Applicant to respond on.</p> <p>(ii) ESC agrees with the ExA that a terrestrial ecology monitoring plan should cover all of the Works forming part of the authorised development as any of them may have impacts on terrestrial ecology, and, as the approving body under this requirement, ESC would expect this to be the case [AS-143].</p>
	Response by SZC Co. at Deadline 3	Further to SZC Co's response for Deadline 2, SZC Co notes that in revision 4 of the draft DCO [REP2-015] requirement 4 has been updated to apply to the whole of the authorised development as opposed to specific sites.
	Response by East Suffolk Council at Deadline 3	<p>ESC notes that this Requirement has been updated in revision 4 of the draft DCO submitted by the Applicant for Deadline 2.</p> <p>ESC confirms that it has seen and commented on a draft of the Terrestrial ecology monitoring and mitigation plan (TEMMP) at Deadline 2. The TEMMP is not yet agreed.</p> <p>Whilst ESC is not concerned with the approach set out in Requirement 4, it notes that the TEMMP is not listed as a certified document in the draft DCO and would suggest that it is included as a certified document in the next draft of the DCO so as to ensure compliance is with an identifiable document.</p>
	Response by SZC Co. at Deadline 5	The TEMMP has been added as a certified document in Schedule 22 of revision 5 of the draft DCO (Doc Ref. 3.1(D)).
DCO.1.80	The Applicant, ESC	<p>R7.</p> <p>(i) How is the proper implementation of the water levels management plan to be enforced?</p>

ExQ1	Question to:	Question:
		(ii) R7 concerns the Water Monitoring and Response Strategy but in 7(3) it is called the Site Water Mitigation and Response Strategy, which would appear to be incorrect. Please will the Applicant consider, respond and amend as necessary.
	Response by SZC Co. at Deadline 2	<p>The Water Monitoring and Response Strategy [AS-236] for the main development site ensures that the water monitoring plans which will be approved by East Suffolk Council secure all of the measures necessary to mitigate the impacts associated with the Sizewell C Project. This includes the works and mitigation measures which are in the Applicant's control.</p> <p>In addition to these measures a memorandum of understanding with ENGL, RSPB and the Applicant is being developed which seeks to ensure that the current water level management regime, including responsibilities, continues to operate in the existing way.</p> <p>Requirement 7 has been amended to refer to the correct strategies.</p>
	Response by East Suffolk Council at Deadline 2	<p>(i) As the approving body under this Requirement [AS-143], ESC would ensure that any such plan, as approved, would include monitoring powers and appropriate sanctions within it should any breaches occur. In addition, breaching this Requirement by not complying with any such plan would also be a criminal offence.</p> <p>(ii) For the Applicant to respond on.</p>
	Response by SZC Co. at Deadline 3	No further comments to add to SZC Co. response for Deadline 2.
	Response by RSPB at Deadline 3	Although the Applicant proposes that water level management can be achieved by a memorandum of understanding with the RSPB (in its response) we are not satisfied at present that this will be appropriate or sufficient to address the concerns we have with regard to potential effects in the Minsmere catchment.
	Response by SZC Co. at Deadline 5	For the avoidance of doubt, the Water Monitoring and Response Strategy sets out the overall approach to monitoring and managing water levels within Work 1A. Requirement 7 then secures a water monitoring plan, which would provide further details than those set out in the Water Monitoring and Response Strategy. This would secure the mitigation within SZC Co.'s control. A memorandum of understanding is also proposed to ensure that all parties who are currently responsible for managing water levels in the wider area would continue to do so in the longer term, with each party seeking to agree that they would

ExQ1	Question to:	Question:
		place no further burden on any adjoining landowner than at present. This will ensure that water levels continue to be managed in a way that supports the ecological value of the Sizewell Marshes SSSI. SZC Co. is continuing to engage with RSPB on this matter and is hopeful that agreement can be reached.
DCO.1.87	The Applicant, ESC	(i) It seems to the ExA that the implementation of the landscape and ecology works could be avoided simply by failing to submit the landscape scheme. Should not the prohibition on commencing the landscape works be changed to a prohibition on commencing the authorised development? (ii) Is this the Requirement referred to at para 7.1.2 of the oLEMP [APP-588]?
	Response by SZC Co. at Deadline 2	Requirement 14 relates solely to the landscape and ecology implementation and maintenance of the operational power station site. Requirement 14 has been updated to require the landscape scheme to have been submitted for approval by ESC within 6 months of Unit 1 commencing operation. The landscape and ecology scheme must be carried out as approved. Yes, Requirement 14 is the requirement referred to at para 7.1.2 of the oLEMP [APP-588] (note now updated by [REP1-010]).
	Response by East Suffolk Council at Deadline 2	(i) ESC agrees with the ExA and considers that this is the case of a minor oversight from the Applicant. (ii) ESC does not consider that this is the corresponding Requirement but would welcome the Applicant's confirmation of this [AS-143].
	Response by Suffolk County Council at Deadline 2	Although this question is not directed at SCC it comments as follows (i) SCC considers that it should be a prohibition on commencing the authorised development. (ii) SCC consider that the answer to this question is no. Para 7.1.2 says – An Ecological Steering Group will be established prior to the main development site landscape works commencing in order to advise on the management measures that would be specified within the LEMP. This is secured by a requirement in Schedule 2 of the Draft DCO (Doc Ref. 3.1) relating to the detailed landscape scheme. It should be expected that this group will merge into the Operational Management Group after completion of the landscape works.
	Response by SZC Co. at Deadline 3	The oLEMP [REP1-010] sets out clear objectives and general principles for the establishment and longer-term management of the landscape and ecology mitigation proposals through the operational period of Sizewell C. The monitoring proposals are set out in Table 7.1 and will be subject to further approval as part of the LEMP required under Requirement 14 of the draft DCO [REP2-015].

ExQ1	Question to:	Question:
	Response by East Suffolk Council at Deadline 3	ESC notes that revision 4 of the draft DCO submitted for Deadline24 makes amendments to Requirement 14. ESC is content with the new 'trigger' for submission of the landscape scheme for approval by ESC
	Response by Suffolk County Council at Deadline 3	<p>(ii) SCC is surprised by the Applicant's reply to D1.87(ii). Para 7.1.2 of the oLEMP [APP-588] says – "An Ecological Steering Group will be established prior to the main development site landscape works commencing in order to advise on the management measures that would be specified within the LEMP. This is secured by a requirement in Schedule 2 of the Draft DCO (Doc Ref. 3.1) relating to the detailed landscape scheme. It should be expected that this group will merge into the Operational Management Group after completion of the landscape works".</p> <p>SCC does not consider R14 can be the requirement mentioned in para 7.1.2 of the oLEMP, not least since no mention of an Ecological Steering Group in made in R14 (or in Chapters 5 or 8 of the Main Development Site Design and Access Statement) [APP-585 and APP-586).</p>
	Response by SZC Co. at Deadline 5	For the avoidance of doubt, paragraph 7.1.2 of the OLEMP should refer to the Ecological Working Group. The draft Deed of Obligation (Doc Ref. 8.17(E)), Schedule 11, paragraph 11.1, identifies that this group would be established before the anticipate commencement date and 11.4.5 then states that the group would advise on the appropriate management measures that would be specified within the LEMP that is required by Requirement 14. The same group would then review monitoring undertaken during the operation stage of the project in accordance with the TEMMP and oLEMP (paragraph 11.4.1).
DCO.1.91	ESC, The Applicant	<p>R18.</p> <p>Please will ESC say whether or not they consider the documents referred to in this requirement to be (a) adequate and (b) the full suite relating to this aspect in the Application documents? Are the parts referred to correct?</p> <p>Please will the Applicant list the "relevant sections" of the Associated Development Design Principles and set them out in this requirement in the next version of the dDCO?</p>
	Response by SZC Co. at Deadline 2	Requirement 18 has been updated to refer specifically to the tables in the Associated Development Design Principles (Doc Ref. 8.3(A)).

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

ExQ1	Question to:	Question:
	Response by SZC Co. at Deadline 3	<p>The Applicant has included references to the relevant sections of the Associated Development Design Principles in Revision 4 of the draft DCO [REP2-015].</p> <p>Regarding Dwg 100017 Rev 2 [REP2-010], the rail line is in a deep cutting at the location of the proposed temporary security footbridge (approximately 3m) against a backdrop of rising ground and an increasingly deep cutting (more than 5 metres) when viewed from the Abbey Road level crossing. It will therefore generally appear within the horizon and would not appear as a prominent feature in the landscape.</p> <p>Regarding DWG SZC-SZ0204-XX-000-DRW-100133 Rev 2 and 100183 Rev 2 [AS-141], Volume 9, Chapter 8 of the ES [APP-558] assesses the impact of the proposed development on Footpath E-363/003/0, south-west of Buckleswood Road. The proposed diversion to Footpath E-363/003/0 is intended to facilitate construction and operation of the proposed rail extension route while ensuring that users continue to have access to a safe, well connected PRow network. The assessment in the ES notes that this diverted footpath would be subject to noticeable visual changes, affecting users' recreational amenity and resulting in significant effects. However, surveys of users of Footpath E-363/003/0 recorded a relatively small number of users, and it is not anticipated that the number of people using this route would increase, see Volume 2, Appendix 15C of the ES [APP-269]. In all cases, diversions have been kept as short as possible to minimise disruption.</p> <p>Regarding SZC-SZ0701-XX-00-DRW-100185 Rev 2 [AS-141], SCC are correct that the drainage west of Abbey Road is not shown on the proposed removal and reinstatement plan but it is expected that the existing ditch will be permanently diverted to accommodate Bridleway 19. The culverted section located beneath the railway can be converted to open channel following closure and removal of the railway. Final drainage details will be secured by Requirement 5 but given the drainage is indicative at this stage and the removal and reinstatement plan is a plan for approval, its principal purpose is to show how the land will be returned to agriculture use following removal of the green rail route.</p> <p>Regarding SZC-SZ0204-XX-000-DRW-100133 Rev 2 and SZC-SZ0701-XX-00-DRW-100185 Rev 2 [AS-141] not showing the line of the existing Footpath E-363/003/0, the relevant temporary stopping up / diversions are detailed on the Rights of Way Plan SZC-SZ0204-XX-000-DRW-100360 Rev 02 [REP2-007].</p> <p>Regarding the design and type of the level crossings, the final detail will be developed as part of the GRIP process with Network Rail. However, for the anticipated level crossing detail (for both the branch line and the GRR), please refer to the Rail Description of Development (Volume 3, Appendix 9.2.A of the ES Addendum) [AS-256].</p>

ExQ1	Question to:	Question:
	Response by Suffolk County Council at Deadline 3	<p>This question is not directed at SCC but its views are as follows.</p> <p>There are important issues related to the crossing of the rail line by highways. While the discharge of requirements will be by ESC, after consultation with SCC, the Council is concerned that the initial plans should be suitable.</p> <p>Dwg 100017 Rev 2 – there is a security footbridge located east of Abbey Road Level Crossing – what is the height (6m+?) and what are the impacts?</p> <p>DWG SZC-SZ0204-XX-000-DRW-100133 Rev 2 and 100183 Rev 2 both show the diverted right of way to the southwest of Buckleswood Road to be tightly constrained by security fencing. This will not enhance the amenity value of the route and may impede maintenance activities.</p> <p>SZC-SZ0701-XX-00-DRW-100185 Rev 2 implies drainage west of Abbey Road is not retained nor replaced after the Green Rail Route is removed.</p> <p>SZC-SZ0204-XX-000-DRW-100133 Rev 2 does not show the line of the existing Footpath 003 nor does SZCSZ0701-XX-00-DRW-100185 Rev 2 show its reinstatement.</p> <p>The drawings do not contain details of the level crossings on Abbey Road and Buckleswood Road. While much of this can be agreed in during detailed design the Applicant should evidence that the red line boundary contains sufficient land to provide the required visibility for each crossing, including vegetation clearance or trimming as necessary. At this stage it is sufficient in the Councils view to indicate the type of barrier to be installed at each crossing and that on Station Road. It is presumed that the existing hand operated gates will be upgraded to automated barriers (works 4C).</p> <p>Schedule 7 does not include reference to the works on the Leiston Branch nor the East Suffolk Line although Requirement 18 (1) refers to Works No. 4 (Rail works) so the presumption is that this includes the Leiston Branch Improvements (Works No. 4C). In the Council’s view the drawings relevant should be contained within Schedule 7.</p> <p>Construction of the Leiston Branch Line forms part of the Off-site Associated Developments and is controlled by Part C of the Code of Construction Practice. SCC would request it is consulted during discharge of this management plan to ensure the authority can advise on matters under its jurisdiction such as Archaeology and Transport. Of particular interest to the Council will be the access arrangement for the level crossing improvements, construction compounds and details of traffic associated with the works.</p>
	Response by SZC Co. at Deadline 5	No further comments to add to SZC Co. response at Deadline 3.

ExQ1	Question to:	Question:
DCO.1.95	ESC	R21. Please will ESC say whether or not they consider the documents referred to in this requirement to be the correct documents?
	Response by SZC Co. at Deadline 2	No response from SZC Co. is required.
	Response by East Suffolk Council at Deadline 2	In the current version of the dDCO [AS-143] this requirement refers to Work No 1D (g) (outage car park), whereas the reference should be to Work No. 1D (e) (outage car parking spaces). 1D (h) (related highway works), should be Work No. 1D (I) (outage car park access roads). Work No. 13 is not divided into (a) and (b) so R21 needs revision
	Response by SZC Co. at Deadline 3	SZC Co. will incorporate these amendments into revision 5 of the draft DCO which will be submitted at Deadline 5.
	Response by Suffolk County Council at Deadline 3	<p>SCC considers that several cross-references in R21 are incorrect. For instance, R21(1) refers to –</p> <ul style="list-style-type: none"> • “Work No. 1D(g) (outage car park)”, but in Sch. 1 Work No. 1D(g) refers to “administrative buildings to include workshops, civils store, office accommodation and general store”; • “Work No. 1D(h) (related highway works)”, but in Sch. 1 Work No. 1D(h) refers to “storage, canteen, and welfare facilities” • “Work No. 13(b) (related highway works)” but, in Sch. 1 Work No. 13(b) refers to “internal access routes”. <p>These cross-references need to be corrected.</p>
	Response by SZC Co. at Deadline 5	The Applicant has incorporated amendments into revision 5 of the draft DCO (Doc Ref. 3.1(D)) to deal with ESC's response at Deadline 2 and SCC's response at Deadline 3.
DCO.1.96	ESC	R22. Please will ESC say whether or not they consider the documents referred to in this requirement to be (a) adequate and (b) the full suite relating to this aspect in the Application documents? Are the parts referred to correct?

ExQ1	Question to:	Question:
		Please will the Applicant list the "relevant sections" of the Associated Development Design Principles and the relevant plans / details in Sch 7 and set them out in this requirement in the next version of the dDCO?
	Response by SZC Co. at Deadline 2	Requirement 22 has been updated to detail the relevant tables within the Associated Developments Design Principles (Doc Ref. 8.3(A)). Schedule 6 and 7 list the plans by the name of the site that they are related to. These match the names of the works referred to Schedule 1. Schedule 7 has been updated to also refer to the work numbers to provide extra clarity.
	Response by East Suffolk Council at Deadline 2	(a) Yes. (b)ESC does not consider these to be correct: Reference should be made to: <ul style="list-style-type: none"> o 11 A – C (Two Village Bypass), 12 A – D (Sizewell Link Road) o 13 (f) is currently correct but will be wrong if revisions are made to R21 as per answer to DCO.1.95 above o 14 A - B (Yoxford roundabout).
	Response by Suffolk County Council at Deadline 2	This question is listed for completion by ESC but relates to highway provision and the requirement is for discharge by the County Council. As Highways Authority, SCC is working with the Applicant, in consultation with ESC, to reach agreement that the relevant plans have been set out in Schedule 7 and the agreed details are reflected in revisions to these plans. Work is continuing on this.
	Response by SZC Co. at Deadline 3	As stated by SCC, Requirement 22 is for discharge by SCC rather than ESC. For paragraphs (1) and (4) of Req. 22, work numbers 11 (two village bypass), 12 (Sizewell link road), 14 (Yoxford roundabout), and 15 to 17 (other highway improvements) all relate to highway works and thus, do not need to specify 11(a), 11(b), 11(c) etc. However, in paragraphs (1) and (4) it is correct to refer to only the highway works of the park and rides and freight management facility. For Part (2) of Req. 22, the tables referred to in the Associated Development Design Principles [REP2-041] apply to the whole of the relevant work number, and not just the relevant highway works. SZC Co. could therefore revise Req. 22 at Deadline 5 to remove reference to the subsections of work numbers 9, 10 and 13 if the ExA considers that necessary and appropriate.
	Response by Suffolk County	This question is listed for completion by ESC but relates to highway provision and the requirement is for discharge by SCC. As Local Highway Authority, SCC is working with the Applicant, in consultation with

ExQ1	Question to:	Question:
	Council at Deadline 3	ESC, to reach agreement that the relevant plans have been set out in Schedule 7 and the agreed details are reflected in revisions to these plans. Work is continuing on this.
	Response by SZC Co. at Deadline 5	Updates have been made to Requirement 22 in revision 5 of the draft DCO (Doc Ref. 3.1(D)) which reflect ongoing discussions with SCC on the securing of the highway works more generally.
DCO.1.12 9	SCC, the Applicant	<p>At para 8 of [RR-1175] SCC set out a list of funds they submit should be considered. Are they accepted by the Applicant and where are they secured?</p> <p>Please will SCC and the Applicant comment on which funds are appropriate and whether and how this would meet the legal tests for valid planning obligations. Are the policy tests also met?</p>
	Response by SZC Co. at Deadline 2	<p>All of the funds and financial contributions which the Applicant considers appropriate and necessary are secured through the draft Deed of Obligation (Doc. Ref. 8.17(C)) and are summarised in Annex 2 of the draft Deed of Obligation (Doc. Ref. 8.17(C)).</p> <p>As explained in the SA.1 Response Paper (Appendix 26A), the Applicant no longer proposes to enter into development consent obligations pursuant to section 106 of the Town and Country Planning Act 1990. See Section 10 of the SA.1 Response Paper (Appendix 26A) in respect of the relevance of the NPS policy tests in respect of non-development consent obligations.</p> <p>The scale and scope of the funding to be provided are subject to further development and ongoing discussions with the Councils. These matters would impact upon the satisfaction of the policy tests and no definitive statement can be provided at this stage.</p> <p>However, the Applicant is confident that the proposed payments once finalised will be compliant with policy. The Applicant intends to set out its analysis of the satisfaction of the policy tests in the Explanatory Memorandum and has set out its proposed structure for doing so in the updated draft of this document.</p> <p>All of the funds listed by SCC are accepted by the Applicant in principle and secured by the Deed of Obligation (Doc Ref. 8.17(C)) save for:</p> <ul style="list-style-type: none"> • Levels of funding and the scope of each fund is subject to further discussion and negotiation with the local authorities. • It is not agreed that the Natural Environment Improvement Fund shall be provided throughout the operational and decommissioning phases of Sizewell C. The Applicant does not consider that such an extension to the lifetime of the proposed Fund would satisfy the policy tests for obligations set out in

ExQ1	Question to:	Question:
		<p>National Policy Statement EN-1 (at paragraph 4.1.8). No significant adverse effects requiring mitigation through the continuation of the Fund have been identified for terrestrial ecology and ornithology during the operational phase [AS-033]. Significant adverse landscape and visual effects have been identified during the operational phase [APP-216]. However, the Applicant considers that all reasonably practicable mitigation measures have been embedded into the scheme and that the scope for additional mitigation through the extension of the funding period for the Fund is limited. Given the limited scope for measures funded by the Natural Environment Improvement Fund during the operational period to mitigate the assessed effects, the Applicant considers that SCC's proposal that the Applicant continues funding the Natural Environment Improvement Fund throughout the operational phase is neither fairly nor reasonably related in scale to the proposed development. Instead, it is considered reasonable that funding be provided for the first three years following the receipt of fuel at Unit 2.</p> <ul style="list-style-type: none"> • Whilst the Applicant proposes to provide funding towards a Wickham Market Improvement Scheme and a Leiston Improvement Scheme to address transport impacts, it is not considered necessary or reasonable that such funding is unlimited in scale. The scale of the funding shall be based upon an estimate of the cost of the schemes to be delivered and include a reasonable contingency towards possible cost overruns. <p>Whilst the Applicant has proposed contributions towards the increased highway maintenance costs of Suffolk County Council resulting from construction traffic using the B1122 prior to the opening of the Sizewell link road, no similar contributions are considered necessary or reasonable in respect of the A12 or other local roads.</p>
	Response by Suffolk County Council at Deadline 3	<p>With regard to Deed of Obligation, please see the Council's response to DCO.1.26.</p> <p>The agreement of the mitigation funding remains a matter of discussion between the parties. SCC has sought to apply the legal tests so that they are necessary to make the development acceptable in planning terms. directly related to the development; and fairly and reasonably related in scale and kind to the development. Although the Council remains flexible in its approach to securing the funding it considers this is best achieved through the s106 agreement with the Applicant.</p> <p>Specifically regarding the Natural Environment Improvement Fund, SCC maintains the view set out in its Relevant Representation [RR-1175] and in the Local Impact Report [REP1-45] that the Natural Environment Improvement Fund should be provided throughout the construction and operational, and possibly also decommissioning, phases of Sizewell C, and considers that maintaining the proposed Fund throughout construction and operation does satisfy the policy tests for obligations set out in National Policy Statement EN-1.</p>

ExQ1	Question to:	Question:
		<p>The LIR sets out in some detail (in para 6.35-6.53 and 7.7-7.13) the adverse impacts on the natural environment and the AONB during the operational phase. The LIR considers that, in terms of negative impacts during the operational phase, "the buildings which comprise the Main Development Site will result in a significant and lasting adverse residual impact on the character and special qualities of the AONB within the locality of the main site. Furthermore, this will have an adverse impact on the purposes of the designation that is, to conserve and enhance natural beauty of an area as set out in s82 of the Countryside and Rights of Way Act 2000. This impact is intrinsic to the proposal due to the operational requirements of a new nuclear power station." (para 6.34) The Councils, in the LIR, consider "the impact on the coastal aspects of the designations to be significantly adverse" (para 6.38). The design of the nuclear domes, being inferior to the iconic design of Sizewell B, and the proposed addition of pylons further add to this adverse impact, as set out in para 6.44-6.53.</p> <p>Specifically related to the AONB special qualities, which are wider than landscape and scenic quality, the Councils consider in the LIR, during construction and operation, "large and medium scale effects likely for all the indicators of Natural Beauty and Special Qualities, some at a localised level, others affecting a wider area." (para 7.8) The Councils "consider this list of effects on AONB special qualities suggest a risk of significant impacts on the AONB and the purpose of the designation, a risk that has been identified in the site nomination material within EN-6 Vol II." (para 7.11)</p> <p>SCC considers mitigation options to be limited, resulting in significant residual impacts on the landscape and AONB. Whilst it is accepted that during the construction phase the impacts on the natural environment will be even greater than during operation, this should not deflect the still significant impacts during operation. Therefore, and taking into account the location of Sizewell C within the AONB, SCC considers that a Natural Environment Fund for the lifetime of the power station is both relevant and necessary to make the proposed development acceptable in planning terms, and is fairly and reasonably related in kind to the proposed development, and therefore meets the policy tests in para 4.1.8 in NPS EN-1. It is noted that the scale of the Natural Environment Fund is still subject to discussion with the Applicant.</p> <p>It is worthwhile to note that, in the decision making for the application of the Sizewell B Dry Fuel Store in 2011, approved by the then Department of Energy and Climate Change under Section 36 of the Electricity Act 1989, the harm on the AONB over the lifetime of the dry fuel store was recognised, and a fund (the Amenity and Accessibility Fund) over the lifetime of the facility was agreed to be set up as part of the consent. The objective for this fund was defined as: "To offset the impact caused by the delay of part of the release of the Sizewell B site by funding works to improve the amenity and accessibility of the AONB and Heritage Coast within the locality of the Development and its wider environs." This is a useful</p>

ExQ1	Question to:	Question:
	<p>Response by SZC Co. at Deadline 5</p>	<p>precedent, indicating that for that consent, a fund over the lifetime of the facility was considered relevant in planning terms</p> <p>The terms of the Natural Environment Fund will reflect the policy tests set out in the NPS. Whilst SCC may see the Fund as compensatory, such an approach would not meet the tests for obligations set out in the NPS, nor the specific expectations of the NPS in relation landscape and visual impact. NPS EN-6 recognises at para. 3.10.8 that visual impacts are unlikely to be eliminated through mitigation, but that mitigation should be designed to reduce visual intrusion as far as reasonably practical. There is not then a requirement to compensate for residual impacts. NPS EN-1 takes a comparable approach, requiring mitigation through design (para 5.9.22) and advising that it may be appropriate to provide off-site planting to mitigate longer views (para. 5.9.23). At para. 4.2.4 NPS EN-1 requires likely significant effects to be adequately assessed (not eliminated or compensated) and para 4.1.3 directs the decision maker to balance the potential benefits of the project against potential adverse effects. It is expected that there will be some adverse effects which cannot be fully mitigated and NPS EN-6 recognises at para 3.10.2 this as a likely consequence of the rural, coastal location of the identified sites.</p> <p>The Natural Environment Fund is being designed with these policy requirements in mind – to fund off site mitigation to the extent that it may be effective in mitigating the adverse effects of views to the development (including the Associated Development). As SCC recognises, there are limits to the mitigation that can be practically achieved. This recognition should guide the scale of the Fund. It is SZC Co.'s view that the Fund should be front loaded so that enduring mitigation is provided as early as practical to mature and help mitigate long term effects. Deferring elements of the Fund into the long term would serve no purpose. High quality site restoration following construction is committed to in the DCO, whilst decommissioning will require its own consenting process.</p>
<p>DCO – the questions which follow relate to the Third Draft DCO [AS-143] and focus on the changes between the original – [APP-059] and the third draft. The previous questions in this section on the DCO should be answered in the light of the changes and take changes into account. They should explain how changes affect the answer.</p>		
DCO.1.14 3	ESC, the Applicant	<p>Art 10.</p> <p>Please will ESC comment on the appropriateness of adding the Main Development Site Design and Access Statement and the Associated Development Design Principles to the defences to statutory nuisance in this Article. In particular, are they sufficiently precise documents for this purpose?</p>

ExQ1	Question to:	Question:
	Response by SZC Co. at Deadline 2	The Main Development Site Design and Access Statement [APP-585 to APP-587, Doc Ref. 8.1Ad2 (A)] and the Associated Development Design Principles (Doc Ref. 8.3(A)) include controls and measures which relate to noise, vibration, dust or lighting. The Applicant considers these documents sufficiently precise for this purpose.
	Response by East Suffolk Council at Deadline 2	The main development site design and access statement and the associated design principles document are not particularly precise and therefore ESC does not consider they should be included in this Article due to not being precise enough. However, the Applicant may be able to provide further reasoning as to their inclusion that may change our opinion in this regard, and we would welcome such an explanation.
	Response by SZC Co. at Deadline 3	No further comments to add to SZC Co. response for Deadline 2.
	Response by East Suffolk Council at Deadline 3	ESC maintains its previous position and considers that these two documents are not sufficiently precise to be included in this Article. For the purpose of being able to enforce in relation to noise, dust etc, ESC will need there to be more clarity in the design principles or a further mechanism for receipt of additional detail.
	Response by SZC Co. at Deadline 5	No further comments.
DCO.1.15 8	The Applicant, SCC	R 6A – is “general” accord with the Public Rights of Way Strategy appropriate? Why not “in accordance”?
	Response by SZC Co. at Deadline 2	Requirement 6A has been updated to make the purpose of the footpath implementation plans clearer. These footpath implementation plans will set out the detail of how the Rights of Way and Access Strategy (Doc Ref. 6.3 15I(A)) is to be applied to each new or diverted footpath. The footpath implementation plans are subject to Suffolk County Council’s approval. The measures in the strategy would apply differently in the context of each footpath. Therefore the Applicant is content that ‘ <i>general accordance</i> ’ is suitable to ensure that the impacts are no greater than those assessed in the Environmental Statement.
	Response by East Suffolk	The phrase, “in general accordance” is a potentially very wide scope which ESC does not consider is justified. This wording is used in a number of requirements [AS-143], not just 6A, and ESC therefore suggests that a general provision be inserted at the start of Schedule 2 - a new 1(2)(c) – that will ensure

ExQ1	Question to:	Question:
	Council at Deadline 2	that all such uses of the term, "in general accordance" are covered in the same way. The following wording is suggested: "Where any requirement provides that the authorised development or any part of it is to be carried out in 'general accordance' with details, or a scheme, plan or other document that is listed in Schedule 22 and certified under Article 80 of this DCO, this means that the undertaker will carry out such work(s) in a way that is consistent with the information set out in those details, schemes, plans or other document and in a manner that does not give rise to any materially new or materially different environmental effects to those assessed in the environmental information."
	Response by Suffolk County Council at Deadline 2	SCC support 'in accordance' rather than 'general accordance'
	Response by SZC Co. at Deadline 3	<p>Lessons from Hinkley Point C have shown that it is beneficial to the contractors and management of the construction process overall to have precise controls in documents such as the CoCP and Construction Method Statement that provide greater clarity on what the measure is and the works that each measure applies to. Given the scale and complexity of the construction process, there may be instances where minor derogations are needed, or where more than one set of controls apply to a specific set of works and there may be ambiguity over which control takes precedence where a conflict may exist. These limited instances mean that a degree of flexibility is therefore needed. Contractors will be contractually required to comply with the Certified Documents, such as the CoCP, but the use of 'general accordance' would ensure that a criminal offence would not be created in instances of minor non-compliance, where this would not result in new or materially different significant environmental effects. It is, therefore, considered that this instance of 'in general accordance' is both necessary and appropriate.</p> <p>With the above in mind, SZC Co. are content for the additional wording suggested by ESC to be included in Schedule 2 of the Draft DCO subject to the word "substantively" being inserted before "consistent with" so as to ensure that a similar level of flexibility is afforded to "general accordance". The additional drafting would therefore be as follows:</p> <p><i>Where any requirement provides that the authorised development or any part of it is to be carried out in 'general accordance' with details, or a scheme, plan or other document that is listed in Schedule 22 and certified under Article 80 of this DCO, this means that the undertaker will carry out such work(s) in a way that is substantively consistent with the information set out in those details, schemes, plans or other</i></p>

ExQ1	Question to:	Question:
		<i>document and in a manner that does not give rise to any materially new or materially different environmental effects to those assessed in the environmental information.</i>
	Response by East Suffolk Council at Deadline 3	ESC maintains its previous position that the use of the phrase 'in general accordance' is too wide and therefore not justified (for full details, please see ESC's response to DCO.1.158 submitted for Deadline 2). Hinkley Point C DCO used a combination of 'general accordance' and 'accordance'. Lake Lothing Crossing used a combination of the two.
	Response by SZC Co. at Deadline 5	No further comments save for noting that this issue was addressed at Issue Specific Hearing 1. A summary of the oral submissions on the issue can be found in the Written Summaries of Oral Submissions at Issue Specific Hearing 1 (Doc Ref. 9.41). It should be noted that at the Issue Specific Hearing, ESC explained that it was still in the process of considering the Applicant's inclusion of the term "substantively" before "consistent with".
Chapter 15 - FR.1 Flood risk, ground water, surface water		
FR.1.52	The Applicant	Outline Drainage Strategy (ODS) [APP-181] Paragraph 3.4.13 Explain: <ul style="list-style-type: none"> (i) How surface water runoff from the main construction area will be conveyed both to Water Management Zone (WMZ) 1 and WMZ2; (ii) Identify which attenuating features in WMZ1 need to be sized accordingly and how that analysis will be undertaken. (iii) Page 29 of the EA's RR [RR-0373] outlined concerns relating to the Applicant's proposals for Water Management Zone 1. The Applicant sets out how it intends to address these comments in paragraphs 5.1.3 – 5.1.7 of the MDS FRA Addendum [AS-157], confirming that a temporary outfall from the main platform area out to the sea is now proposed (prior to construction of the permanent Combined Drainage Outfall). Management of flood risk during construction of the earth bund for Water Management Zone 1 has also been discussed within the MDS FREP (Appendix F [AS-170]) (as part of the 'temporary construction area'). To what extent does this address the EA's concerns in this regard?
	Response by SZC Co. at Deadline 2	<ul style="list-style-type: none"> (i) Surface water runoff from the main construction area is no longer proposed to be conveyed to Water Management Zones 1 and 2. This option has been superseded by the proposal to install a temporary marine outfall that will allow early surface water runoff from the main construction area to be discharged to the sea.

ExQ1	Question to:	Question:
		<p>The temporary marine outfall is proposed to be installed early in the construction programme, as a redundancy measure or a precautionary principle for discharging surface water to sea, prior to the commissioning of the Combined Drainage Outfall (CDO). During this period, management of surface water run-off and discharge is required to prevent flooding of the Main Development Site (MDS), and any adverse effects on the nearby Sizewell Marshes Site of Special Scientific Interest (SSSI) and Minsmere South Levels.</p> <p>For a period of 15 months or so, the temporary marine outfall would principally be used where factors external to the MDS that are out of the control of Sizewell C result in the Sizewell Drain being unsuitable to discharge to, for example, flooding on site caused by off-site flood conditions. The temporary outfall will be controlled through conditions set by the Environment Agency through discharge permit applications. Once the CDO is installed, the temporary marine outfall will no longer be required, and will be removed.</p> <p>The Outline Drainage Strategy (Doc Ref. 6.3 2A(A)) has been revised to specifically answer the Examination Authority's questions FR.1.51, FR.1.53, FR.1.56 and FR.1.57(i). The Outline Drainage Strategy (Doc Ref. 6.3 2A(A)) has been updated to include the role of the temporary marine outfall.</p> <p>(ii) As stated in the text above to part (i), the WMZ1 attenuation features are not sized to allow conveyance of surface water from the main construction area (MCA) to WMZ1/2. The WMZ1 attenuation basin has been sized for the WMZ1 catchment, for a 1:100 year, 24 hours storm event including an allowance for climate change, checking the worst case scenario for several rainfall models including FEH1999, FEH2013 and the Flood Studies Report (FSR). The attenuation basin provides a storage of approximately 17,300m³.</p> <p>(iii) The Applicant notes that the comments in the Environment Agency's Relevant Representation, included as Appendix A of the MDS FRA Addendum [AS-157], were provided in response to the draft template of the MDS FREP where only headings and sub-headings were outlined. The draft template was submitted to the Environment Agency as part of the engagement process to agree on the required content and format of the MDS FREP. Following on from this, the Applicant has submitted the MDS FREP as Appendix F of the MDS FRA Addendum [AS-170].</p> <p>Section 3 of the MDS FREP (Appendix F of the MDS FRA Addendum [AS-170]) identifies flood risk to the temporary construction area which includes the WMZ1 and its earth bund. Furthermore, this section outlines emergency plan procedures, including monitoring of flood and weather warning services, flood risk management, evacuation procedures and access/egress routes. As such, the Applicant considers that the FREP submitted with the Change Application in January 2021 provides</p>

ExQ1	Question to:	Question:
		appropriate response to the comment raised by the Environment Agency in their Relevant Representation.
	Response by East Suffolk Internal Drainage Board at Deadline 3	<p>i) ESIDB acknowledge the change in strategy however no details have been provided as to how this will be achieved or why it is acceptable in accordance with the drainage hierarchy. ESIDB is unable to comment on the response until further details on the drainage strategy of the MDS are received.</p> <p>The ESIDB acknowledge the applicant's response that the intention is to use the TMO only as a redundancy measure but request that clear criteria for use or trigger points be identified.</p> <p>ii) ESIDB are seeking further clarification on the sizing of the attenuation basin in WMZ1 irrespective of the addition of surface water discharge from the MDS.</p>
	Response by Suffolk County Council at Deadline 3	<p>SCC awaits details of how surface water is proposed to be managed for the Main Development Site & Associated Development Sites. Until these details are received, it is not possible to make any further comment on the Applicants response. The principles contained in the updated Outline Drainage Strategy (REP2-033) are noted, but further details and supporting information are required.</p> <p>Parameters for the use of the temporary marine outfall need to be clearly identified and justified with supporting evidence to prevent impacts on the nearby sensitive environment.</p>
	Response by SZC Co. at Deadline 5	<p>Subsequent to Deadline 2, SZC Co. has informally shared a series of 4No. drainage technical notes for the Main Development Site with ESIDB, SCC and the EA. These technical notes summarise the basic drainage design for the Water Management Zones, including LEEIE, and the function of the temporary marine outfall. These notes provide justification for the sizing of attenuation basins. These notes are submitted to the Examining Authority at Deadline 5 (Doc Ref. 9.54).</p> <p>The conditions for the deployment of the temporary marine outfall are subject to ongoing permitting discussions between SZC Co. and the EA, jointly with ESIDB and SCC. These conditions will be agreed through the permitting regime.</p>
FR.1.53	The Applicant	<p>Main Development Site FRA Addendum [AS-157]- Temporary Outfall</p> <p>Provide an updated Outline Drainage Strategy that includes the role of the temporary outfall</p>
	Response by SZC Co. at Deadline 2	<p>The Outline Drainage Strategy (Doc Ref. 6.3 2A(A)) has been revised to specifically answer the Examination Authority's questions FR.1.51, FR.1.53, FR.1.56 and FR.1.57(i). The Outline Drainage Strategy (Doc Ref. 6.3 2A(A)) has been updated to include the role of the temporary marine outfall.</p>

ExQ1	Question to:	Question:
	Response by East Suffolk Internal Drainage Board at Deadline 3	See ESIDB response to FR1.52
	Response by Suffolk County Council at Deadline 3	<p>The updated Outline Drainage Strategy (REP2-033) was only submitted as a 'clean version'. It was therefore not practicable to compare the changes made between this document and the original submission. As was the case for the updated Code of Construction Practice (REP2-056) that was submitted, SCC request that where changes are made to application documents, both tracked and clean copies are submitted to enable stakeholders to easily and clearly identify where changes have been made.</p> <p>SCC notes that the Outline Drainage Strategy has been updated to 'specifically answer the Examination Authority's questions'. As such, concerns previously raised by SCC with the Applicant regarding the content of the Outline Drainage Strategy have not been addressed. Further to this, some aspects of the updated Outline Drainage Strategy are superseded by the Applicant's responses to the Examining Authority's questions. For example, REP2-033, paragraph 3.4.90 references the use of underground geocellular storage for LEEIE, which directly contradicts the Applicant's response to ExA Q FR.1.62 (REP2-100).</p> <p>It is SCC's understanding that further details on surface water drainage strategies for all the proposed sites are going to be submitted at Deadline 3 and/or 4. As such, SCC will withhold further comment until these submissions have been made and we have had time to review the content in detail</p>
	Response by SZC Co. at Deadline 5	<p>A 'clean' version of the Outline Drainage Strategy (ODS) update was submitted in error. The ODS update will be submitted at Deadline 6, shown with 'tracked changes'. This update also includes minor additional updates in follow up to SZC Co.'s response to ExQ1 FR.1.70, relating to pollution control, and in view of a review of plates made, in respect to ExQ1 FR.1.51.</p> <p>Subsequent to Deadline 2, SZC Co. has informally shared a series of 4No. drainage technical notes for the Main Development Site with ESIDB, SCC and the EA. These technical notes summarise the basic drainage design for the Water Management Zones, including LEEIE, and the function of the temporary marine outfall. These notes are submitted to the Examining Authority at Deadline 5 (Doc Ref. 9.54).</p> <p>These drainage technical notes therefore provide a development of the detail of the drainage design from the concept design referenced in the ODS. It is not the Applicant's intention to iterate the ODS as finite design details emerge through the development of the basic design. Notwithstanding, SZC Co. recognises that the ODS remains a live document and will continue to review the findings and outputs of the basic design process to maintain alignment at the appropriate level of resolution for the Strategy. Specifically,</p>

ExQ1	Question to:	Question:
		SZC Co.'s intention to exclude the use of the geocellular storage at LEEIE, in favour of attenuation at the east of the site, corresponds to an improvement in approach in terms of the drainage hierarchy and will be captured in a future update to the ODS.
FR.1.62	The Applicant	Outline Drainage Strategy (ODS) [APP-181] Paragraph 3.4.82. Explain why underground geocellular storage is suitable for parts of the LEEIE and also how the necessary maintenance regime will be undertaken in the areas suggested for its use.
	Response by SZC Co. at Deadline 2	<p>The surface water drainage strategy for the Land East of Eastlands Industrial Estate (LEEIE) has progressed since the Outline Drainage Strategy (ODS) [APP-181] was submitted, following discussions with key stakeholders including Suffolk County Council and the Environment Agency. The updated LEEIE outline drainage strategy proposes to primarily convey and discharge surface water runoff from the LEEIE to the Sizewell Marshes. A second outfall is proposed to the Leiston Drain on Lover's Lane to discharge surface water runoff from the topsoil compound and area west of the topsoil compound within the LEEIE only (Catchment 2). A technical note on the LEEIE basic drainage design will be shared with the ExA by Deadline 4 and will be shared initially with stakeholders in advance of this. The ODS will be amended accordingly in a future strategy update.</p> <p>The recent drainage design development has eliminated the need for below ground geocellular storage tanks and therefore is no longer proposed. In subsequent design stages, the surface water drainage design will consider the use of other SuDS and optimisation of the network.</p> <p>The submission and approval of surface water drainage details prior to commencement of that part of the authorised development are required by Schedule 2, Requirement 5 of the draft DCO(Doc. Ref. 3.1(C)).</p>
	Response by Suffolk County Council at Deadline 3	See SCC response to FR.1.53
	Response by SZC Co. at Deadline 5	See SZC Co's Deadline 5 response to FR.1.53.
FR.1.69	The Applicant	Outline Drainage Strategy (ODS) [APP-181] East Suffolk Council [RR-0343] express concern that the ODS does not at this stage demonstrate that appropriate sustainable drainage systems can be implemented at all sites. Comment on the level of

ExQ1	Question to:	Question:
		certainty that can be attributed to the total implementation of sustainable drainage solutions for the Proposed Development.
	Response by SZC Co. at Deadline 2	SZC Co. has provided a standalone response to FR.1.69 as Appendix 15C which sets out how sustainable drainage systems can be implemented and the level of certainty attributed to SZC Co.'s approach.
	Response by East Suffolk Internal Drainage Board at Deadline 3	ESIDB share ESCs concerns. While the response in Appendix 15C is theoretically very reassuring it does not provide the detail necessary to demonstrate feasibility. ESIDB note and look forwards to reviewing the further drainage designs which will be submitted at later deadlines.
	Response by Suffolk County Council at Deadline 3	SCC shares East Suffolk Council's concern. The concern primarily relates to whether sufficient space has been allocated to accommodate SuDS, in the worst-case scenario. This worst-case scenario includes, but is not limited to, rainfall events, infiltration rates, discharge rates, impermeable areas etc. In order for the Applicant to demonstrate that SuDS can be provided, in the worst-case scenario for all sites, further information will be required than what is contained in the response to FR.1.69 (REP2-108). This further information should include, but is not limited to, design assumptions, 'source control' calculations, results of infiltration testing, greenfield runoff calculations (where applicable), plans and sections of proposed SuDS components, accompanied by a technical note to explain the surface water design development up to this stage. Whilst SCC does not wish to challenge the information contained in the Applicants response to FR.1.69, it does not address the concern shared by the Councils. However, SCC notes that further details on surface water drainage strategies for sites will be submitted at Deadline 3 or 4, as per SCC response to FR.1.53.
	Response by SZC Co. at Deadline 5	Subsequent to Deadline 2, SZC Co. has informally shared a series of 4No. drainage technical notes for the Main Development Site with ESIDB, SCC and the EA. These technical notes summarise the basic drainage design for the Water Management Zones, including LEEIE, and the function of the temporary marine outfall. These notes provide justification for the sizing of attenuation basins. These notes are submitted to the Examining Authority at Deadline 5 (Doc Ref. 9.54).
FR.1.70	The Applicant	Outline Drainage Strategy (ODS) [APP-181]

ExQ1	Question to:	Question:
	Response by SZC Co. at Deadline 2	<p>East Suffolk Council [RR-0343] have queried whether suitable pollution control techniques will be implemented as part of the drainage solutions at the Associated Development sites. Explain how any runoff pollution will be dealt with as part of the sustainable drainage solution for those works.</p> <p>Before development on the relevant authorised development (including the Associated Development sites) can commence Requirement 5 of the draft DCO (Doc Ref. 3.1(C)) requires details of the surface and foul water drainage system for that part (including management and maintenance arrangements, means of pollution control, sewage treatment works and a programme of construction and implementation) to be submitted to and approved by East Suffolk Council, following consultation with the Environment Agency, the relevant Statutory Nature Conservation Body, the relevant Internal Drainage Board, the Lead Local Flood Authority and the drainage authority.</p> <p>The Outline Drainage Strategy (Doc Ref. 6.3 2A(A)) details in the tables for the individual Associated Development sites in Section 4 that the attenuation stage of the drainage strategy will provide treatment on site before infiltration to ground or discharge to a watercourse.</p> <p>Whilst the detailed drainage design is controlled by Requirement 5 of the draft DCO (Doc Ref. 3.1(C)), SZC Co. is preparing a set of technical notes to respond to queries raised by the LLFA and to back-up the indicative drainage plans (not for approval) submitted as part of the DCO. The aims of the technical notes would be to demonstrate:</p> <ul style="list-style-type: none"> (iv) that SZC Co. has a justifiable drainage solution that promotes SuDS / drainage hierarchy and meets surface water flooding requirements / parameters; (v) that the highways drainage meets minimum design standards expected of that Authority; and (vi) that it can be accommodated within the existing Order Limits. <p>For all sites within the Order Limits, Sustainable Drainage Systems (SuDS) have been prioritised in the surface water drainage proposals where possible to aid pollution control. SuDS techniques proposed provide flood reduction, pollution control and aim to mimic the existing drainage characteristics to prevent impact on the protected Sizewell Marshes Site of Special Scientific Interest and the South Minsmere Levels. The pollution and water quality risk are being assessed using the simple index approach as set out in Section 26.7.1 of CIRIA C753 SuDS Manual, to determine the effectiveness of the SuDS measures to treat different types of developments. In general, a sequence of natural treatment methods are proposed to build robustness within the drainage network by providing numerous options to initially treat runoff.</p> <p>In places where there is potential for increased risk of pollution or threat to receiving watercourses/sewers, proprietary systems are considered and may be used as a fail-safe method of treatment to supplement</p>

ExQ1	Question to:	Question:
		primary treatment observed using SuDS techniques. This will be explored further in future design stages on a risk management basis.
	Response by Suffolk County Council at Deadline 3	See SCC response to FR.1.53.
	Response by SZC Co. at Deadline 5	A further update to the Outline Drainage Strategy (ODS) will be submitted at Deadline 6. This update also includes minor additional updates in follow up to SZC Co.'s response to ExQ1 FR.1.70, relating to pollution control.
FR.1.71	The Applicant	Outline Drainage Strategy (ODS) [APP-181] Suffolk County Council [RR-1174] paragraph 125 state they have "not yet seen evidence that any of the surface water drainage infrastructure proposed to serve the Main Development Site, the Land East of Eastlands Industrial Estate and Associated Developments can be facilitated within the proposed red line boundaries to a satisfactory standard." Comment on whether the drainage design strategy being developed can provide the necessary reassurance to the Council.
	Response by SZC Co. at Deadline 2	<p>The surface water design has so far been progressed to a developed design level (similar to RIBA stage 3), and the proposed strategy can sufficiently manage surface water runoff generated by the proposed development, within the Order Limits and whilst complying with current local and national guidance. Surface water drainage proposals across all development areas within the application boundary prioritise Sustainable Drainage Systems (SuDS) where possible and have been incorporated across the site in the form of swales, infiltration trenches, permeable pavements and infiltration / attenuation basins.</p> <p>The design so far has been prepared to account for the worst-case storage volumes required for each Water Management Zone basin across the Main Development Site. The design demonstrates that sufficient space will be provided within the order limits to ensure no surface water, other than at controlled greenfield runoff rates, will run off the site up to a 1:100 year storm including allowance for climate change.</p> <p>Similarly, the surface water drainage strategy for the Land East of Eastlands Industrial Estate (LEEIE) has progressed since the original submission of the ODS following discussions with key stakeholders including Suffolk County Council, Essex and Suffolk Internal Drainage Boards, East Suffolk Council, Natural England,</p>

ExQ1	Question to:	Question:
		<p>and the Environment Agency. Surface water on site will be collected primarily using SuDS in combination with conventional drainage systems, to store, treat and discharge runoff to nearby watercourses at agreed rates. The surface water design improves the existing flood risk of the site by allowing systems to capture surface water runoff and attenuating this up to 1 in 100-year storm event, in accordance with national and local guidance.</p> <p>A similar approach will be undertaken for the Associated Development sites and will ensure that the proposed surface water drainage systems will adhere to the principle stated in the Outline Drainage Strategy (Doc Ref. 6.3 2A(A)).</p>
	Response by East Suffolk Internal Drainage Board at Deadline 3	The ESIDB share SCC concern, specifically in regards to WMZ1 and have requested further details.
	Response by Suffolk County Council at Deadline 3	See SCC response to FR.1.53
	Response by SZC Co. at Deadline 5	Subsequent to Deadline 2, SZC Co. has informally shared a series of 4No. drainage technical notes for the Main Development Site with ESIDB, SCC and the EA. These technical notes summarise the basic drainage design for the Water Management Zones, including LEEIE, and the function of the temporary marine outfall. These notes provide justification for the sizing of attenuation basins, including WMZ1, thereby providing clear evidence that these may be accommodated within the redline boundary. These notes are submitted to the Examining Authority at Deadline 5 (Doc Ref. 9.54).
FR.1.72	The Applicant	<p>Outline Drainage Strategy (ODS) [APP-181]</p> <p>The East Suffolk Internal Drainage Board (ESIDB) [RR-0345] raise an issue concerning the importance of Minsmere Sluice in relation to surface water drainage. Their concern is that Minsmere Sluice is reaching the end of its useful life and changes to water level and discharge volumes as a result of the development will accelerate the change to a pumping station that could have significant implications for surface water management. Has this concern been considered as part of the surface water management regime of the development?</p>

ExQ1	Question to:	Question:
	Response by SZC Co. at Deadline 2	<p>SZC Co. recognises concerns of stakeholders regarding the long-term viability of Minsmere Sluice. It neither owns the structure nor includes it within the Application boundary for the proposed power station. Minsmere Sluice is an Environment Agency owned and maintained structure that controls drainage from the Minsmere New River, Leiston Drain and Scott's Hall Drain. It provides controls and limits the ingress of salt water and is tide locked when water levels in the North Sea are high. At low tide drainage of the upstream fluvial system via Minsmere Sluice is via gravity. SZC Co. notes that the Shoreline Management Plan (SMP)¹ policy for the wider coast (MIN12.3 and MIN12.4) in the vicinity of Minsmere Sluice is managed realignment, whereas the position for Minsmere Sluice is for it to be maintained. Consistent with the policy stated in the SMP, the Environment Agency refurbished Minsmere Sluice in 2013 and this work was completed with a 50 year design life².</p> <p>A thorough assessment has been undertaken and reported on in Volume 2, Chapter 19 (Groundwater and surface water) of the ES [APP-297], which concludes that there would be no significant change in water levels and discharge volumes, and therefore there would be no mechanism that could accelerate degradation of the Minsmere Sluice.</p>
	Response by East Suffolk Internal Drainage Board at Deadline 3	<p>ESIDB notes that the Sluice is EA owned and maintained and predominantly defers to the Agency. The ESIDB would however like to elaborate that it is our understanding (based on liaison with the Environment Agency) that the 2013 EA sluice refurbishment project was only undertaken with a 20 year design life, and was appraised over 50 years.</p> <p>We understand that the sluice is expected to be unable to drain via gravity within the aforementioned 50 year timeframe.</p>
	Response by SZC Co. at Deadline 5	No further comments to add to SZC Co. response for Deadline 2.
FR.1.73	The Applicant	Outline Drainage Strategy (ODS) [APP-181]

¹ Shoreline Management Plan 7 Lowestoft to Felixstowe (Lowestoft Ness to Felixstowe Langward) Lead: Suffolk Coastal District Council [About the Shoreline Management Plan 7 \(suffolksmp2.org.uk\)](http://suffolksmp2.org.uk)

² Minsmere Sluice and Embankment Works Project Appraisal Report, Authority Scheme IMAN002421, Environment Agency Anglian Region, Version 1.0 (Final – Submission to PAB), 3 July 2012.

ExQ1	Question to:	Question:
		ESIDB [RR-0345] have expressed concerns that changes to coastal processes as a result of the HCDF element of the Proposed Development could hamper discharge to the sea from Minsmere. Explain how this has been considered?
	Response by SZC Co. at Deadline 2	There is no potential for the SZC development to cause or affect the discharge from Minsmere. Please refer to question CG.1.18 for further detail.
	Response by East Suffolk Internal Drainage Board at Deadline 3	ESIDB acknowledges and accepts the applicant's explanation.
	Response by SZC Co. at Deadline 5	No further comments to add to SZC Co. response for Deadline 2.
Chapter 16 - HW.1 Health and wellbeing		
HW.1.0	ESC, SCC, CCG, Sizewell Health Working Group	Methodology (i) Do you agree that the methodology and scope for assessment of effects from the proposed development as set out in [APP 346] is appropriate and has properly assessed the potential health and wellbeing impacts of the proposed development on the local community? (ii) Do the Councils agree with the methodology in determining the degree of intimidation from traffic and in particular from HGVs? (iii) Do you consider the findings of this part of the ES have been adequately justified?
	Response by SZC Co. at Deadline 2	No response from SZC Co. is required.
	Response by East Suffolk Council at Deadline 2	(i) Although ESC has been a member of the Sizewell C Health working Group, we do not have a public health responsibility. It is our understanding that the methodology [APP-346] has been agreed with that Group, but we leave to others to expand further. However, the focus has been on the impacts arising from bringing a workforce and their families into the locality rather than health impacts the construction and

ExQ1	Question to:	Question:
		<p>development may have on existing residents. However, the assessment does consider aspects of the proposal with the potential to influence health such as change in air quality which is an area of ESC's responsibility along with noise exposure. Crossreferencing between documents is a challenge that could have been avoided by having a comprehensive assessment in one chapter.</p> <p>(ii) ESC defers to SCC as local highway authority to determine if the methodology for determining the degree of intimidation from traffic is acceptable.</p> <p>(iii) Elements of the findings in this part of the ES have been adequately justified but it cannot be said that they all have, given identified gaps including wider health and wellbeing impacts of the increase of traffic, influx of workers etc. on mental health as a result of stress and anxiety. Community safety concerns of the project and their impact on health and wellbeing of existing residents are not considered. See section 30 of the LIR [REP1-045] for further detail.</p>
	Response by Suffolk County Council at Deadline 2	<p>(i) SCC considers that the methodology and scope of [APP 346] does not result in the provision of a comprehensive overview of health and wellbeing impacts, as a) While cross-referring to other DCO documents with regard to other determinants (e.g. transport, access to health services), it does not provide a clear overview of the health and wellbeing impacts of a number of these determinants; b) it omits a number of determinants of health and wellbeing, including construction impacts on natural environment and detrimental impacts on its enjoyment, adverse impacts on amenity and recreation, and the perception of community safety; and c) it does not fully consider all of these determinants in combination with regard to their impact on the affected communities and their health and wellbeing;</p> <p>d) The methodology set out in Environment Statement (ES) Chapter 10 (Volume 2 Main Development Site Chapter 10 Transport) [APP-198] and ES Addendum (Volume 1: Chapter 2 Main Development Site) [AS-181] is not yet fully agreed due to outstanding queries.</p> <p>(ii) As set out in the LIR [REP1-049], SCC agrees with the Applicant that construction traffic has adverse impacts in terms of accidents and road safety; access and accessibility; community severance; and pedestrian fear and intimidation, as set out in para 18.6.17 of [APP 346]. The LIR sets out locations where mitigation is required to reduce these impacts. However, SCC considers there will be an important residual impact on local communities affecting the wider health and wellbeing of its residents. We consider that the assessment in [APP 346] is somewhat narrow, as these road traffic impacts are likely to have an impact on mental health and reduce the attractiveness to e.g. walk and cycle in the area which has an impact on amenity, mental health and physical health. With regards to the specific assessment of Fear and Intimidation, the methodology of assessment in relation to Fear and Intimidation, as set out in ES Chapter</p>

ExQ1	Question to:	Question:
		<p>10 (Volume 2 Main Development Site Chapter 10 Transport) [APP-198] and in ES Addendum (Volume 1: Chapter 2 Main Development Site) [AS-181], is still to be agreed, on issues such as the sensitivity of links and the representative hour at some locations (e.g. surrounding schools, nurseries).</p> <p>SCC considers the magnitude of impact for Fear and Intimidation as reasonable in terms of total traffic and HDV classification (based on The Guidelines for the Environmental Assessment of Road Traffic), however:</p> <p>a) the criteria mentions speed which is not considered in the assessment</p> <p>b) Total vehicle flows used in the Fear and Intimidation section of the ES Addendum [AS181] assessment are not currently correct, especially near Marlesford, and these are, we understand, being updated by the Applicant's consultant within a separate Technical Note to be provided.</p> <p>(iii) SCC considers that the effects during the construction phase have been too narrowly defined and/or too narrowly considered in terms of in-combination impacts across the project: The summary in Table 28.9 in [APP 346] indicates that the main factors that have been considered during the construction phase relate to noise and air quality (as well as road accidents, health care impacts and socio-economic factors). The assessment indicates the noise and air quality impacts on health and wellbeing as being minor adverse or negligible adverse. This does not seem to take account the wider health and wellbeing impacts of the increase of traffic on mental health, as result of stress and anxiety, and physical health as healthy lifestyles may be affected as a result of reduced amenity. No consideration seems to have been given to health and wellbeing impacts from e.g. perceived and real community safety concerns, housing impacts, reduced enjoyment of the natural environment and amenity and recreation.</p> <p>The LIR sets out in its Quality of life and wellbeing chapter (chapter 30) a more comprehensive overview of expected impacts on quality of life and wellbeing. It also includes an overview of impacts and proposed mitigation measures on e.g. highway related impacts and health impacts.</p> <p>In summary, SCC disagree that impact on quality of life, health and wellbeing are not significant. We consider there to be residual adverse impact on quality of life and wellbeing, particularly when considering the combined impacts across the project, which will also affect the health of our communities. In addition to further embedded mitigation in the various subject areas (as set out in the LIR), SCC considers there to be a residual impact on quality of life, health and wellbeing. This needs to be reflected in scope and scale of the proposed Community Fund.</p>
	Response by Ipswich and East Clinical Commissioning	The CCG remain concerned that methodology and scope for assessment does not go far enough within APP346 to establish the impacts of the proposed development on the community. Many comparisons with Hinkley Point C are not suitable as the demographic and local health outcomes between the two areas are significantly different. The summary

ExQ1	Question to:	Question:
	Group for Deadline 2	<p>of effects detailed in table 28.9 show low impact and negligible adverse effects on the local population. One of the main differences is the road network, in Leiston and the surrounding roads for access to the development, there are narrow busy streets to navigate high volumes of HGV traffic which will have a significant impact on the community regarding health effects from Air quality, noise and flow rate of traffic with the potential to cause accidents and injury, all of which are stated as not significant impacts. The travel impact assessment talks about average journey times over the entire day and doesn't recognise the challenge of traffic at peak times. It is essential that the impact on journey times are recognised and appropriately mitigated against. There is no recognition of the impact of local traffic movement whilst the proposed link road and roundabout at Yoxford is constructed which will take the first 2 years of the construction period to be available. During this time the impact will predominantly be on the health and wellbeing of the local community and could disrupt access to healthcare services including the ability for GP and District Nurse visits.</p> <p>The CCG do not recognise that the findings of this part of the ES have been adequately justified and are working with the applicant to review the data which has been used as part of the methodology used throughout APP346</p>
	Response by SZC Co. at Deadline 3	<p>ESC AND SCC RESPONSE</p> <p>Cross-referencing (ESC)</p> <p>The Health and Wellbeing assessment (Volume 2, Chapter 28 of the ES [APP-346]) draws from and builds upon a number of technical disciplines, cross referencing to and summarising the most relevant information and key outputs from the inter-related technical disciplines that inform the Health and Wellbeing assessment. Where cross referencing is used, the Health and Wellbeing chapter replicates or paraphrases the relevant text within those chapters.</p> <p>Cross referencing was necessary to avoid repetition and to keep the Health and Wellbeing chapter as concise and user friendly to communities as possible. This is as requested by the Health Working Group at its inception.</p> <p>Range of impacts considered (ESC / SCC) / Outcome of assessment (SCC)</p> <p><u>Overview</u></p> <p>It is important to firstly distinguish between tangible health impacts and broader wellbeing/quality of life impacts. As explained in paragraph 28.6.119 of the Health and Wellbeing chapter (Volume 2, Chapter 28 of the ES [APP-346]), there are a number of factors which influence an individual's wellbeing and quality of life, which include emotions such as stress and anxiety. The tangible aspects associated with the proposed</p>

ExQ1	Question to:	Question:
		<p>development which underlie local community risk perception have been investigated and addressed within the Health and Wellbeing chapter, which provides a robust assessment supported by an appropriate scientific evidence base. The assessment is therefore intended to help address local community concerns and perceived risk in addition to informing decision making.</p> <p>The intangible and more subjective aspects which are often not possible to quantify have been explored and addressed through meaningful consultation, to inform and refine the proposed development. Should consent be granted, engagement with local communities will be maintained during construction and operation to investigate, address and respond to concerns. Details of the Sizewell C Project's approach to communication, community and stakeholder engagement are set out in the Code of Construction Practice [REP2-056].</p> <p>The remaining sections focus on how the tangible aspects raised above have been addressed.</p> <p><u>Increase in traffic (ESC / SCC)</u></p> <p>As detailed in Volume 2, Chapter 28 (Health and Wellbeing) of the ES [APP-346], , the potential change in traffic-associated noise and air pollutant emissions are not of a nature, timing, magnitude or exposure sufficient to quantify any measurable change in local population health outcomes.</p> <p>The assessment of accidents and road safety, pedestrian severance, pedestrian amenity and pedestrian fear and intimidation (which are all considered relevant to health and wellbeing) are all addressed within Chapter 10 of the Consolidated Transport Assessment [REP2-045].</p> <p>As the most direct health and wellbeing hazard resulting from changes in transport nature and flow rate is human injury resulting from road traffic accidents, the assessment of health and wellbeing effects in Volume 2, Chapter 28 of the ES [APP-346]) further communicates the potential effects on accidents and road safety. While the wider health and wellbeing impacts associated with the increase in traffic (i.e. pedestrian severance, pedestrian amenity and pedestrian fear and intimidation) were not further communicated in Volume 2, Chapter 28 of the ES [APP-346]), SZC Co. considers that these were sufficiently assessed in the Transport Assessment [REP2-045].</p> <p>A package of transport and public realm improvements in Leiston have been developed in consultation with Leiston Town Council, East Suffolk Council and Suffolk County Council. Proposals include one-way streets, wider footways, gateway features, crossings and cycle facilities to control speeds, discourage Sizewell C traffic and improve the attractiveness to pedestrians and cyclists. Valley Road is also proposed to be closed to motorised traffic to create a suitable route for cycling and walking between Leiston and the main site.</p>

ExQ1	Question to:	Question:
		<p>Any change in the status of a street will be carried out in accordance with the process set out in Article 22 of the draft DCO. Further details are provided in response to TT.1.68, TT.1.69 and TT.1.87.</p> <p><u>Community safety concerns (perceived and real) (ESC / SCC)</u></p> <p>Perception of community safety is addressed within the “General stress and anxiety impacting upon quality of life and wellbeing” section of the Health and Wellbeing assessment (Volume 2, Chapter 28 of the ES [APP-346]). Here, it is explained that the tangible aspects associated with the proposed development which underly local community risk perception have been investigated and addressed through a robust assessment supported by an appropriate scientific evidence base. The assessment is therefore intended to help address local community concerns and perceived risk in addition to informing decision making.</p> <p>From the LIR, it seems that community safety concerns are primarily in relation to the influx of the non-home based workforce. In relation to this specifically, all credible socio-cultural hazards have been investigated and assessed, and further addressed through a series of mitigation measures - summarised within the Community Safety Management Plan [APP-635] - including provision of project accommodation and an on-site occupational health service, as well as implementation of a Worker Code of Conduct. The Draft Deed of Obligation (Doc Ref. 8.17(D)) will provide a Public Services Resilience Fund and contributions to the emergency services which will also support community safety.</p> <p>The intangible and more subjective aspects which are often not possible to quantify, have been explored and addressed through meaningful consultation, to inform and refine the proposed development. Should consent be granted, engagement with local communities will be maintained to investigate, address, and respond to questions and concerns. Details of the Sizewell C Project’s approach to communication, community and stakeholder engagement are set out in the Code of Construction Practice [REP2-056].</p> <p><u>Construction impacts on natural environment and detrimental impacts on its enjoyment, adverse impacts on amenity and recreation (SCC)</u></p> <p>The potential impact upon amenity, local community facilities and areas of open space, important to supporting good health and wellbeing, is addressed fully within the Amenity and Recreation assessment (Volume 2, Chapter 15 [APP-267] and Volumes 3-9, Chapter 8 of the ES [APP-366], [APP-397], [APP-429], [APP-464], [APP-497], [APP-526], [APP-558] A2. For the sake of brevity, it was not considered necessary to replicate the results of this within the Health and Wellbeing chapter.</p>

ExQ1	Question to:	Question:
		<p>In a health and wellbeing context, while reduction in amenity may deter use of a specific resource, this does not remove the opportunity to engage in a physical activity or live a healthy lifestyle on the basis that comparable and accessible alternative resources exist.</p> <p><u>In combination assessment (SCC)</u></p> <p>Several health determinants are assessed within Volume 2, Chapter 28 (Health and Wellbeing) of the ES [APP-346] – all of which vary in magnitude of impact, geographic distribution (i.e. the communities they affect) and how they can potentially impact health/wellbeing outcomes. As an example, communities experiencing adverse changes in noise exposure are not necessarily the same as those experiencing adverse changes in air quality as the location of the pollution source and distribution of the impact is not necessarily the same.</p> <p>On this basis, it is not possible to predict the in-combination effects of all health determinants assessed on the affected communities with any meaningful degree of accuracy. While this is the case, as set out in Volume 2, Chapter 9 (Socio-economics) of the ES [APP-195], SZC Co. would provide a Community Fund to ensure that residual in-combination effects of the Sizewell C Project may be addressed and to enable communities to maximise the opportunities offered by the Sizewell C Project.</p> <p><u>Disagreement that impact on quality of life, health and wellbeing is not significant (SCC)</u></p> <p>SCC considers there to be a residual adverse impact on quality of life and wellbeing, which needs to be reflected in scope and scale of the proposed Community Fund.</p> <p>The result of the assessment reported in Volume 2, Chapter 28 (Health and Wellbeing) of the ES [APP-346] is that there would be a likely minor adverse impact on health and wellbeing that would not be significant (see also Chapter 30 of SZC Co. Response to the LIR (Doc Ref. 9.29). However, SZC Co. agrees that the Community Fund would be an appropriate tool to address residual effects on quality of life and wellbeing during the construction phase.</p> <p><u>Conclusion</u></p>

ExQ1	Question to:	Question:
		<p>On the above basis, SZC Co does do not agree that there are any gaps in the assessment or that the residual effects assessed are not correct. However, SZC Co. does agree that, as per Section 30 of the LIR, residual impacts on wellbeing, while intangible, can be addressed through a Community Fund.</p> <p>CCG RESPONSE</p> <p><u>Use of Hinkley Point C data</u></p> <p>SZC Co. recognises that the local demography and health circumstance of the communities surrounding Sizewell C and Hinkley Point C are different. The local demography and health circumstance of the communities living within the study area (East Suffolk) is captured within the locally specific baseline environment assessment detailed in Volume 2, Chapter 28, Appendix 28C [APP-347] and summarised in section 28.4 of Volume 2, Chapter 28 (Health and Wellbeing) of the ES [APP-346]. The baseline environment assessment for the Health and Wellbeing chapter does not include any information relating to communities living around Hinkley Point C.</p> <p>The only data used from Hinkley Point C relates to the split of home-based and non-home-based construction workforce / likely number of dependents moving to the area associated with the non-home-based construction workforce and the number of medical referrals to the external health service that have occurred during the construction of Hinkley Point C so far.</p> <p>As outlined in Volume 2, Chapter 28 (Health and Wellbeing) of the ES [APP-346], Hinkley Point C is uniquely comparable to Sizewell C because it is similar in type and scale, will require a similar workforce to build (in some cases, exactly the same people) and will necessitate similar occupational and public health requirements. On this basis, SZC Co considers the data to be comparable and suitable for the purposes of assessing the impact on external healthcare services. Data relating to Hinkley Point C does not influence any assessment of health and wellbeing associated with changes in transport nature/flow rate, air quality or noise exposure.</p> <p>The only data that could improve the accuracy of the impact assessment on external healthcare services is local referral rates and cost data from the CCG (e.g. the number and average cost of one GP appointment or the average cost of one hospital A&E visit with no overnight stay). This has been requested from the CCG.</p>

ExQ1	Question to:	Question:
		<p><u>Peak journey times and the Yoxford roundabout</u></p> <p>The potential health and wellbeing effects associated with construction of the Sizewell link road and Yoxford roundabout have been assessed in Volume 2, Chapter 28 (Health and Wellbeing) of the ES [APP-346], assuming the implementation of mitigation and monitoring measures detailed within an effective Code of Construction Practice [REP2-056].</p> <p>As set out in Volume 7, Chapter 2, paragraph 2.4.24 of the ES [APP-480], Yoxford roundabout would be largely constructed offline, avoiding the need for long-term temporarily road closures or the diversion of the A12 in this location. Traffic management measures would be required during construction of the tie-ins back to the A12 and B1122 once the roundabout is constructed. This would likely comprise shuttle working under traffic light control when the two A12 and B1122 tie-ins are being undertaken. Each is anticipated to last approximately two weeks and access to properties on the south side of the site would be maintained throughout construction.</p> <p>The Sizewell link road would also be largely constructed off-line (noting its route predominantly through agricultural land). As set out in Volume 3, Appendix 6.2.A of the ES Addendum [AS-243], tie-ins which would be built on-line using temporary traffic management provided to minimise disruption to public traffic, utilising off-peak traffic management where possible.</p> <p>This largely removes the potential for disruption on the existing road and therefore it is incorrect to state that access by healthcare services, including GP and District Nurse visits, would be impeded for 2 years.</p> <p><u>Review of data</u></p> <p>The CCG notes that it is working with the applicant to review the data which has been used as part of the methodology used throughout [APP-346] (Volume 2, Chapter 28 (Health and Wellbeing) of the ES. To clarify, there was some concern from the CCG that the assessment assumed spare health care capacity. This was not the case. No spare health care capacity has ever been considered available, and all health care services were classed as high value and highly sensitive community assets. The ongoing work is in relation to confirming healthcare services cost data to calculate the residual health care fund. SZC does not intend to rework any of Volume 2, Chapter 28 of the ES [APP-346] and stands by the data used and assessment conclusions set out within that chapter.</p> <p>SZC Co welcomes continued discussions with the CCG in order to agree the scope and quantum of mitigation to be secured in the Deed of Obligation (latest draft Doc Ref 8.17(D)).</p>

ExQ1	Question to:	Question:
	Response by Woodbridge Town Council at Deadline 3	<p>SCC's response at Deadline 2 in summary is "SCC disagree that impact on quality of life, health and wellbeing are not significant. We consider there to be residual adverse impact on quality of life and wellbeing, particularly when considering the combined impacts across the project, which will also affect the health of our communities. In addition to further embedded mitigation in the various subject areas (as set out in the LIR), SCC considers there to be a residual impact on quality of life, health and wellbeing. This needs to be reflected in scope and scale of the proposed Community Fund."</p> <p>WTC concur with this statement and the detailed points also made in SCC's response. We consider that Woodbridge will be one of the communities severely impacted by the construction project (see comments above).</p>
	Response by SZC Co. at Deadline 5	<p>Chapter 6 of the Community Impact Report [APP-156] covers "The rest of East Suffolk district" which includes Woodbridge. Table 6.6 summarises impacts, most of which would be beneficial for Woodbridge, with the exception of rail noise, which would be addressed through specific noise mitigation. Mitigation against railway noise has also been further developed since the application: the draft Rail Noise Mitigation Strategy [AS-258] was submitted in January 2021 and a further version of the Noise Mitigation Scheme was submitted in June 2021 at Deadline 2 [REP2-034]. The draft Rail Noise Mitigation Strategy will aim to reduce railway noise and vibration at source and the Noise Mitigation Scheme will aim to reduce noise at the affected properties. With these measures in place, it is anticipated that residual noise impacts on health will be below what is considered significant.</p>
HW.1.2	The Applicant, SCC, ESC part (ii)	<p>Severance</p> <p>Concern has been expressed by a number of RRs including (RR-0758, RR-1008) with regard to the degree of severance that could occur for their local community either through physical barriers – e.g. Sizewell Link Road, or through volume of additional traffic.</p> <p>(i) Please advise how you consider the proposal minimises these affects for each community and how the scheme has taken into account consideration for more vulnerable groups.</p> <p>(ii) Do the Councils consider the assessment of severance has justified the approach taken, or do you consider there are more adverse effects than have been reported?</p> <p>(iii) In answering please comment on the suitability of the methodology used and be specific in respect of the locations where there remain concerns should this be the case.</p>
	Response by SZC Co. at Deadline 2	<p><u>Response to (i)</u></p> <p>The purpose of the Sizewell link road and two village bypass is to mitigate the environmental effects on local communities associated with the Sizewell C Project. Were these new roads not provided, the communities of</p>

ExQ1	Question to:	Question:
		<p>Stratford St Andrew, Farnham, Yoxford, Middleton Moor and Theberton would experience an increase in traffic, resulting in adverse environmental effects, including adverse severance effects. With the new roads in place, general traffic and Sizewell C traffic will be diverted away from these communities and onto the new roads, which will result in beneficial environmental effects within the communities as a result of the lower traffic flows. The beneficial environmental transport effects within these communities once the new roads are in place are summarised in Volume 1, Chapter 2 of the ES Addendum [AS-181].</p> <p>However, any new road/bypass brings new severance effects. The alignment of the two village bypass dissects existing public rights of way (PRoW). The Sizewell link road alignment dissects existing PRoW as well as a number of rural roads. The severance effects of the new roads crossing the existing public rights of way are summarised in Volume 1, Chapter 2 of the ES Addendum [AS-181]. In order to mitigate these effects, a new non-motorised user bridge is proposed over the two village bypass as well as over the Sizewell link road at Pretty Road. In addition, junctions have been provided along Sizewell link road to provide access to the existing network of rural roads.</p> <p>It is considered that the new roads themselves provide mitigation of severance effects within communities that would have been experienced if the roads were not provided. Furthermore, the new roads have been designed to provide connectivity across the roads both for non-motorised users and vehicles.</p> <p>The Equality Statement [APP-158] paragraphs 1.6.28-1.6.31 notes that severance, delay, amenity, or fear/intimidation effect from traffic has the potential to differentially affect people with particular protected characteristics, where that characteristic affects their mobility. It goes on to note that any effects on transport may potentially disproportionately affect older people but that due to the mitigation set out above, no equality effects are expected to arise.</p> <p><u>Response to (ii) and (iii)</u></p> <p>No response from SZC Co. is required.</p>
	Response by East Suffolk Council at Deadline 2	<p>Part ii) only</p> <p>ESC considers that severance will be an issue for residents on the A12, B1122 (particularly early years), Two Village Bypass and the Sizewell Link Road. Severance as an issue is being looked at in some areas but further work may be necessary to manage this. The existing provision for crossing roads will need to be considered alongside PRoWs that exist. There is potential for further crossing points to have a detrimental impact on the free flow of traffic in the location creating localised issues of noise (brakes screeching), pollution (from exhausts), and delays.</p> <p>The question of whether there are more adverse effects than have been reported relates primarily to highway traffic impacts, ESC defers to SCC for that assessment.</p>

ExQ1	Question to:	Question:
	Response by Suffolk County Council at Deadline 2	<p>i) SCC does not consider that the Applicant's proposals sufficiently minimise the impact of severance on communities, and considers that there are number of locations that require, or in some instances may require, mitigation. SCC also notes that the Applicant's methodology is not yet fully agreed due to outstanding queries (see part (ii) of this answer and its findings cannot be accepted at this stage. Thus, the level of proposed mitigation for severance is not deemed acceptable at this stage.</p> <p>All locations with concerns cannot be identified at this stage as methodology is still to be agreed; however, those locations where SCC currently considers mitigation for traffic impacts are (or may be) required, including for severance, are set out in Tables 3 and 4 in LIR Annex M (examination library reference pending), as well as in our Relevant Representation [RR-1174] and Table 13/14 of the LIR [REP1-049].</p> <p>The Rights of Way & Access Strategy relates only to the main development site. SCC has asked that the principles outlined in para 1.1.14 (APP-270) apply to all affected sites including the Sizewell Link Road. The Strategy does not currently address the effects of increased traffic on public users for the wider highway network such as the A12.</p> <p>That being said, the Applicant's proposals do include a number of mitigation measures to reduce the impacts of severance associated with road traffic; these are supported by SCC and include:</p> <ul style="list-style-type: none"> • Provision of the Sizewell Link Road (for those communities currently on the B1122 between Middleton Moor and east of Theberton but not in the early years) [note that, as set out in the LIR, SCC supports the Sizewell Link Road for the construction period only, and requests for it to be removed afterwards]. • Provision of the Two Village Bypass (for residents currently living on the A12 at Farnham and Stratford St Andrew, but not in the early years). • Provision of the Lover's Lane crossing facilities. • Leiston Improvement Scheme • Wickham Market Improvement Scheme • Marlesford and Little Glemham Transport Contribution • Routing of HGVs and buses on the most suitable routes available. • Park and Ride facilities to reduce construction workforce vehicle movements on the road network east of the A12 and north and south of their respective locations. • Direct bus services to/from relevant communities. • Accommodation campus and LEEIE caravan park to reduce construction workforce vehicle movements.

ExQ1	Question to:	Question:
		<p>The Environmental Statement (REF) shows significant levels of severance associated with the Two Village Bypass and the Sizewell Link Road. To minimise this impact, access for users of rights of way and highways severed by the new roads has been maintained, although not necessarily on the direct line and (except for one overbridge on each relief road) necessitating passing over the carriageway via an uncontrolled crossing.</p> <p>ii) The methodology set out in Environment Statement (ES) Chapter 10 (Volume 2 Main Development Site Chapter 10 Transport) [APP-198] and ES Addendum (Volume 1: Chapter 2 Main Development Site) [AS-181] is not yet fully agreed due to outstanding queries. Severance reported in Chapter 10 of 6.3 Volume 2 Main Development Site and the Transport chapter of ES Addendum is still be agreed in terms of methodology of assessment. This relates to sensitivity of links and representative hour at some locations (e.g. surrounding schools, nurseries).</p> <p>The magnitude of impact used by the Applicant for severance is in line with the 'Guidelines for the Environmental Assessment of Road Traffic', however professional judgement has been used. Further clarification on the use of professional judgement has been sought from the Applicant.</p> <p>The findings and mitigation are therefore not deemed reasonable at this stage. A revised methodology could result in additional adverse effects which will not be known until the methodology is agreed. Notwithstanding this, SCC has identified those locations that we currently consider require, or may require, mitigation, with regards to impacts that include severance these include communities along the A12, B1122, B1125, A1120 and the B1069 corridors. See the LIR [REP1-049] for further discussion.</p> <p>iii) See answers (i) and (ii) above</p> <p>See also answer HW.1.10 regarding Equality.</p>
	Response by SZC Co. at Deadline 3	<p>SZC Co. continues to liaise with the Councils to address comments on the environmental transport assessment summarised in Volume 1, Chapter 2 of the ES Addendum [AS-181]. An update will be provided in due course in terms of agreement on the methodology, assessment and significant impacts. See response to TT.1.119 in relation to the on-going work on the Environmental Transport Effects methodology. Also, the Initial Statement of Common Ground with East Suffolk Council and Suffolk County Council [REP2-076], items ET01 to ET12 set out the current position in relation to the ES methodology of assessment and assessed effects. The Initial Statement of Common Ground with East Suffolk Council and Suffolk County Council [REP2-076], ref. MI05 to MI18 describe the position in relation to mitigation in addition to that proposed by SZC Co.</p>
	Response by Marlesford	<p>In its response, the Applicant states, "The purpose of the Sizewell link road and two village bypass is to mitigate the environmental effects on local communities associated with the Sizewell C Project. Were these new roads not provided, the communities of Stratford St Andrew, Farnham, Yoxford, Middleton Moor and</p>

ExQ1	Question to:	Question:
	Parish Council at Deadline 3	<p>Theberton would experience an increase in traffic, resulting in adverse environmental effects, including adverse severance effects. With the new roads in place, general traffic and Sizewell C traffic will be diverted away from these communities and onto the new roads, which will result in beneficial environmental effects within the communities as a result of the lower traffic flows."</p> <p>As neighbouring villages to Stratford St Andrew and Farnham and experiencing the same traffic flows as they would if not bypassed, the ExA will no doubt excuse us if we give this comment a less than lukewarm reception. Little Glemham and Marlesford will undoubtedly suffer significant community severance, and this will adversely affect people with protected characteristics (see AR.1.27). Despite the mitigation measures proposed by the Applicant for Marlesford and Little Glemham, community severance remains a real issue, as do our concerns for people with protected characteristics.</p>
	Response by Stop Sizewell C at Deadline 3	The Applicant recognises that new roads bring severance and mentions how the SLR will dissect PRow and rural roads, but gives no mention of severance of people; where part of a community is trapped on the wrong side of a new road. The Applicant claims the new roads themselves provide mitigation of severance effects but make no mention of mitigation until they are built.
	Response by Woodbridge Town Council at Deadline 3	<p>SCC's response once more is critical of the Applicant's proposals in terms of assessing and mitigating the impacts of the proposed development. It also points out that the Applicant's methodology isn't agreed, and that its findings can't be accepted at this stage.</p> <p>WTC appreciates this strong statement, and considers that Woodbridge will be one of the communities affected by severance from the surrounding area during the construction project - by heavy traffic and congestion on the A12 and displacement onto the A1152 and B1438.</p>
	Response by SZC Co. at Deadline 5	See response to ExQ1 question TT.1.99 in relation to on-going engagement SCC, ESC and parish councils on the development of a set of proposals to mitigate Sizewell C Project effects in Marlesford and Little Glemham. See responses to ExQ1 question TT.1.112 in relation to on-going discussions with SCC to agree the environmental transport effects of the project.
HW.1.13	The Applicant	<p>Care Home Residents</p> <p>The CCG [RR-500] raise questions of the conclusions reached in para 28.6.80 of [APP-346] particularly the potential impact upon two care homes, please respond to this specific concern and highlight how you have assessed any likely effects on this potentially vulnerable group.</p>

ExQ1	Question to:	Question:
	Response by SZC Co. at Deadline 2	<p>Volume 2, Chapter 28, paragraph 28.6.80 (Health and Wellbeing) of the ES [APP-346] refers to potential noise impacts from the construction and operation of the Yoxford roundabout and other highway improvements.</p> <p>As set out in Volume 7, Chapter 4 (Noise and Vibration) of the ES [APP-484] and summarised in paragraph 28.6.80 of the ES [APP-346], the relative change in noise at any receptor is predicted to be below what is considered perceptible, with no significant residual noise effect identified at any receptor group, including any care homes, during the construction of the Yoxford roundabout.</p> <p>As detailed in Volume 1, Chapter 7 of the ES Addendum [AS-186], and Volume 3, Appendices 7.3.A-C of the ES Addendum [AS-251], prior to mitigation, once the Yoxford roundabout comes online, only one receptor will experience a perceptible change in noise (Old Barn), which is not a care home.</p> <p>With broader reference to care homes, elderly individuals and heightened sensitivity to noise; Volume 2, Chapter 28, paragraph 28.3.16 (Health and Wellbeing) of the ES [APP-346] sets out how sensitivity can vary by individual health pathway within a community, but also at the individual level, and even vary for an individual depending on what stage of life they are in.</p> <p>The rationale is then provided as to why a consistently precautionary approach has been applied, where every resident is considered highly sensitive to every health pathway. In this context, the assessment is working on the basis that every resident is sensitive to changes in noise, and means any impact other than minor would be considered significant. This addresses the relative sensitivity to noise for a wide age demographic (children in schools through to senior residents at home and in care homes).</p> <p>On the above basis, no perceptible change in noise is identified at any care home in proximity to the Yoxford roundabout.</p>
	Response by Stop Sizewell C at Deadline 3	<p>HW1.13 - HW.1.16: Vulnerable groups. While we welcome the Applicant's reply to H.1.1: "With regard to sensitivity, inequality and the potential for disproportionate impacts , Volume 2, Chapter 28 etc. sets out how sensitivity can vary within a community and can further vary by individual health pathway. This rationale is then provided as to why a precautionary approach has been applied, where every resident is considered highly sensitive to every health pathway" we find it hard to reconcile this with the claims that almost no care home will have any perceptible impacts. Would an acoustic bund around Old Abbey Care Home be the very first thing constructed if Sizewell C goes ahead?</p>

ExQ1	Question to:	Question:
	Response by SZC Co. at Deadline 5	Barriers or bunds acting as noise mitigation will be installed as early as is practicable in the construction process and retained in the long term to maximise potential acoustic screening. This is a commitment in Table 3.1 in Part B and Table 3.1 in Part C of the Code of Construction Practice (Doc Ref. 8.11(C)).
HW.1.15	The Applicant	<p>Vulnerable Groups</p> <p>The CCG [RR-500] and Suffolk Constabulary [RR-1174] also raise the concern over potential exploitation of vulnerable groups.</p> <p>(i) What is proposed to be in place to mitigate this concern?</p> <p>(ii) How would it be secured?</p>
	Response by SZC Co. at Deadline 2	<p><u>Response to (i)</u></p> <p>Please refer to the response to question HW.1.14 regarding mitigation for vulnerable groups. SZC Co. has been working closely with SCC and Suffolk Constabulary to appropriately consider the potential for effects on vulnerable groups – for example where there may be a greater risk of existing statutory service delivery, or where vulnerable people may be more at risk of experiencing effects (or experiencing effects in a different way) as a result of the Sizewell C Project.</p> <p>Key elements of the socio-economic mitigation package include measures to be secured through the DCO (such as the project accommodation) and through the Deed of Obligation (see Draft Deed of Obligation (Doc Ref. 8.17(C)). The latter includes:</p> <ul style="list-style-type: none"> • a Housing Fund (supported by an Accommodation Management System) that supports the lower 30th percentile of the housing market in particular and provides safeguarding support (Schedule 3); • funding for Suffolk Constabulary to be able to appropriately respond to the additional effects on terms of crime and non-crime incidents related to the Sizewell C Project (Schedule 4); • a Public Service Resilience Fund, which focuses on the delivery of social care services and community safety activity (Schedule 5); • a contribution to school and early years capacity (Schedule 5); and • a Community Fund to be administered on behalf of the community to provide schemes, measures and projects which promote the economic, social or environmental well-being of communities and enhance their quality of life (Schedule 14). <p><u>Response to (ii)</u></p>

ExQ1	Question to:	Question:
		Please see response to question CI.1.15 (in Part 3, Chapter 12) with regard to how measures will be secured.
	Response by Suffolk County Council at Deadline 3	SCC agrees with [RR-500] and [RR-1174] that there is a concern over exploitation of vulnerable groups, and considers that mitigation needs to be provided in terms of preventative measures, monitoring capacity, and contingency measures. The principles of the funds proposed by the Applicant in their response are supported by SCC, although the size and governance of these funds have not yet been agreed with the Applicant. For community safety measures, please refer to the proposed action plans put forward by SCC and ESC in Annex N to the Local Impact Report [REP1-059], which is still to be agreed with the Applicant.
	Response by SZC Co. at Deadline 5	SZC Co. welcomes SCC's support for the proposed mitigation funds and will continue to work with SCC, and other stakeholders (as applicable), to agree the size and governance of these funds.
HW.1.19	The Applicant, Network Rail	Rail Safety Network Rail [RR-006] identifies concerns, that by introducing any Freight Trains onto the East Suffolk line will (due to their slower running speeds), cause an increased risk and delay to users of level crossings. (i) Please respond to this concern and advise if any mitigation could be provided to address this issue. (ii) If this were appropriate, how would it be delivered through the DCO?
	Response by SZC Co. at Deadline 2	SZC Co. and Network Rail are working together to identify level crossings on the East Suffolk line where there may be an increase in risk. If mitigations are required, these will be pursued by Network Rail as the asset owner and organisation with responsibility for the management of safety risks at the level crossings.
	Response by Network Rail at Deadline 2	A high level review of impacts to level crossings users was undertaken on the East Suffolk Line between Ipswich and Saxmundham Junction. The key impacts are: Sectional Running times - An unacceptable increase in section running times would make it difficult for the signaller to inform members of public when it is safe to traverse a level crossing, this is purely as a result of the slower trains. Up to 5 locations have been identified and the introduction of new Miniature Stop lights are to be installed at these locations. Darsham Park & Ride - Option to include Station Car Park in new Park & Ride facility removing increased impact from station car park users who find it increasingly difficult to traverse the A12 to access the station. The only reasonable option is to traverse when the barriers are lowered, which means if they need

ExQ1	Question to:	Question:
		<p>to get an Ipswich bound train they have to cross the level crossing when the barriers are lowered and it is unsafe to do so.</p> <p>Middleton ABCL - Red Light Safety enforcement cameras should be installed ahead of any increase in traffic to Sizewell C, consideration should be given to installing lay-by's such that there is somewhere safe to park for those users required telephone to gain permission to cross the level crossing or confirm to the signaller they are safely over the level crossing.</p> <p>Operational freight pathing constraints will also be considered to eliminate issues at both Jetty and Bloss level crossings, trains must not be stopped in Woodbridge station to allow the single line to from Saxmundham to Melton to clear, this would cause a freight train to block Jetty level crossing, which is unacceptable. Trains will only traverse Melton AOCL+B crossing in the down direction in between the hours of 07:00 and 21:00, it is unacceptable for trains to pass in the up direction as this would block Bloss level crossing which is an operational boat yard, this would be acceptable in-between the hours of 21:00 and 07:00 as the likelihood of anybody using the crossing in between these times would be slim.</p> <p>(ii) Including the protective provisions requested by Network Rail would ensure that before track access was granted to the Applicant appropriate agreements and mitigation would need to be in place with Network Rail. In addition it could be a requirement in the DCO for the Applicant to agree a programme of mitigation with Network Rail before running any additional trains to the proposed development</p>
	Response by SZC Co. at Deadline 3	SZC Co. continues to liaise with Network Rail. If mitigations are required, these will be pursued by Network Rail as the asset owner and organisation with responsibility for the management of safety risks at the level crossings.
	Response by Suffolk County Council at Deadline 3	<p>The Applicant claims that Network Rail will take full responsibility for addressing the level crossings on the East Suffolk Line. However, this is not clear. Some level crossings will require public consultation (Brick Kiln and Westerfield), which could cause an issue to delivery timescales. In addition to this, resolution of the rail safety concerns at level crossings on the East Suffolk Line may require the closure or modification of the public highway or rights of way. No works or traffic regulation orders have been included within the DCO to do so. Information is required on how the Applicant plans to deliver the changes to the rights of way and the associated improvements to level crossings.</p> <p>There is a risk that other changes to the East Suffolk Line and further across the network are required but have not been accounted for.</p>

ExQ1	Question to:	Question:
	Response by Woodbridge Town Council at Deadline 3	<p>WTC's comment <i>[on Network Rail's response]</i> - This appears to say that the Applicant will need the dualling between Woodbridge and Saxmundham or new signalling remote from Woodbridge, otherwise the trains may have to stop in Woodbridge Station.</p> <p>For information, Jetty Lane is a popular and much-used public route across the railway between the town (and its car-parks), and the river frontage. It's also used by vehicles to access a boat-building yard and a yacht club.</p> <p>It seems unclear what point NWR is making about trains only going outwards to SZC and not coming back between 7am and 9pm. Again, this point possibly goes away if the line is dualled before construction starts. Not to take anything away from the importance of Bloss crossing to the boatyard, there is also a public crossing at Dock Lane (access also for the boatyard), a private crossing for Anglian Water's Melton sewage works, and another private one at The Maltings.</p> <p>WTC is puzzled that NWR hasn't mentioned trains being held in Woodbridge station in the up direction. As our previous submission mentioned [REP2-198 point 38], this is a realistic scenario. This would block two heavily-used public crossings at Quayside (aka Ferry Quay) and Tide Mill Way (aka Haywards). Also it would prevent any down train (laden freight or passenger service) in Woodbridge station from moving onwards - unless the section of line immediately North of the station is dualled.</p>
	Response by SZC Co. at Deadline 5	Good progress has been made with Network Rail on what were outstanding issues regarding level crossings and the up to date position will be set out in the next version of the Statement of Common Ground between the parties.
HW.1.27	The Applicant, Network Rail	<p>Change Request No. 2</p> <p>The Change Request could see an increase in the number of freight trains running along the line. Please advise how this could be safely delivered to ensure there would not be unacceptable risks to users of level crossings both for the branch line and the Ipswich to Lowestoft main line.</p>
	Response by SZC Co. at Deadline 2	<p>Risk assessments have been completed on the level crossings on the Sizewell branch line which have identified that major interventions are not necessary from a risk perspective. Upgrades will however be made to level crossings to enhance the operational capability of the line, and avoiding the current requirement for trains to stop while the gates are manually operated. This will have the effect of also further reducing the already low risk at level crossings on the Saxmundham to Leiston branch line.</p> <p>SZC Co. and Network Rail are working together to identify level crossings on the East Suffolk line where there may be an increase in risk. If mitigations are required, these will be pursued by Network Rail as the asset owner and organisation with responsibility for the management of safety risk at the level crossings.</p>

ExQ1	Question to:	Question:
	Response by Network Rail at Deadline 2	<p>Network Rail and the Applicant undertook a high level review of impacts to Level Crossings on the East Suffolk Branch Line between Ipswich and Saxmundham Junction. The review covered all public level crossings, Passive footpaths and User Worked crossings. A systematic review of train lengths, anticipated barrier down times, signaller constraints, sightlines as well as impacts from additional HGV traffic over Level Crossings was undertaken, resulting in a list of impacted crossings. These crossings have mitigating actions identified and we are continuing to work together with SZc and the local authorities to ensure all appropriate actions are taken.</p> <p>For most Level crossings the mitigation interventions involve the installation of Miniature Stop Light and overlay systems. These works are not complex in nature and require relevant agreements to be put in place to ensure timely delivery.</p> <p>Some additional Level Crossings were identified as requiring some mitigation work to manage the risk so far as reasonably practicable. Network Rail will ensure these works have been delivered before any freight trains start to operate.</p> <p>Level Crossing impacts on the branch line from Ipswich to Lowestoft have not yet been reviewed.</p>
	Response by SZC Co. at Deadline 3	No further comments to add to SZC Co. response for Deadline 2.
	Response by Suffolk County Council at Deadline 3	See answer to HW.1.19 above
	Response by SZC Co. at Deadline 5	Please see the response to HW.1.19 above.
HW.1.28	The Applicant, Network Rail, Suffolk Constabulary, East of England Ambulance	<p>Change Request No. 2</p> <p>In the event the number of trains were to be increased, please explain what implications this may have for the operation of level crossings on the branch line and the main Ipswich to Lowestoft line and the effect on severance of communities or impacts on emergency services.</p>

ExQ1	Question to:	Question:
	Service, Suffolk Fire and Rescue, SCC, ESC	
	Response by SZC Co. at Deadline 2	On the Ipswich to Lowestoft line and Sizewell branch the level crossing barriers would be down for approximately two to three minutes for the passage of each train, seven out of eight of which will operate overnight. This has been assessed in the ES [APP-198] to have a minor adverse effect on driver delay, which would not be significant.
	Response by Suffolk Constabulary at Deadline 2	<p>The Constabulary refer in the first instance to the response given to this question by Suffolk County Council (SCC).</p> <p>The Constabulary is broadly supportive of measures that seek to reduce the volume of HGV movements but does have some concerns as to the impact on level crossing closures and the associated impact on police and other emergency service response times. The way in which policing is delivered across the county means that any additional waiting time at level crossings has the potential to impact on the response times of various policing units including roads and armed policing and dog units in addition to local emergency response units. Even additions short delays can have a significant impact on the Constabulary's ability to meet its response targets. The A1152 forms an important access route for significant parts of East Suffolk i.e. Bawdsey Peninsula, Bentwaters and Rendlesham and is thus particularly sensitive to any disruption.</p>
	Response by Network Rail at Deadline 2	For the East Suffolk Line between Ipswich and Saxmundham Junction Network Rail anticipate that barrier down time will be significant however we believe the Level Crossing risks created by this are tolerable, notwithstanding any separate impacts to Emergency Service operations. Level Crossing impacts on the branch line from Ipswich to Lowestoft have not yet been reviewed.
	Response by East Suffolk Council at Deadline 2	<p>Leiston Branch Line</p> <p>The most significant level crossing on the branch line is on Station Road, Leiston which is hand operated. Any significant delays would require emergency vehicles to divert via King George Avenue and Lovers Lane. However, ESC understands that this level crossing would only be used while the LEEIE sidings are in operation (early years only). The temporary "Green Rail route" level crossing on Abbey Road will impact on traffic, including emergency vehicles using the B1122. While the location will not affect access to Lovers Lane and Sizewell B, it would be a constraint on access to the north of there.</p>

ExQ1	Question to:	Question:
		<p>The temporary "Green Rail route" level crossing on Buckleswood Road west of Leiston will have some localised impact on local movement although this is a minor road with low volumes of traffic. It is understood that the level crossing on King George Avenue will not be used as no trains access the sidings to the south.</p> <p>In terms of importance, the level crossing at Buckleswood Lane, just north of the B1119 Saxmundham Road is of next importance as this is a locally important north south link. This crossing would be affected both by trains using the "Green Rail route" and LEEIE sidings. The remainder of the level crossings are on minor roads and generally used by small numbers of local residents and landowners.</p> <p>A number of rights of way also cross the branch line although barriers are not generally present, and these are not used by emergency service vehicles. An increase in the number trains would have greatest impact on the B1122 Abbey Road and Buckleswood Lane (not Road) Level Crossings. The scale of the impact will depend on the timing of train movement as the majority of road movements at these locations is in the daytime. If additional trains result in long delays, particularly for those locations with manually operated barriers, alternative routes are limited and mostly on minor roads which could significantly increase journey or emergency service response times.</p> <p>Of greatest importance for a small number of residents and the emergency services is that a number of properties (Cottage Farm, Red Cottage Farm and Westhouse Farm) where the sole vehicular access is by private road or minor public highways via a level crossing.</p> <p>East Suffolk Line</p> <p>An increase in the number of trains would have some impact, and this is considered to be greatest if these trains were operated at daytime primarily as they would have a significant impact on timetabling of the passenger service. However, the alternative, which is night-time operation of trains on the East Suffolk Line has potentially significant adverse impacts arising with regards to noise impacts on receptors living close to the railway line. This is discussed further at NV.1.18, 1.19, 1.26, 1.27, 1.28 and 1.29.</p> <p>Issues of delivering five Trains Per Day</p> <p>Network Rail are currently working with the Applicant to understand the level of impact that the operation of the freight trains will have on the branch line and East Suffolk Line. Eight level crossings are required to be upgraded on the Saxmundham to Leiston Line and 21 level crossing on the East Suffolk Line will require mitigation to operate four trains per day. Although paragraph 3.4.38 of Volume 9 Chapter 3 [APP544] states that is possible to run five trains per day on the East Suffolk Line, Network Rail has indicated that the requirement to operate four trains per day (albeit all at night) at speeds of 20mph or 10mph would present challenges for some Level Crossings. Operation during the day would present unacceptable</p>

ExQ1	Question to:	Question:
		<p>circumstances at Melton Road Level Crossings and cause issues at Woodbridge and at Darsham level crossings. No further indication is provided about the likely affect across the rest of the rail network.</p> <p>There is not enough capacity at night to run a fifth train, so the operation of two freight trains during the day would be required. This would disrupt the running of two passenger trains between Lowestoft and Ipswich. ESC would like to see the delivery of a passing loop between Woodbridge and Saxmundham to create the additional capacity required for daytime running of freight trains. Any increase of trains is likely to affect waiting times and risk at level crossings such as Melton, Woodbridge, Darsham, Middleton, Haywards, Ferry Lane and at Westerfield, Bloss and Brick Kiln. For some footpath crossings, if they cannot be mitigated with Miniature Stop Lights, then closure and route diversion would be considered. Discussions are ongoing on this between the Applicant and Network Rail and progress is expected, but this remains a key concern.</p>
	Response by Suffolk County Council at Deadline 2	<p>Leiston Branch Line</p> <p>The most significant level crossing on the branch line is on Station Road, Leiston which is hand operated. Any significant delays would require emergency vehicles to divert via King George Avenue and Lovers Lane. However, SCC understands that this level crossing would only be used while the LEEIE sidings are in operation.</p> <p>The temporary "Green Rail route" level crossing on Abbey Road will impact on traffic, including emergency vehicles using the B1122. While the location will not affect access to Lovers Lane and Sizewell B, it would be a constraint on access to the north of there. The temporary "Green Rail route" level crossing on Buckleswood Road west of Leiston will have some localised impact on local movement although this is a minor road with low volumes of traffic.</p> <p>It is understood that the level crossing on King George Avenue will not be used as no trains access the sidings to the south.</p> <p>In terms of importance the level crossing at Buckleswood Lane, just north of the B1119 Saxmundham Road is of next importance as this is a locally important north south link.</p> <p>This crossing would be affected both by trains using the "Green Rail route" and LEEIE sidings</p> <p>The remainder of the level crossings are on minor roads and generally used by small numbers of local residents and landowners.</p> <p>A number of rights of way also cross the branch line although barriers are not generally present, and these are not used by emergency service vehicles.</p>

ExQ1	Question to:	Question:
		<p>An increase in the number trains would have greatest impact on the B1122 Abbey Road and Buckleswood Lane (not Road) Level Crossings. The scale of the impact will depend on the timing of train movement as the majority of road movements at these locations is in the daytime. If additional trains result in long delays, particularly for those locations with manually operated barriers, alternative routes are limited and mostly on minor roads which could significantly increase journey or emergency service response times. Of greatest importance for a small number of residents and the emergency services is that a number of properties (Cottage Farm, Red Cottage Farm and Westhouse Farm) where the sole vehicular access is by private road or minor public highways via a level crossing.</p> <p>East Suffolk Line</p> <p>An increase in the number of trains would have some impact, and this would be greatest if these trains were operated at daytime. SCC's main concern would be the A1152 level crossing in Melton which is on a part of the highway network under some stress during peak hours. The A1152 forms an important access route for significant parts of East Suffolk i.e. Bawdsey Peninsula, Bentwaters and Rendlesham and is thus sensitive to any disruption. This is particularly true for large vehicles where the alternative route is particularly onerous (A12-A1094-B1069) The impact of additional trains on minor road level crossings and Rights of Way will generally be minor on an individual basis but important when summed up across the route.</p> <p>Issues of delivering five Trains Per Day</p> <p>Network Rail are currently working with The Applicant to understand the level of impact that the operation of the freight trains will have on the branch line and East Suffolk Line.</p> <p>Eight level crossings are required to be upgraded on the Saxmundham to Leiston Line and 21 level crossing on the East Suffolk Line (ESK) will require mitigation to operate four trains per day. Although paragraph 3.4.38 of Volume 9 Chapter 3 states that it is possible to run five trains per day on the East Suffolk Line, Network Rail has indicated that the requirement to operate four trains per day (albeit all at night) at speeds of 20mph or 10mph would present some challenges for some Level Crossings. Operation during the day would present unacceptable circumstances at Melton Road Level Crossings and cause issues at Woodbridge and at Darsham level crossings. No further indication is provided about the likely affect across the rest of the rail network.</p> <p>There is not enough capacity at night to run a fifth train, so the operation of two freight trains during the day would be required. This would disrupt the running of two passenger trains between Lowestoft and Ipswich. SCC would like to see the delivery of a passing loop between Woodbridge and Saxmundham to create the additional capacity required for daytime running of freight trains. Any increase of trains is likely</p>

ExQ1	Question to:	Question:
		to affect waiting times and risk at level crossings such as Melton, Woodbridge, Darsham, Middleton, Haywards, Ferry Lane and at Westerfield, Bloss and Brick Kiln. For some footpath crossings, if they cannot be mitigated with Miniature Stop Lights, then closure and route diversion would be considered. Discussions are ongoing on this between the Applicant and Network Rail and progress is expected, but this remains a key concern.
	Response by SZC Co. at Deadline 3	SZC Co.'s short response to this question at Deadline 2 provides the detail of the number, timing and frequency of closures at level crossings due to the passing of Sizewell C freight trains. The effects are limited in duration and 7 out of 8 movements occur at night (when severance and delay would be less significant), whilst the day time movement occupies an existing train path. These limited impacts are inherent in the use of rail, which the authorities strongly support but have been limited by the use of night time capacity. Network Rail's response is helpful in its assessment of any risk involved. There is some misunderstanding apparent in responses about the scale of level crossing intervention required. The best current understanding of the detail of potential level crossing interventions is provided in the Statement of Common Ground between SZC Co. and Network Rail, submitted at Deadline 2 [REP2-074].
	Response by Woodbridge Town Council at Deadline 3	<p>WTC observes that holdups here already cause long tailbacks at peak times along the A1152. Even with the suggested dualling of the track between Woodbridge and Saxmundham, we expect that operating long, slow freight trains through Melton at peak hours would cause gridlock to reach along the B1438 as well and directly exacerbate congestion in Woodbridge.</p> <p>This would affect Woodbridge people's ability to reach Woodbridge and Melton primary schools by car, bus or cycle. Walking to school would also be more difficult because of crossing the roads (already so many families use the lights-controlled crossing at Melton Primary that there isn't time for all the people waiting to cross in one change of the lights).</p> <p>It would also adversely impact the ability for emergency services to reach many parts of Woodbridge (not to mention other communities).</p> <p>The serious congestion could extend back to Lime Kiln Quay Road, would threaten to undo all the progress made in bringing the air quality within legal limits in the AQMA. Also there could be air quality impacts on Woodbridge County Primary because it would be close to queuing traffic on Melton Road and Pytches Road.</p> <p>Overall, the impact would be so great, that it is unacceptable to run freight trains through Melton at peak hours (commuting and school-run times, 8-9.30am and 2.45-6.00pm). Regarding operating 5 trains per day (in each direction), both SCC and ESC observe that they can't all be scheduled at night and require</p>

ExQ1	Question to:	Question:
		<p>some day-time running, which in turn requires a passing loop in order to keep the hourly passenger service.</p> <p>As ESC's response says, neither day-time nor night-time trains offer a workable way forward without rail infrastructure upgrade.</p> <p>WTC notes this point, and repeats its previous comment that full line dualling between Woodbridge and Saxmundham would be required to give full transport resilience to passenger and freight services. A possible, less resilient option would be two passing loops, one each side of Campsea Ashe.</p> <p>With careful timetabling of trains passing through Melton in both directions simultaneously, hold-ups could be decreased, and there should be time to run most of the freight trains during the day. Thus, in the undesirable event of the Sizewell C project going ahead, the impact of congestion and night-time noise caused by trains could be reduced somewhat.</p> <p>WTC's position is that there would be unacceptable impact on Woodbridge's economy, health and well-being if construction were allowed to start before the East Suffolk Line is dualled between Woodbridge and Saxmundham.</p> <p>NWR's response seems to mention only level crossing barrier times</p>
	Response by SZC Co. at Deadline 5	These issues will be updated in the next version of the Statement of Common Ground with Network Rail.
Chapter 17 - HE.1 Historic environment (terrestrial and marine)		
General		
HE.1.2	ESC, SCCAS, Historic England	Overarching Written Scheme of Investigation (WSI) Please provide a critique of the Overarching WSI contained within Appendix 2.11.A of [AS-210]. Are you satisfied that the content and level of detail would allow you to discharge your responsibilities?
	Response by SZC Co. at Deadline 2	An updated version of Overarching WSI has been produced which addresses comments received from SCCAS since January 2021. This is being finalised and will be submitted at Deadline 3.
	Response by East Suffolk	ESC defers to SCC Archaeological Service and Historic England on this matter.

ExQ1	Question to:	Question:
	Council at Deadline 2	
	Response by Suffolk County Council at Deadline 2	SCC have reviewed the updated Overarching WSI submitted by the Applicant and although are generally satisfied with its content, have requested minor amendments to ensure that it meets requirements and therefore enable this document to be approved by ourselves. The Applicant has subsequently revised this document in accordance with these comments and has indicated that they will submit the amended version of this document as part of the examination. This document provides the overarching strategy for ongoing archaeological assessment and mitigation for the project but will need to be supported by Site Specific WSIs for each phase of assessment and mitigation work for every site within the DCO red line boundary, alongside detailed method statements for each site and phase of work to be produced by the appointed archaeological contractor(s).
	Response by SZC Co. at Deadline 3	A revised Overarching Archaeological Written Scheme of Investigation has been submitted at Deadline 3 (Doc Ref. 6.14 2.11.A (A)) incorporating comments made by SCCAS and Historic England.
	Response by Historic England at Deadline 3	Historic England recently provided commented on this document (3rd Dec 2020) to the applicant. The version provided in the ES is therefore broadly in line with draft versions that we have previously seen. We are comfortable that the proposed archaeological investigation methods are sensible and appropriate. We have provided more detail in our written representation (see Paras 2.76- 2.87) and have recommended and detailed minor changes that need to be made prior to approval of the final WSI.
	Response by SZC Co. at Deadline 5	SZC Co note the response provided to ESC at Deadline 3 and confirm that amendments suggested by Historic England were actioned in the revised WSI submitted at Deadline 3 [REP3-022].
Main Development Site (MDS)		
HE.1.5	ESC, SCCAS, Historic England	Evaluation Trenching At paragraph 16.3.31 [APP-272], the Applicant confirms several limitations in respect of the assessment. One such limitation is that it has not been possible to undertake evaluation trenching on some areas of the site, however most of the site has been subject to a magnetometry survey. Are you satisfied with this approach?

ExQ1	Question to:	Question:
	Response by SZC Co. at Deadline 2	No response from SZC Co. is required.
	Response by East Suffolk Council at Deadline 2	ESC defers to SCC Archaeological Service and Historic England on this matter.
	Response by Suffolk County Council at Deadline 2	<p>SCC are satisfied with the level of archaeological survey undertaken so far and accept the reasons why the Applicant has been unable so far to access some sites within the DCO red line boundary to complete both magnetometry and trial trenching surveys. SCC are satisfied that the most sensitive archaeological areas within the scheme have been subject to full evaluation already and feel the work undertaken so far is sufficient for decision making purposes. However, the completion of magnetometry and trial trenching surveys across all remaining areas of the DCO red line boundary which have not yet been subject to full archaeological assessment, followed by mitigation (across all areas of the DCO red line boundary) prior to the commencement of any site preparation, landscaping, ecological mitigation or construction works, should still be required going forward. This outstanding assessment and mitigation work (as well as post excavation analysis, reporting, publication and archive deposition) should be secured through appropriate and detailed requirement wording. See LIR Annex J (examination library reference pending).</p>
	Response by SZC Co. at Deadline 3	<p>SZC Co. welcomes SCC's comments and affirms its commitment to completing the evaluation fieldwork ahead of defining a mitigation strategy for any parts of sites to which this applies. SZC Co. is working with SCC Archaeological Service to ensure that Requirement 3: Project Wide - Archaeology and Peat of the DCO clearly reflects this.</p> <p>The revised Overarching Archaeological Written Scheme of Investigation (Doc Ref. 6.14 2.11.A (A)) provides for and defines standards for further archaeological trenching post-consent to determine the scope and nature of further mitigation proposals in areas that have not to date been subject to intrusive investigative work.</p>
	Response by Historic England at Deadline 3	We recommend evaluation should be undertaken prior to the submission of the DCO as following best practice, and industry norms. We have however acknowledged that some parts of the development area could not be fully evaluated prior to the DCO submission. This is due to several limiting factors including land access and COVID 19. We are pleased to see a commitment in the ES to fully evaluate and investigate all archaeological sites at the earliest opportunity.

ExQ1	Question to:	Question:
		<p>Whilst we acknowledge the issues the applicant has faced during this campaign this lack of evaluation does present number of limitations for the applicant, and a potential policy issue that the Examining Authority (ExA) need to be aware of. In particular that the lack of evaluation and testing of known assets and exploration for unknown sites means the significance of known and unknown assets across all part of the development area can not been fully established. This is only in those areas that have not been evaluated. The consideration is with regards to the requirements of the historic environment polices set out in EN-1 (Overarching NPS for Energy) when the ExA seeks to weigh the balance in relation to harm and benefit as set out in paragraph 5.8.15.</p> <p>For example 5.8.12 asks that in considering the impact of a proposed development on any heritage assets, the Examining Authority would need to take into account the level of 'significance' of any heritage assets and that 'account should be taken of the desirability of sustaining and, where appropriate, enhancing the significance of heritage assets'. The Examining Authority would also need to take into account Policy 5.8.14 which states 'There should be a presumption in favour of the conservation of designated heritage assets' and then paragraphs 5.8.4 and 5.8.5 in that regard.</p> <p>We broadly accept an approach that uses site-specific Written Scheme of Investigations (WSI) to approach all sites however we also recommend the examining authority seek from the applicant a commitment to undertaking a full assessment of significance at the earliest opportunity. Furthermore should heritage assets be identified that would meet the criteria set out in para 5.8.4 or 5.8.5 then Historic England and the LPA Archaeological Advisors should be contacted at the earliest opportunity so that discussions can be undertaken with regards to the appropriate method for the conservation of heritage assets as set out in 5.8.14.</p> <p>We also would ask the ExA in relation to this matter to ensure that they are comfortable that the DCO is sufficiently well worded to ensure a full programme of archaeological works will be completed post consent and confirm the applicant's commitment to completing this work.</p>
	Response by SZC Co. at Deadline 5	SZC Co. notes Historic England's comments and note that in cases where pre-determination investigation has not been possible, and where heritage assets of equivalent significance to scheduled monuments are identified in archaeological investigations, consultation with SCCAS and Historic England will be undertaken to determine an appropriate strategy for conservation as far as is reasonably practicable within the approved parameters for development.
HE.1.7	ESC, SCCAS, Historic England	Summary of Survey Status

ExQ1	Question to:	Question:
		Table 16.5 [APP-272] confirms where geophysical surveys and/or evaluation trenching has not been undertaken. In such areas, the Applicant has confirmed that a programme of further work will be set out in a site-specific Written Scheme of Investigation. Do you see any significant limitations with this approach?
	Response by SZC Co. at Deadline 2	No response from SZC Co. is required.
	Response by East Suffolk Council at Deadline 2	ESC defers to SCC Archaeological Service and Historic England on this matter.
	Response by Suffolk County Council at Deadline 2	SCC are happy with this approach. Site specific WSIs should be required for each phase of assessment and mitigation work for every site within the DCO red line boundary, alongside detailed method statements for each site and phase of work to be produced by the appointed archaeological contractor(s). These documents must also be in line with the final approved Overarching WSI. This outstanding assessment and mitigation work (as well as post excavation analysis, reporting, publication and archive deposition) should be secured through appropriate and detailed requirement wording. See LIR Annex J (examination library reference pending).
	Response by SZC Co. at Deadline 3	SZC Co. notes and agrees with SCC's comments.
	Response by Historic England at Deadline 3	See advice above at HE 1.5.
	Response by SZC Co. at Deadline 5	No further response from SZC Co. is required.
HE.1.10	The Applicant	Unrecorded Heritage Assets Paragraph 16.4.69 [APP-272] discusses the potential for heritage assets which have not previously been identified or recorded to be present in areas of the site that have not been subject to geophysical surveys

ExQ1	Question to:	Question:
		and/or evaluation trenching. Please confirm if the SSSI crossing and borrow pit field 2 have been subject to survey? If not, please explain why.
	Response by SZC Co. at Deadline 2	<p>Neither the SSSI crossing nor Borrow Pit Field 2 have been subject to survey.</p> <p>As set out in Volume 2, Chapter 16, paragraph 16.4.69 (Terrestrial Historic Environment) of the ES [APP-272], environmental effects at the SSSI crossing were assessed to be minimal. This conclusion was based on the observed depth of modern made-ground within the former Sizewell B compound area, and areas of dense planting to the north. It is concluded that any near-surface archaeological remains would have been exposed to significant disturbance during the construction of Sizewell B. Given the significant biodiversity sensitivity of this site, it was not considered appropriate to carry out intrusive archaeological works as part of the wider evaluation programme.</p> <p>Access was not possible to Borrow Pit Field 2 without causing disturbance to livestock and crops that would have been unacceptable to the landowner. The results of evaluation from adjacent fields highlight the potential presence of archaeological remains in this area which are assessed at paragraph 16.6.42 [APP-272].</p> <p>Appropriate provision will be made for archaeological investigation of this area prior to construction.</p>
	Response by Suffolk County Council at Deadline 3	<p>With regards to the SSSI crossing SCC is concerned that this area is not being scoped in for work. Surface disturbance is assumed but not yet proven, but there is also a potential for deep deposits- evaluation is required to determine this. We have previously advised the Applicant of the following, which we maintain is required:</p> <p>Potential for buried surface archaeological deposits, including wet-zone activity, as well as palaeoenvironmental remains. Potential for waterlogged prehistoric settlement, potentially of major significance. For surface archaeology, trial trenched evaluation and palaeo-environmental assessment required, subject to an agreed WSI, with mitigation as appropriate based upon the results. For deeper deposits, assessment required in line with the peat strategy. Further mitigation to be decided pending results of evaluation.</p>
	Response by SZC Co. at Deadline 5	<p>It is not accurate to say that no further archaeological works are planned at the SSSI Crossing. The archaeological potential of this area, albeit limited, is recognised. A site-specific Written Scheme of Investigation will be developed and agreed with SCCAS in general accordance with the Overarching Written Scheme of Investigation [REP3-022] and, where deeper peat deposits are present and would be affected, the Peat Strategy.</p>

ExQ1	Question to:	Question:
HE.1.12	ESC, SCCAS, Historic England, English Heritage	Direct Effects on Heritage Assets – Construction Paragraph 16.6.55 [APP-272] notes that groundworks associated with the construction of the accommodation campus, roundabout and site entrance of the MDS has the possibility of potentially harming buried archaeological remains associated with the Leiston Abbey assets (LB 121573, LB 1215754, LB 1216380 and LB 1268290). Please comment as to whether such assets comprise relatively minor and peripheral elements of the monastic landholding? Would harm to such designated assets discernibly affect the informative potential of them?
	Response by SZC Co. at Deadline 2	No response from SZC Co. is required.
	Response by East Suffolk Council at Deadline 2	ESC defers to SCC Archaeological Service and Historic England on this matter.
	Response by Suffolk County Council at Deadline 2	SCC defer to HE and ESC to advise regarding impacts to designated heritage assets. Evaluation of the accommodation campus, roundabout and MDS site entrance has defined multi-period archaeological remains (dating from prehistory through to the post-medieval period). Some medieval remains contemporary with the Abbey have been defined, however, we would agree that these are peripheral to the main designated area. SCC would advise that impacts to the defined archaeological remains can be appropriately mitigated by a programme of archaeological mitigation work (as well as post excavation analysis, reporting, publication and archive deposition), secured through appropriate and detailed requirement wording. See LIR Annex J (examination library reference pending).
	Response by English Heritage Trust at Deadline 2	EHT does not have significant comments to make on this matter and defers the technical response to Historic England. However, as part of the strategies to evaluate the archaeological value, and potential value, of the land around Leiston Abbey, and the surveys pre-commencement, EHT would appreciate a record of any significant finds related to the abbey. This would aid in the understanding of Leiston Abbey, and the surrounding contemporary communities. In turn, this would help to better reveal the significance of the abbey site.

ExQ1	Question to:	Question:
	Response by SZC Co. at Deadline 3	SZC Co. notes SCC's response and clarifies that the potential remains identified at Volume 2, Chapter 16 , paragraph 16.6.55 of the ES [APP-272] are non-designated heritage assets that are not covered by any national or local designations. More detail is set out in the Response to the LIR submitted at Deadline 3. Dissemination of the results of archaeological work, either as formal reports and publications or via outreach is identified as a key element of the Overarching Archaeological Written Scheme of Investigation (Doc Ref. 6.14 2.11.A (A)).
	Response by Historic England at Deadline 3	Historic England would need to defer to the LPA archaeological advisors at SCCAS as we have primarily assessed the impact of the development on the significance of the designated heritage assets at Leiston Abby. However, we would draw the ExA attention to Policy 5.8.4 of EN-1.
	Response by SZC Co. at Deadline 5	No further response from SZC Co. is required.
HE.1.13	ESC, SCCAS, Historic England	Peat Strategy Please confirm whether the content of the Peat Strategy contained within Appendix 16G [APP-275] is satisfactory? If required, please provide suggested amendments or additions.
	Response by SZC Co. at Deadline 2	No response from SZC Co. is required.
	Response by East Suffolk Council at Deadline 2	ESC defers to SCC Archaeological Service and Historic England on this matter.
	Response by Suffolk County Council at Deadline 2	SCC are happy that the Peat Strategy document is satisfactory. A Peat Strategy Mitigation WSI supplementary to (and in accordance with this document) this will, however, need to be secured through appropriate and detailed requirement wording. See LIR Annex J (examination library reference pending).
	Response by SZC Co. at Deadline 3	SZC Co. notes the general agreement to the principle of the Peat Strategy. More detailed comments on SCCAS comments on the Peat Strategy are set out in the SZC Co. Response to the LIR (Doc Ref. 9.29) submitted at Deadline 3.

ExQ1	Question to:	Question:
	Response by Historic England at Deadline 3	As set out in our written representation we can confirm we support the adoption of the Peat Strategy (Volume 2, Appendix 16G), and have been an advocate of its development and implementation. We have seen several drafts since it was first written and most recently in 2020, and we do not have any further comments at this stage. We have also set this out in our Written Representation.
	Response by SZC Co. at Deadline 5	SZC Co have responded to the comments made by SCCAS on the Peat Strategy in their Response to the LIR [REP3-044].
HE.1.15	The Applicant, English Heritage	<p>Leiston Abbey Second Site – Sustainable Conservation and Management Plan</p> <p>Please provide detail and a progress update on the proposed Sustainable Conservation and Management Plan.</p> <p>To the Applicant - Is the plan to be included as mitigation? If so, how is this to be secured?</p>
	Response by SZC Co. at Deadline 2	<p>English Heritage has provided SZC Co. with a copy of their draft 'Sustainable Conservation, Vision and Stewardship Management Plan' (SCVSMP) to help inform discussions on the heritage contribution for Leiston Abbey (second site).</p> <p>The contribution will be secured in the Deed of Obligation (Doc Ref. 8.17(C)) and be used towards the carrying out of what is currently described in Schedule 8 as the 'Second Leiston Abbey Site Enhancement Scheme', the details of which will be annexed to the Deed of Obligation. This wording may be amended to directly refer to identified measures set out within the SCVSMP as discussions progress.</p>
	Response by Pro Corda Trust for Deadline 2	Pro Corda need to be involved directly and centrally in the production and execution of a sustainable CMP – not least as fulltime managers of the Leiston Abbey site. A CMP is in our view an appropriate tool to guide and manage the change that this site is undoubtedly going to undergo over the next 10 years and beyond during the construction phase. It should also guide the post-construction camp restoration of the area (lighting, sports facilities etc,) which should also be secured by condition and agreement following consultation with Pro Corda and other affected parties.
	Response by English Heritage Trust for Deadline 2	<p>EHT has provided the latest version of the "Sustainable Conservation and Management Strategy" (SCMS) to the applicant. This is a costed plan to help mitigate the effects of the Sizewell C project on Leiston Abbey second site.</p> <p>EHT proposes that the works and projects within the SCMS provide the protection and enhancement needed. This includes advocacy for best practice site maintenance and care, conservation, improving understanding of the site, enhancing the visitor experience, and promoting local community participation.</p>

ExQ1	Question to:	Question:
		<p>The mitigation in the SCMS will predominantly be delivered by EHT (and its contractors), but the funding for it will substantially be secured by S106 obligations.</p> <p>The full scale of these effects and the mitigation required should continue to be discussed through the DCO process. Obligations and S106 discussions continue on a 'without prejudice' basis. This will help to better reveal the significance of the Abbey site, and help protect the site for generations to come.</p>
	Response by SZC Co. for Deadline 3	<p>Detailed discussions with EHT and Pro Corda regarding measures to be included within the Deed of Obligation (Doc Ref. 8.17(D)) are ongoing. As set out within the updated Statement of Common Ground with Pro Corda submitted at Deadline 3 (Doc Ref. 9.10.21(A)), Pro Corda <i>"welcome the joint working of the 3 parties alongside the heritage fund and resilience fund being treated separately"</i>.</p>
	Response by RSPB and SWT at Deadline 3	<p>In relation to the ExA Q HE.1.15 on the Leiston Abbey Second Site – Sustainable Conservation and Management Plan: Question: <i>Please provide detail and a progress update on the proposed Sustainable Conservation and Management Plan. To the Applicant - Is the plan to be included as mitigation? If so, how is this to be secured?</i></p> <p>And the Applicant's response stating that English Heritage had provided a draft 'Sustainable Conservation, Vision and Stewardship Management Plan' <i>to help inform discussions on the heritage contribution for Leiston Abbey (second site). The contribution will be secured in the Deed of Obligation (Doc Ref. 8.17(C)) and be used towards the carrying out of what is currently described in Schedule 8 as the 'Second Leiston Abbey Site Enhancement Scheme', the details of which will be annexed to the Deed of Obligation. This wording may be amended to directly refer to identified measures set out within the SCVSMP as discussions progress.</i></p> <p>We note that in Schedule 8, paragraphs 3.2 there is a new provision for SCC to monitor and procure monitoring is now included. As set out in our Written Representations, Section 6, it is worth noting that the RSPB has responsibility to maintain the scheduled monument. Currently we have not discussed with the Applicant and will seek to do with along with SCC and update the Examining Authority following those discussions.</p>
	Response by SZC Co. at Deadline 5	<p>Leiston Abbey (second site) to which this question relates is an English Heritage guardianship site, hence why the heritage contribution for Leiston Abbey (second site) is being discussed with English Heritage.</p> <p>The heritage asset on the RSPB's land is Scheduled Monument (SM 1015687) at Leiston Abbey (first site) with later chapel and pillbox. Discussions are now underway with the RSPB Reserves Archaeologist on the specific measures to be funded and these are likely to include improved interpretation and information, including to help visitors better understand the link between the first and second Leiston Abbey sites.</p>

ExQ1	Question to:	Question:
		The monitoring contribution proposed for SCC relates to the archaeological fieldwork and not to monitoring of the heritage contributions for the Leiston Abbey first and second sites.
HE.1.19	ESC, SCCAS, Historic England, National Trust	Enhancement of the Permanent Beach Landing Facility (BLF) (Change 2) Due to the proposed enhancement of the permanent BLF, it is stated that increased visibility of construction plant is likely from the Coastguard Cottages, Leiston Abbey first site and from the edges of the Aldeburgh and Southwold Conservation Areas. Are you satisfied that, as detailed in [AS-181], such an increase in visibility would not alter the level of significance of effect on the above assets?
	Response by SZC Co. at Deadline 2	No response from SZC Co. is required.
	Response by National Trust at Deadline 2	<p>The NT agrees that the changes to the permanent BLF will increase visibility of construction plant from Coastguard Cottages, due to the elevated position of our site with clear views to the south encompassing the construction site. This impact needs to be considered in combination with the increased vessel movements and birthing which it would facilitate, the additional proposed lighting, and the extension further seaward. We note the view of East Suffolk Council in the Local Impact Report which states "This development creates a magnitude of change here greater than experienced by any other heritage asset, resulting from the intensification of the industrialisation of this part of the coastline and subsequent reduction in the undeveloped coastal landscape which currently contributes to an appreciation of the Coastguard Cottages".</p> <p>We agree with the Council's position that challenges the conclusion of the ES with regard to the significance of effect on Coastguard Cottages and we concur that in our view there will be a medium magnitude of impact leading to a moderate adverse effect for our asset of medium heritage significance.</p>
	Response by East Suffolk Council at Deadline 2	Yes, ESC is satisfied that an increased visibility of construction plant in relation to the enhancement of the permanent BLF would not alter the level of significance of effect on the cited heritage assets.
	Response by Suffolk County Council at Deadline 2	SCC defer to HE and ESC to advise regarding this element.

ExQ1	Question to:	Question:
	Response by SZC Co. at Deadline 3	<p>SZC Co. notes the response of ESC, and considers that the response of National Trust does not consider the visibility of the changes to the permanent BLF in the context of a change to previous proposals, consequently overstating the nature and effect of this change.</p> <p>Further consideration of change to the setting of Coastguard Cottages is set out in the SZC Co. Response to the LIR submitted at Deadline 3 (Doc Ref. 9.29).</p>
	Response by Historic England at Deadline 3	<p>We have limited as per our remit comment to the highly graded asset of Leiston Abbey pt site and defer to the LPA and colleagues with regards to the other assets mentioned under HE.1.19.</p> <p>In relation to Leiston Abbey first site we already consider the impact of the construction phase and the operation of the development to represent a very high degree of harm to its significance through development within its setting, resulting in a significant effect in EIA terms. This is set out in our written representation.</p> <p>The changes to the BLF would not in our view add much to the overall quantum of development and would not raise or change our view on the overall level of harm or the significance of the effect of the development as a whole.</p> <p>The effect on the marine historic environment would not be sufficiently different and would be addressed by the comments as set out in our written representation.</p>
	Response by SZC Co. at Deadline 5	No further response from SZC Co. is required.
HE.1.20	ESC, SCCAS, Historic England, National Trust	<p>Temporary Beach Landing Facility (BLF) (Change 2)</p> <p>Are you satisfied that the construction of the temporary BLF would be seen within the wider context of construction related activity and visibility would be relatively limited? Do you concur that as a consequence of such limited visibility the level of significance of the effects on Coastguard Cottages, Leiston Abbey first site and from the edges of the Aldeburgh and Southwold Conservation Areas would not change to that detailed in the initial assessment findings in [APP-272]?</p>
	Response by SZC Co. at Deadline 2	No response from SZC Co. is required.

ExQ1	Question to:	Question:
	Response by National Trust at Deadline 2	<p>Whilst the construction (and presence) of the temporary BLF would be seen within the context of other construction activity, we do not consider that visibility would be relatively limited. Although it would be located to the south of the permanent BLF, the structure would be approximately 500 metres in length, include a jetty head up to 62 metres in width and a temporary conveyor which would cross the beach into the main development site. Taken together, the cumulative impact of both BLF's and associated infrastructure would significantly increase the amount of development which would be seen on the beach in front of the Sizewell C site and extending seaward. The mooring and movement of large vessels will also add visual clutter within the seascape and the additional lighting required will have a greater impact on the night sky. The development will have a greater footprint and extend over a much larger area than originally proposed.</p> <p>All of this would be visible within the setting of Coastguard Cottages, the location of which affords elevated views of the landscape and seascape towards the Sizewell C site. We do not consider that visibility of the additional temporary BLF and associated infrastructure would be limited. Furthermore, it would not be possible to mitigate the impact of development extending seaward from our site. Accordingly, we are of the opinion that this would have a greater impact on the setting of Coastguard Cottages and level of effects on significance would be greater as referred to by East Suffolk Council in the Local Impact Report which states "This development creates a magnitude of change here greater than experienced by any other heritage asset, resulting from the intensification of the industrialisation of this part of the coastline and subsequent reduction in the undeveloped coastal landscape which currently contributes to an appreciation of the Coastguard Cottages"</p>
	Response by East Suffolk Council at Deadline 2	<p>Yes, ESC is satisfied that the construction of the temporary BLF would result in limited visibility when seen in the wider context of the construction of the Main Development Site.</p> <p>ESC accepts that there would be no change in the level of significance of the effects on the cited heritage assets that are Coastguard Cottages and the Aldeburgh and Southwold Conservation Areas. The area of construction proposed for the temporary BLF will appear relatively minor in scale in relation to the overall MDS and does not contribute to the significance of the aforementioned Conservation Areas.</p>
	Response by Suffolk County Council at Deadline 2	SCC defer to HE and ESC to advise regarding this element.

ExQ1	Question to:	Question:
	Response by SZC Co. at Deadline 3	SZC Co. notes the response of ESC and considers that the National Trust response overstates the potential visibility of the temporary BLF and associated infrastructure, which would be largely screened by the permanent BLF and seen only in the context of the active construction site. Any change arising to night-time views of the construction site would be minimal. Further consideration of change to the setting of Coastguard Cottages is set out in the Comments on Councils' Local Impact Report (Doc Ref. 9.29) submitted at Deadline 3.
	Response by Historic England at Deadline 3	See our comments in relation to HE.1.19.
	Response by SZC Co. at Deadline 5	No further response from SZC Co. is required.
HE.1.21	The Applicant	Additional Fen Meadow Habitat at Pakenham (Change 11) Please confirm what survey work has been undertaken at Pakenham to date.
	Response by SZC Co. at Deadline 2	SZC Co. has not undertaken any archaeological fieldwork on the Pakenham site. It is considered that the effects of the proposed scheme would be limited and localised in any case, and that archaeological investigation targeted on discrete areas of disturbance secured by requirement would be the most appropriate response.
	Response by Suffolk County Council at Deadline 3	All areas at the Pakenham Fen site where ground disturbance is planned will need to be subject to archaeological trial trenched evaluation, followed by mitigation as appropriate. The nature of proposed works in this area is not yet clear, therefore at present, the entire site must be scoped in for post-consent archaeological assessment and mitigation.
	Response by SZC Co. at Deadline 5	SZC Co. notes the response by SCCAS and confirms that an archaeological response to the construction of the Fen Meadow Habitat will be set out in a site-specific WSI produced in accordance with the Overarching Archaeological Written Scheme of Investigation [REP3-022].
HE.1.22	The Applicant	Site of Special Scientific Interest Crossing (Change 6) Both ESC and SCC state that the terrestrial historic environment should be considered because of the change in design [AS-307]. Please expand on why this change does not alter the assessment of effects on the terrestrial historic environment.

ExQ1	Question to:	Question:
	Response by SZC Co. at Deadline 2	As noted in the response to Question HE 1.10 in this chapter environmental effects at the SSSI crossing were assessed to be minimal (Volume 2, Chapter 16, paragraph 16.4.69 (Terrestrial Historic Environment) of the ES) [APP-272], as near-surface archaeological remains would have been exposed to significant disturbance during the construction of Sizewell B. The changes proposed present an equivalent degree of intrusion such that it is anticipated that any effects would be of equivalent magnitude to the proposals assessed in the ES.
	Response by Suffolk County Council at Deadline 3	Please see SCC comment on HE.1.10
	Response by SZC Co. at Deadline 5	Please see SZC comments on HE.1.10 above.
HE.1.23	ESC, SCCAS, Historic England, English Heritage	Mitigation Alongside of the proposed site-specific WSI and Peat Strategy, is any further mitigation necessary in relation terrestrial heritage effects at the MDS? If necessary, how do you consider such measures should be secured?
	Response by SZC Co. at Deadline 2	No response from SZC Co. is required.
	Response by East Suffolk Council at Deadline 2	ESC does not consider that further mitigation is considered necessary in relation to non-archaeological terrestrial heritage effects at the Main Development Site.
	Response by Suffolk County Council at Deadline 2	The completion of magnetometry and trial trenching surveys across all remaining areas of the DCO red line boundary at Main Site which have not yet been subject to full archaeological assessment, followed by archaeological mitigation (across all areas of the DCO red line boundary) prior to the commencement of any site preparation, landscaping, ecological mitigation or construction works, should still be required going forward. Site specific WSIs should be required for each phase of assessment and mitigation work for every site within the DCO red line boundary, alongside detailed method statements for each site and phase of

ExQ1	Question to:	Question:
		<p>work to be produced by the appointed archaeological contractor(s). These documents must also be in line with the final approved Overarching WSI.</p> <p>In addition, a Peat Strategy Mitigation WSI (which is in line with the Peat Strategy) needs to be produced and implemented.</p> <p>This outstanding assessment and mitigation work (as well as post excavation analysis, reporting, publication and archive deposition) should be secured through appropriate and detailed requirement wording. See LIR Annex J (examination library reference pending).</p>
	Response by English Heritage Trust at Deadline 2	<p>EHT is concerned about the impact and harm of the MDS on the Leiston Abbey (second site). It is agreed that the impacts are less than substantial but will nevertheless be significant in places. EHT accepts that some embedded mitigation (primarily landscaping and tree buffers) in the Sizewell C Project will reduce the effects. EHT has also proposed a Sustainable Conservation and Management Strategy (SCMS) as mitigation, and this has been shared with SZC Co. The mitigation in the SCMS will predominantly be delivered by EHT (and its contractors), but the funding for it will be secured by S106 obligations.</p> <p>The full scale of these effects and the mitigation required should continue to be discussed through the DCO process. Obligations and S106 discussions continue on a 'without prejudice' basis.</p>
	Response by SZC Co. at Deadline 3	<p>SZC Co can confirm that site-specific WSIs will be produced in accordance with the Overarching Archaeological WSI to set out the scope and methods of investigative works, including additional trial trenching where this is required. A more detailed response to SCC's comments on the Peat Strategy is set out in the Comments on Councils' Local Impact Report (Doc Ref. 9.29) submitted at Deadline 3. Discussions with EHT regarding measures to be included within the Deed of Obligation (Doc Ref. 8.17(D)) are ongoing.</p>
	Response by Historic England at Deadline 3	<p>Historic England would like to be reassured that any additional heritage mitigation proposed would be secured via an appropriately worded legally binding agreement such as a s.106 agreement or similar. This includes any off-site mitigation proposed for Leiston Abbey 1st and 2nd sites. We have for example recommended a programme of mitigation for Leiston Abbey 1st site that could include conservation repairs, education packages, signage and interpretation, this would need to be directed to the site owners and funding 'ring fenced' for heritage matters. We have supported a similar approach be directed to the guardians and site owners at Leiston Abbey 2nd site.</p>
	Response by SZC Co. at Deadline 5	<p>SZC Co notes, with regard to Historic England's response, that discussions with EHT and Pro Corda regarding measures to be included within the draft Deed of Obligation (Doc Ref. 8.17(E)) are ongoing.</p>

ExQ1 Question to: Question:		
Sizewell Link Road (SLR)		
HE.1.25	The Applicant	<p>Ancient and Veteran Trees</p> <p>Please confirm whether ancient and veteran trees would be retained and adequately protected during construction? Would measures employed comply with Natural England's Standing Advice in relation to tree buffer zones?</p>
	Response by SZC Co. at Deadline 2	<p>The trees to be removed are shown on the vegetation removal plans. For Sizewell link road these are included at Figures 6.2.9 to 6.2.12 of the ES Addendum [AS-198].</p> <p>When any tree is to be retained, the measures defined in Part C of the Code of Construction Practice (CoCP) (Doc Ref. 8.11(B)) would be employed to protect the tree, as follows:</p> <p><i>"Trees within or adjacent to the site boundary, which are to be retained, will be protected in line with the recommendations in BS 5837: Trees in relation to design, demolition and construction – Recommendations.</i></p> <p><i>The following measures will be implemented, as appropriate [edited for relevance]:</i></p> <ul style="list-style-type: none"> <i>• provision of appropriate protective fencing to reduce the risks associated with vehicles trafficking over root systems or beneath canopies;</i> <i>• measures to prevent compaction of soils;</i> <i>• maintenance of vegetation buffer strips, where practicable;</i> <i>• standard guidance for working within root protection zones including procedures to follow in the event that significant roots are uncovered during work".</i> <p>There are currently no measures in the CoCP specifically for retained veteran trees. Natural England's standing advice is that a buffer zone around an ancient or veteran tree should be at least 15 times larger than the diameter of the tree. The buffer zone should be 5m from the edge of the tree's canopy if that area is larger than 15 times the tree's diameter.</p> <p>SZC Co. commits to reviewing the location of all retained veteran trees in close proximity to the associated development sites and determining whether Natural England's standing advice can be included with an updated version of the CoCP to further protected these trees.</p>
	Response by Stop Sizewell C at Deadline 3	<p>Ancient and Veteran trees. We are not clear whether the SLR will affect any ancient or veteran trees? We are concerned that the Applicant does not appear know the location of veteran trees and important hedgerows. These are significant landscape features.</p>

ExQ1	Question to:	Question:
	Response by SZC Co. at Deadline 5	The alignment of the Sizewell link road would result in the loss of two veteran trees, as identified on the Ancient Woodland Inventory. An additional arboricultural survey will be undertaken and will identify if there are additional trees within the Sizewell link road site that could be classed as veteran. The results of the surveys will be submitted at Deadline 8. The Code of Construction Practice (CoCP) (Doc Ref. 8.11(C)) will be updated to include recommendations set out in the arboricultural survey. The locations of important hedgerows (both retained and removed) are shown on the Sizewell Link Road Site Clearance Plan [AS-138]
HE.1.26	ESC, SCCAS, Historic England	Historic Landscape Character - Important Hedgerows Paragraph 9.4.21 [APP-467] confirms that it is likely that most surviving hedgerows within the site would be considered important under the Hedgerow Regulations. Are you satisfied that these hedgerows are best considered of low heritage significance?
	Response by SZC Co. at Deadline 2	No response from SZC Co. is required.
	Response by East Suffolk Council at Deadline 2	The site route of the Sizewell Link Road mainly falls within the Suffolk Historic Landscape Character Assessment Sub Type 1.1 Pre 18th century enclosure (random fields) which is characterised by fields of an irregular pattern i.e., without a dominant axis. Many are of medieval origin or earlier, and display species rich boundary hedges. Where such field patterns are seen, they are regarded as some of our earliest farming landscapes. Although of some notable antiquity, such landscapes are not exceptionally rare, so ESC considers that the hedgerows in this case are of moderate to low heritage significance. The ES [APP-467] states that, apart from where the road route severs hedge lines, field boundary hedgerows will be retained and protected during the duration of the development, and indeed planted up and enhanced where possible. It is accepted that inevitably a road route will cut through the existing pattern of the landscape, but for the most part, the wider fabric of the landscape remains intact and legible and so in that respect the harm to the heritage significance of the hedgerows is minor, even if ESC would suggest that the overall heritage significance is moderate to minor.
	Response by Suffolk County Council at Deadline 2	The methodology employed in the assessment of impacts on the terrestrial historic environment defines 'Low' significance as 'Asset has significance for elements of archaeological, architectural, historic, or artistic interest.' Hedgerows considered important under the Hedgerow Regulations can reasonably be considered as falling into this level, relative to other historic assets.

ExQ1	Question to:	Question:
	Response by SZC Co. at Deadline 3	No response from SZC Co. is required
	Response by Historic England at Deadline 3	Historic England would defer to the LPA and their specialist heritage advisors with regards to this topic.
	Response by SZC Co. at Deadline 5	No response from SZC Co. is required.
HE.1.29	ESC, SCCAS, Historic England	<p>Primary Mitigation - Theberton Hall</p> <p>Would the proposed woodland planting to the west of the SLR, described at paragraph 9.5.5 [APP-467], in the vicinity of Dovehouse Farmhouse adequately compensate for the loss of woodland in the belt west of Theberton Hall?</p> <p>In addition, would the proposed woodland planting east of the SLR successfully minimise views from Theberton Hall Estate and help integrate the proposed Pretty Road overbridge into the surrounding landscape?</p>
	Response by SZC Co. at Deadline 2	No response from SZC Co. is required.
	Response by East Suffolk Council at Deadline 2	The proposed woodland planting will compensate for the partial loss and severance of Plumtreehill Covert to the west of Theberton Hall in terms of area. It will still provide a westerly view of a belt of woodland from Theberton Hall over time, albeit in an imposed location. However, this will only indirectly compensate for the further erosion of the historic landscape character and remnant parkland (of which the Covert is a part) to Theberton Hall caused by the route of the Sizewell Link Road (SLR), see paragraph 12.60 of the LIR [REP1-045]. The harm arising will be residual and permanent proposed woodland planting east of the SLR in blocks and belts is typical of the local landscape. It will change the setting to Theberton Hall but still provide woodland in a view from it. However, the planting will be a feature imposed on the landscape rather than arising from it in accordance with the existing historic pattern of hedgerows, fields and woodland.

ExQ1	Question to:	Question:
		It is difficult to understand in what way an overbridge can be 'integrated' into its landscape surroundings. The overbridge, itself, will be semi-remote from Theberton Hall and screened from it and its entrance off Pretty by the proposed tree planting. Much will depend upon the design of the overbridge itself to ensure that it somehow retains the charming rustic character of the countryside lane, if that is possible.
	Response by Suffolk County Council at Deadline 2	SCC defer to HE and ESC to advise regarding this element.
	Response by SZC Co. at Deadline 3	A more detailed response to ESC comments on Theberton Hall is set out in the Comments on Councils' Local Impact Report (Doc Ref. 9.29) submitted at Deadline 3.
	Response by Historic England at Deadline 3	Theberton Hall is a grade II listed building and therefore we have deferred to the LPA in relation to the impact of the development and any proposed planting upon its significance. We have however identified its former parkland as a potentially under-represented non-designated heritage asset in our written representation (please see HE WR paragraph 2.133 to 2.140). We have raised a concern about the impact of the development on the former park and specifically on Plumtreehills Covert in our written rep (see HE WR paragraph 2.133 to 2.140). The loss of significance caused by the harm to the former parkland and the parkland planting belt is regrettable in the context of a non-designated heritage asset. We recommend the applicant reconsider this matter in order that the ExA can undertake the balancing required under (5.8.15).
	Response by SZC Co. at Deadline 5	SZC Co. has responded to Historic England's comments on Theberton Hall in the Response to Written Representations [REP3-042].
HE.1.31	ESC, SCCAS, Historic England	Historic Landscape Character - Construction Are you satisfied that although the construction of the SLR would bisect several fields and truncate historic boundaries it would not eliminate the overall landscape pattern or ability to understand it (paragraph 9.6.67 [APP-467])?
	Response by SZC Co. at Deadline 2	No response from SZC Co. is required.

ExQ1	Question to:	Question:
	Response by East Suffolk Council at Deadline 2	ESC can accept that the construction of the Sizewell Link Road would not eliminate the overall landscape pattern, but it will affect the ability to understand it by being a dominant element in what was otherwise an undeveloped landscape. Erosion of the historic landscape character in the area of the SLR's development will adversely affect the ability to understand it.
	Response by Suffolk County Council at Deadline 2	SCC notes the assessment of the impact of the SLR on historic landscape character. Based on this, it does appear that whilst elements of that character will be lost, the underlying landscape pattern will still be legible.
	Response by SZC Co. at Deadline 3	No response from SZC Co is required.
	Response by Historic England at Deadline 3	Historic England would defer to the LPA and their specialist heritage advisors with regards to this topic area.
	Response by Stop Sizewell C at Deadline 3	Impact on historic landscape character. The proposed link road would have a significant local impact on the landscape: field boundaries, cuttings and embankments, PRoW which may not eliminate the landscape pattern but will eliminate the use of it by humans and wildlife – patterns which would have been recognisable back to the Middle Ages.
	Response by SZC Co. at Deadline 5	SZC Co. notes that the suggestion that the use of the historic landscape would be 'eliminated' by Sizewell C is not an accurate characterisation of the anticipated effects. The issues raised by Stop Sizewell C are not matters for the historic environment assessment, but are more appropriately addressed by the assessments of effects on biodiversity, landscape and visual effects, recreation and socio-economic matters.
HE.1.33	The Applicant and ESC	Moat Farmhouse (LB 1228246) To the Applicant - Please respond to the statement made by ESC in respect of Moat Farmhouse in [RR-0342] that the assessment findings cannot be supported as the land to the north is one of the earliest farming landscapes in Suffolk. Noting this, please consider whether a review of the finding of no significant adverse effects is required?

ExQ1	Question to:	Question:
		To the ESC - Please provide further detail in support of your concerns regarding the assessment of Moat Farmhouse. If additional mitigation is considered necessary, please provide detail.
	Response by SZC Co. at Deadline 2	<p>Pre-18th century enclosure, as identified north of Moat Farm, has been characterised across various parts of the Sizewell link road study area and indeed other parts of Suffolk. These fields preserve the legibility of some of the oldest surviving farming landscapes in the county and therefore have heritage significance, but they are neither rare, either in Suffolk or nationally, nor unchanged, having experienced varying degrees of alteration over the 19th and 20th centuries.</p> <p>The assessment of low heritage significance is drawn primarily from the survival of a coherent, albeit altered, pre-18th century field boundaries and wooded copses and acknowledges that these field systems have significance as heritage assets within a locally important historic landscape.</p> <p>The proposed development would traverse this pre-18th century landscape in the area around Moat Farm and Anneson's Corner and would involve the removal of sections of historic hedgerows. Direct impacts to copses would be largely avoided. This would reduce the legibility of the form and character of these fields, but would not prevent that character and historic development from being read.</p> <p>The form of the proposed development, however, being sinuous with long, shallow curves would reduce the impact to the landscape as a whole, and while individual fields would be affected, the legibility of this pre-18th century enclosed landscape would still remain. The assessment of a medium magnitude of change remains valid.</p>
	Response by East Suffolk Council at Deadline 2	<p>Moat Farm is discussed in further detail in the LIR [REP1-045], Section 12, paragraph 12.65. Given that the Applicant's assessment identifies land to the north of Moat Farm as one of the earliest farming landscapes in Suffolk, ESC consider that the historic landscape has more than 'low heritage significance'.</p> <p>The proposed link road would cross this pre-18th century landscape in the area around Moat Farm and Anneson's Corner without regard to field boundaries and the field pattern and would involve the removal of sections of historic hedgerows. This would have an impact on the legibility of the form and therefore the age and character of these fields. This would arise from the construction and route of the new road which will ignore and disrupt the irregular pattern of pre-18th century enclosure in that area affected by the development, to its detriment.</p>

ExQ1	Question to:	Question:
	Response by SZC Co. at Deadline 3	No further response from SZC Co is required.
	Response by Stop Sizewell C at Deadline 3	Farming landscapes at Moat Farmhouse. We find the Applicant's response that it does not consider the landscape to be of significant value as it is not rare in Suffolk or nationally questionable. If the Applicant applied this to all such landscapes, it could set a precedent that would result in the erosion and eventual loss of all of them.
	Response by SZC Co. at Deadline 5	SZC Co. has assessed the significance of the historic landscape in this area in line with the valuation criteria and appropriate best-practice guidance as set out within Volume 1, Appendix 6L of the ES [APP-171]. This assessment identified that this historic landscape has heritage significance in the definition set out by NPS EN-1, and has been assessed accordingly as a heritage asset. It is therefore not correct to state that this historic landscape has not been considered to be of value.
HE.1.34	ESC, SCCAS, Historic England	Mitigation Alongside of the proposed site-specific WSI, is any further mitigation considered necessary in relation terrestrial heritage effects at the SLR? If necessary, how do you consider such measures should be secured?
	Response by SZC Co. at Deadline 2	No response from SZC Co. is required.
	Response by East Suffolk Council at Deadline 2	ESC does not consider that further mitigation is necessary in relation to non-archaeological terrestrial heritage effects at the Sizewell Link Road.
	Response by Suffolk County Council at Deadline 2	The completion of magnetometry and trial trenching surveys across all remaining areas of the DCO red line boundary along the SLR which have not yet been subject to full archaeological assessment, followed by archaeological mitigation (across all areas of the DCO red line boundary) prior to the commencement of any site preparation, landscaping, ecological mitigation or construction works, should still be required going forward. Site specific WSIs should be required for each phase of assessment and mitigation work for every site within the DCO red line boundary, alongside detailed method statements for each site and phase of work to be produced by the appointed archaeological contractor(s). These documents must also be in line

ExQ1	Question to:	Question:
		with the final approved Overarching WSI. This outstanding assessment and mitigation work (as well as post excavation analysis, reporting, publication and archive deposition) should be secured through appropriate and detailed requirement wording.
	Response by SZC Co. at Deadline 3	No further response from SZC Co. is required.
	Response by Historic England at Deadline 3	Historic England would defer to the LPA and their specialist heritage advisors with regards to this topic.
	Response by SZC Co. at Deadline 5	No further response from SZC Co. is required.
HE.1.35	ESC, SCCAS, Historic England	Outline Landscape and Ecological Management Plan (oLEMP) Would the proposed landscape measures within the oLEMP [AS-264] minimise impacts on cultural heritage resources? If not, please detail why.
	Response by SZC Co. at Deadline 2	No response from SZC Co. is required.
	Response by East Suffolk Council at Deadline 2	Generally, yes, as far as these measures can achieve that – mainly due to the extent of broadleaved woodland and hedgerow planting that is proposed intermittently along the route.
	Response by Suffolk County Council at Deadline 2	SCC defer to HE and ESC to advise regarding this element. SCC would highlight that archaeological assessment and mitigation work must be undertaken prior to the implementation of any landscaping, tree planting or ecological mitigation work.
	Response by SZC Co. at Deadline 3	No further response from SZC Co. is required.

ExQ1	Question to:	Question:
	Response by Historic England at Deadline 3	Historic England do not wish to offer any further comment in relation to this point. We have raised concerns that mitigation proposals can in some cases result in a degree of harmful in there own right, and have noted concerns with regards to the impact of the mitigation for the rail route on the significance of Leiston Abbey second site - however this is detailed further in our written representation.
	Response by SZC Co. at Deadline 5	SZC Co. has responded to Historic England's comments on the Leiston Abbey Second Site in the Response to Written Representations [REP3-042].
Freight Management Facility (FMF)		
HE.1.37	ESC, SCCAS, Historic England	Historic Landscape Character - Construction Please comment on the effectiveness of the proposed planting at the eastern, northern and western borders of the FMF in ensuring that any change to existing landscape would be kept internal to the field (paragraph 9.6.15 [APP-528].
	Response by SZC Co. at Deadline 2	No response from SZC Co. is required.
	Response by East Suffolk Council at Deadline 2	ESC accepts that the proposed planting to the eastern, northern and western boundaries of the FMF will contain the fundamental landscape change arising from the construction of the FMF within the site boundaries i.e., internalising it. The planting (subject to final approved details) will be expected to reflect prevailing local landscape character such that when viewed from surrounding viewpoints, will appear as an integrated element of the local landscape fabric, and this containing the effects of landscape change within the site.
	Response by Suffolk County Council at Deadline 2	SCC defer to HE and ESC to advise regarding this element. SCC would highlight that archaeological assessment and mitigation work must be undertaken prior to the implementation of any tree planting work.
	Response by SZC Co. at Deadline 3	No further response from SZC Co. is required.
	Response by Historic	Historic England has raised some concerns with regards to the impact of the construction and operation of the FMF on the significance of designated heritage assets in our written representation (see HE WR

ExQ1	Question to:	Question:
	England at Deadline 3	paragraph 2.153 to 2.160). The retention of hedgerows and landscape bunds does not necessarily address our concerns. As we have set out in our advice (at paragraph 2.159) even taking into consideration the negative elements of the current setting, we found that the effect of construction and operational elements to be significant for the designated assets which in policy terms equates to harm, but less than substantial. We have recommended that the applicant consider other ways of providing for the mitigation of effects in relation to these assets. For example, contribution to the conservation of the remaining assets, interpretation and more detailed assessment of the assets with a view to public dissemination. We would like to see the comments we set out here and in our Written Rep addressed.
	Response by SZC Co. at Deadline 5	SZC Co. has responded to Historic England's comments on the Freight Management Facility in the Response to Written Representations [REP3-042].
HE.1.38	ESC, SCCAS Historic England	Historic Landscape Character - Operation Would the retention of existing boundary vegetation, the 10m buffer zone around the north, east and west site boundaries and the addition of three landscape bunds be effective in adding a visual screen and close the operational facility off from the rest of the agricultural landscape (paragraph 9.6.25 [APP-528])?
	Response by SZC Co. at Deadline 2	No response from SZC Co. is required.
	Response by East Suffolk Council at Deadline 2	ESC considers that the existing boundary vegetation, the 10m buffer zone around the north, east, and west site boundaries, and the addition of three landscape bunds be substantially effective in adding a visual screen to the freight management development site and will largely close the operational facility off from the rest of the agricultural landscape. The main exception to this conclusion is likely to be the lighting infrastructure and lighting effects at night, which would appear as an incongruous element in association with the farmed landscape, but arguably less so when seen with the A14 dual carriageway as the backdrop.
	Response by Suffolk County Council at Deadline 2	SCC defer to HE and ESC to advise regarding this element. SCC would highlight that archaeological assessment and mitigation work must be undertaken prior to the implementation of any landscaping work

ExQ1	Question to:	Question:
	Response by SZC Co. at Deadline 3	No further response from SZC Co. is required.
	Response by Historic England at Deadline 3	See comments at HE.1.37 above.
	Response by SZC Co. at Deadline 5	SZC Co. has responded to Historic England's comments on the Freight Management Facility in the Response to Written Representations [REP3-042].
HE.1.39	ESC, SCCAS, Historic England	Effect on Setting of Heritage Effects - Operation In respect of assets located to the south west of Redhouse Farm (SM 1011344), would the provision of additional planting in existing hedgerows and the landscape bund on the eastern boundary be sufficient in order to reduce any sense of intrusion experienced during operation (paragraph 9.6.20 [APP-528])?
	Response by SZC Co. at Deadline 2	No response from SZC Co. is required.
	Response by East Suffolk Council at Deadline 2	These assets are Scheduled bowl barrows and a ring ditch. ESC defers to SCC Archaeological Service and Historic England on this matter.
	Response by Suffolk County Council at Deadline 2	SCC defer to HE and ESC to advise regarding this element. SCC would highlight that archaeological assessment and mitigation work must be undertaken prior to the implementation of any tree planting or landscaping work.
	Response by SZC Co. at Deadline 3	No further comment from SZC Co is required.
	Response by Historic	See comments at HE.1.37 above.

ExQ1	Question to:	Question:
	England at Deadline 3	
	Response by SZC Co. at Deadline 5	SZC Co. has responded to Historic England's comments on the Freight Management Facility in the Response to Written Representations [REP3-042].
HE.1.40	ESC, SCCAS, Historic England	Secondary Mitigation Measures Would the proposed secondary mitigation measures detailed in paragraph 9.7.4 [APP-528] reduce the low magnitude of adverse impact on the bowl barrow south west of Redhouse Farm (SM 1011344) to a residual minor adverse effect that would be not significant?
	Response by SZC Co. at Deadline 2	No response from SZC Co. is required.
	Response by East Suffolk Council at Deadline 2	ESC defers to SCC Archaeological Service and Historic England on this matter.
	Response by Suffolk County Council at Deadline 2	SCC defer to HE to advise regarding this element. Archaeological evaluation of the FMF has been completed (See HE 1.41). SCC would support mitigation through archaeological excavation and recording at this site.
	Response by SZC Co. at Deadline 3	More detailed comments on mitigation measures for this effect are set out in the Response to the Historic England Written Representation, Chapter 9 in Comments on Written Representations submitted at Deadline 3 (Doc Ref. 9.28).
	Response by Historic England at Deadline 3	See comments at HE.1.37 above.
	Response by SZC Co. at Deadline 5	SZC Co. has responded to Historic England's comments on the Freight Management Facility in the Response to Written Representations [REP3-042].

ExQ1	Question to:	Question:
HE.1.41	ESC, SCCAS, Historic England	Mitigation Alongside of the proposed site-specific WSI, is any further mitigation considered necessary in relation terrestrial heritage effects at the FMF? If necessary, how do you consider such measures should be secured?
	Response by SZC Co. at Deadline 2	No response from SZC Co. is required.
	Response by East Suffolk Council at Deadline 2	In the LIR [REP1-045], ESC did not identify any impacts on nonarchaeological terrestrial heritage within our remit arising from the FMF. Therefore, no further mitigation is required necessary from our consideration.
	Response by Suffolk County Council at Deadline 2	Archaeological assessment work has been completed at the FMF. Archaeological remains (relating to three prehistoric funerary moments) have been defined. Archaeological mitigation at this site prior to the commencement of any site preparation, landscaping, ecological mitigation or construction works, should therefore be required going forward. A Site specific WSIs should be required for the mitigation work at this site, alongside a detailed method statement to be produced by the appointed archaeological contractor(s). These documents must also be in line with the final approved Overarching WSI. This outstanding mitigation work (as well as post excavation analysis, reporting, publication and archive deposition) should be secured through appropriate and detailed requirement wording.
	Response by SZC Co. at Deadline 3	No further response from SZC Co. is required.
	Response by Historic England at Deadline 3	Historic England would like to be reassured that any additional heritage mitigation proposed would be secured via an appropriately worded legally binding agreement such as a s.106 agreement or similar. This includes any off-site mitigation for the barrows adversely affected by the FMF. We consider further work is needed to address concerns.
	Response by SZC Co. at Deadline 5	SZC Co. has responded to Historic England's comments on the Freight Management Facility in the Response to Written Representations [REP3-042].
Southern Park and Ride (SPR)		

ExQ1	Question to:	Question:
HE.1.42	ESC, SCCAS, Historic England	Landscaping Scheme Would the proposed landscaping scheme, as detailed on the illustrative masterplan [AS-196], minimise the impact on setting of historic assets and the historic landscape character?
	Response by SZC Co. at Deadline 2	No response from SZC Co. is required.
	Response by East Suffolk Council at Deadline 2	In the LIR [REP1-045], ESC did not identify any significant operational effects on heritage assets including Wickham Market and Marlesford Conservation areas. Landscaping proposals shown on the illustrative masterplan including perimeter landscape bunds, buffer zones, and enhanced hedgerow will, generally, minimise the impact on the setting of heritage assets and the historic landscape character as far as is possible for these kinds of features for the duration of the SPR.
	Response by Suffolk County Council at Deadline 2	SCC defer to HE and ESC to advise regarding this element. SCC would highlight that archaeological assessment and mitigation work must be undertaken prior to the implementation of any tree planting or landscaping work.
	Response by SZC Co. at Deadline 3	No further response from SZC Co. is required.
	Response by Historic England at Deadline 3	We have made additional representation with regards to the impact of the development including effect of mitigation on reducing visibility in relation to Leiston pt and 2nd Sites in our written representation.
	Response by SZC Co. at Deadline 5	SZC Co. has responded to Historic England's comments on the Leiston Abbey First and Second Sites in the Response to Written Representations [REP3-042].
HE.1.43	ESC, SCCAS, Historic England	Historic Landscape Character - Important Hedgerows Hedgerows on the site boundary to the east and in a small enclosure in the south-west [AS-196] are considered important under the Hedgerow Regulations. Are you satisfied that these hedgerows are best considered of low heritage significance?

ExQ1	Question to:	Question:
	Response by SZC Co. at Deadline 2	No response from SZC Co. is required.
	Response by East Suffolk Council at Deadline 2	The site of the Southern Park and Ride falls within the Suffolk Historic Landscape Character Assessment Sub Type 1.1 Pre 18th century enclosure (random fields) which is characterised by fields of an irregular pattern i.e., without a dominant axis. Many are of medieval origin or earlier, and display species rich boundary hedges. Where such field patterns are seen, they are regarded as some of our earliest farming landscapes. Although of some notable antiquity, such landscapes are not exceptionally rare, so ESC considers that the hedgerows in this case are of moderate to low heritage significance. The ES states that boundary hedgerows will be retained and protected during the duration of the development, and indeed planted up and enhanced where possible. With the clearance of the site postconstruction phase, the hedgerows can resume their role in historic landscape characterisation.
	Response by Suffolk County Council at Deadline 2	The methodology employed in the assessment of impacts on the terrestrial historic environment defines 'Low' significance as 'Asset has significance for elements of archaeological, architectural, historic, or artistic interest.' Hedgerows considered important under the Hedgerow Regulations can reasonably be considered as falling into this level, relative to other historic assets.
	Response by SZC Co. at Deadline 3	No further response from SZC Co. is required.
	Response by Historic England at Deadline 3	Historic England would defer to the LPA and their specialist heritage advisors with regards to this topic.
	Response by SZC Co. at Deadline 5	No further response from SZC Co. is required.
HE.1.44	ESC, SCCAS, Historic England	Mitigation Alongside of the proposed site-specific WSI, is any further mitigation considered necessary in relation terrestrial heritage effects at the SPR? If necessary, how do you consider such measures should be secured?

ExQ1	Question to:	Question:
	Response by SZC Co. at Deadline 2	No response from SZC Co. is required.
	Response by East Suffolk Council at Deadline 2	ESC does not consider that further mitigation is considered necessary in relation to non-archaeological terrestrial heritage effects at the SPR.
	Response by Suffolk County Council at Deadline 2	Archaeological assessment work has been completed at the Southern Park and Ride site. Archaeological remains (relating to a Roman Small town) have been defined. Evaluation has confirmed that important archaeological remains associated with this site, as well as prehistoric and medieval remains, are present across the development area. The level of archaeological preservation, particularly to the south-west of Whin Belt, is very good. The site is arguably of national importance but has suffered considerable damage (A12 construction, intensive agriculture, metal detecting rallies). Evaluation has confirmed that the part of the site which would be impacted upon by this development is not of schedulable quality, however, it will need full and thorough mitigation prior to Archaeological mitigation at this site prior to the commencement of any site preparation, landscaping, ecological mitigation or construction works, should therefore be required going forward. A Site specific WSIs should be required for the mitigation work at this site, alongside a detailed method statement to be produced by the appointed archaeological contractor(s). These documents must also be in line with the final approved Overarching WSI. This outstanding mitigation work (as well as post excavation analysis, reporting, publication and archive deposition) should be secured through appropriate and detailed requirement wording.
	Response by SZC Co. at Deadline 3	No further response from SZC Co. is required.
	Response by Historic England at Deadline 3	Historic England have not made any detailed representation on the SPR and would defer to the LPA and their specialist heritage advisors with regards to this topic.
	Response by SZC Co. at Deadline 5	No further response from SZC Co. is required.

ExQ1 Question to: Question:		
Marine Historic Environment		
HE.1.46	ESC, SCCAS, Historic England	Enhancement of the Permanent BLF and Construction of Temporary BLF (Change 2) Are you satisfied that the proposed changes in respect of BLFs would not alter the assessment conclusion detailed in [APP-334]? If not, please provide detail.
	Response by SZC Co. at Deadline 2	No response from SZC Co. is required.
	Response by East Suffolk Council at Deadline 2	ESC has no remit for the marine historic environment.
	Response by Suffolk County Council at Deadline 2	SCC defers to Historic England to advise regarding this element.
	Response by SZC Co. at Deadline 3	No further response from SZC Co. is required.
	Response by Historic England at Deadline 3	See our comments in relation to HE.1.19.
	Response by SZC Co. at Deadline 5	No further response from SZC Co. is required.
Two Village Bypass (TVB)		
HE.1.48	ESC, SCCAS, Historic England	Outline Landscape and Ecological Management Plan (oLEMP) Would the proposed landscape measures within the oLEMP [AS-263] minimise impacts on cultural heritage resources? If not, please detail why.

ExQ1	Question to:	Question:
	Response by SZC Co. at Deadline 2	No response from SZC Co. is required.
	Response by East Suffolk Council at Deadline 2	<p>It is ESC's view that the proposed landscape measures within the oLEMP [APP-588] would be inadequate to minimise the impact of the proposed new roundabout adjacent Parkgate Farm on the wider setting of and intervisibility between St Mary's parish church (Farnham). Views from the church into its surrounding landscape are tree dominated and we suggest that woodland planting is included to the immediate east of the roundabout to reinstate such a character. This would take the place of a view from the church of the roundabout, the proposed hedgerow around which will offer very limited screening. The red line area suggests that there is sufficient space to provide for this woodland planting.</p> <p>With respect to Farnham Hall, it is difficult to see what further landscape measures can be taken that will minimise impacts arising from the imposition of the route of the TVB, the cutting, the disrupted footpath route, the footbridge and the loss of the visual connection between the Hall and Foxburrow Wood, all of which will adversely impact the Hall's setting and, therefore, its significance.</p>
	Response by Suffolk County Council at Deadline 2	SCC defers to Historic England and ESC to advise regarding this element. SCC would highlight that archaeological assessment and mitigation work must be undertaken prior to the implementation of any landscaping, tree planting or ecological mitigation work.
	Response by SZC Co. at Deadline 3	<p>SZC Co notes that any mitigation landscaping would take place within the Order Limits and that any archaeological assessment and mitigation would therefore be provided for with the relevant site-specific WSI.</p> <p>SZC Co notes that the oLEMP sets out a mitigation scheme that balances the need to retain of the open views across the Alde Valley with the need to minimise visibility of the proposed roundabout. Therefore the proposed scheme responds to landscape character to maximise the effect of existing screening. A more detailed response to ESC comments is set out in the Comments on Councils' Local Impact Report (Doc Ref. 9.29) submitted at Deadline 3.</p>
	Response by Historic England at Deadline 3	We have made additional representation with regards to the impact of the development including effect of mitigation on reducing visibility in relation to Leiston pt and 2nd Sites in our written representation. We consider further information is needed to help illustrate the effect of the development upon Leiston pt site and this will be useful to the ExA in determining the visual effect of the development. This is set out in more detail in our Written Rep.

ExQ1	Question to:	Question:
	Response by SZC Co. at Deadline 5	SZC Co. has responded to Historic England's comments on the Leiston Abbey First and Second Sites in the Response to Written Representations [REP3-042].
HE.1.49	The Applicant	Extension and Reductions of Order Limits (Change 12) Both ESC and SCC state that the terrestrial historic environment should be considered because of the change in design [AS-307]. Please provide a response.
	Response by SZC Co. at Deadline 2	The change in the order limits and configuration of the Two Villages Bypass in the Accepted Changes are very limited and, as such, it is not considered that effects would be materially different from those assessed in Volume 5, Chapter 9, section 9.6 (Terrestrial Historic Environment) of the ES [APP-432] with regards to the disturbance of archaeological remains and change to setting of heritage assets.
	Response by Suffolk County Council at Deadline 3	All areas within the revised Red Line Boundary for the Two Village Bypass which have yet to be fully evaluated will need to be scoped in for post-consent archaeological assessment and mitigation.
	Response by SZC Co. at Deadline 5	The site-specific WSI for the two village bypass would consider appropriate survey and mitigation works for all areas within the consented Order Limits.
HE.1.50	ESC, SCCAS, Historic England	Mitigation Alongside of the proposed site-specific WSI, is any further mitigation considered necessary in relation terrestrial heritage effects at the TVB? If necessary, how do you consider such measures should be secured?
	Response by SZC Co. at Deadline 2	No response from SZC Co. is required.
	Response by East Suffolk Council at Deadline 2	ESC does not consider that further mitigation is considered necessary in relation to non-archaeological terrestrial heritage effects at the Two Village Bypass.

ExQ1	Question to:	Question:
	Response by Suffolk County Council at Deadline 2	The completion of magnetometry and trial trenching surveys across all remaining areas of the DCO red line boundary along the TVB which have not yet been subject to full archaeological assessment, followed by archaeological mitigation (across all areas of the DCO red line boundary) prior to the commencement of any site preparation, landscaping, ecological mitigation or construction works, should still be required going forward. Site specific WSIs should be required for each phase of assessment and mitigation work for every site within the DCO red line boundary, alongside detailed method statements for each site and phase of work to be produced by the appointed archaeological contractor(s). These documents must also be in line with the final approved Overarching WSI. This outstanding assessment and mitigation work (as well as post excavation analysis, reporting, publication and archive deposition) should be secured through appropriate and detailed requirement wording.
	Response by SZC Co. at Deadline 3	No further response from SZC Co. is required.
	Response by Historic England at Deadline 3	We have made additional representation with regards to the impact of the development including effect of mitigation on the Church at Farnham. We do not consider appropriate information has been provided to allow the ExA to fully examine the impact of the development upon this asset nor the likely effect. Further planting and direct mitigation may be appropriate. Likewise, any additional heritage mitigation proposed would be secured via an appropriately worded legally binding agreement such as a s.106 agreement or similar.
	Response by SZC Co. at Deadline 5	SZC Co. has responded to Historic England's comments on the Church of St Mary at Farnham in the Response to the Written Representations [REP3-042].
Northern Park and Ride (NPR)		
HE.1.51	ESC, SCCAS, Historic England	Oak Hall (LB 1030664) – Operational Effect on Setting Considering the assessment findings and the representative viewpoint provided at Figure 6.14 [APP-362] do you concur that during operation of the NPR there would be no change to heritage significance?
	Response by SZC Co. at Deadline 2	No response from SZC Co. is required.

ExQ1	Question to:	Question:
	Response by East Suffolk Council at Deadline 2	In the LIR [REP1-045], ESC stated that from a heritage and conservation perspective there are no significant operational effects on the Grade II listed Oak Hall (see paragraph 12.91). ESC accepts that the artificial bunds of 3 metres height will mitigate some of the visual and acoustic impact of the northern park and ride on the extended setting of the Grade II listed Oak Hall, into which the project site will fall. The application site contributes modestly to the significance of Oak Hall by forming a small part of its rural setting and embracing agricultural landscape. There will be an adverse impact arising from the development of the new access, bunding, hard surfacing, lighting, and noise from increased traffic movements on this area of the Hall's setting which is currently an arable field. The position of the Hall so close to the busy A12 onto which it faces means that transport movement and vehicle noise are already present factors arising from its setting which will be somewhat intensified by the park and ride, but which will not be new. ESC judge that this adverse impact on the Hall's setting will give rise to a small level of less than substantial harm to the Hall's significance. The harm that ESC identify will be transient, in that the park and ride facility will not be permanent but, nonetheless, harm will persist for its medium-term duration. ESC does not, therefore, concur that there would be no change to heritage significance during operation of the Northern Park and Ride.
	Response by Suffolk County Council at deadline 2	SCC defers to ESC to advise regarding impact on designated assets
	Response by SZC Co. at Deadline 3	SZC Co. considers that the assessment provided in Volume 3, Chapter 9 of the ES [APP-368] remains valid.
	Response by Historic England at Deadline 3	Historic England would defer to the LPA and their specialist heritage advisors with regards to this asset.
	Response by SZC Co. at Deadline 5	No further response from SZC Co. is required.

ExQ1	Question to:	Question:
HE.1.52	ESC, SCCAS, Historic England	Old Hall (LB 1198815) – Operational Effect on Setting Due to the existing landscaping and buildings located to the north and west of Old Hall, do you concur that there would be no change to either the non-designated parkland or setting of the building?
	Response by SZC Co. at Deadline 2	No response from SZC Co. is required.
	Response by East Suffolk Council at Deadline 2	In the LIR [REP1-045], ESC stated that from a heritage and conservation perspective there are no significant operational effects on the Grade II listed Old Hall (see paragraph 12.92). ESC agrees that, due to intervening topography and existing mature trees to the west and north-west, there will be no change to the setting of Old Hall. The associated former parkland to the Old Hall did not extend to the west side of the turnpike road (London Road/A12) and did not, therefore, include, the application site. The parkland, itself, has lost its original designed qualities such that it is not included on our local list of Historic Parks and Gardens (SPG6). ESC agrees that there will be no change to the remnant parkland.
	Response by Suffolk County Council at Deadline 2	SCC defers to ESC to advise regarding impact on designated assets.
	Response by SZC Co. at Deadline 3	No further response from SZC Co. is required.
	Response by Historic England at Deadline 3	Historic England would defer to the LPA and their specialist heritage advisors with regards to this asset.
	Response by SZC Co. at Deadline 5	No further response from SZC Co. is required.

ExQ1	Question to:	Question:
HE.1.53	ESC, SCCAS, Historic England	Mitigation Alongside of the proposed site-specific WSI, is any further mitigation considered necessary in relation to terrestrial heritage effects at the NPR? If necessary, how do you consider such measures should be secured?
	Response by SZC Co. at Deadline 2	No response from SZC Co. is required.
	Response by East Suffolk Council at Deadline 2	ESC does not consider that further mitigation is considered necessary in relation to non-archaeological terrestrial heritage effects at the NPR.
	Response by Suffolk County Council at Deadline 2	Archaeological assessment work has been completed at the Northern Park and Ride. Archaeological remains (of Roman and medieval date) have been defined. Archaeological mitigation at this site prior to the commencement of any site preparation, landscaping, ecological mitigation or construction works, should therefore be required going forward. A Site specific WSI should be required for the mitigation work at this site, alongside a detailed method statement to be produced by the appointed archaeological contractor(s). These documents must also be in line with the final approved Overarching WSI. This outstanding mitigation work (as well as post excavation analysis, reporting, publication and archive deposition) should be secured through appropriate and detailed requirement wording.
	Response by SZC Co. at Deadline 3	No further response from SZC Co. is required.
	Response by Historic England at Deadline 3	We do not have any specific comments to offer with regards to the NPR and we would defer to the LPA and their specialist heritage advisors with regards to this element of the scheme.
	Response by SZC Co. at Deadline 5	No further response from SZC Co. is required.
Rail		

ExQ1	Question to:	Question:
HE.1.57	ESC, SCCAS, Historic England, English Heritage, Pro Corda Trust/Leiston Abbey	Mitigation Alongside of the proposed site-specific WSI and Heritage s106 agreement to provide for enhancements to the visitor experience for the two Leiston Abbey sites, is any further mitigation considered necessary in relation terrestrial heritage effects? If necessary, how do you consider such measures should be secured?
	Response by SZC Co. at Deadline 2	No response from SZC Co. is required.
	Response by Pro Corda Trust at Deadline 2	<p>Here, we have had joint discussions with EDF and EH about EDF “start- up” investment in a new “Visitor Entrance” facility at Leiston Abbey which we would run (and to lever Lottery funding.) This new “Gateway” would serve the joint purpose of allowing increased control over footfall (with the vastly increased numbers now living opposite the site in the construction worker campus) as well as forming part of the enhanced visitor experience legacy (mentioned above) which proper mitigation for Leiston Abbey can enable.</p> <p>Within the above, initial discussion has taken place around the siting of such a facility on the “Burnt out House” plot to the west of the Lady Chapel as the visitor enters the Abbey ruins from the main car park side.</p> <p>Within enhancements to the visitor experience (and managing the increased access / impact of the proposed construction worker campus) Pro Corda’s position is that a main entrance gate and improved driveway and car park need to be part of this area of mitigation.</p>
	Response by English Heritage Trust at Deadline 2	<p>To help mitigate the effects of the Sizewell C project on Leiston Abbey second site, EHT is proposing a comprehensive Sustainable Conservation and Management Strategy (SCMS).</p> <p>EHT proposes that the works and projects within the SCMS provide the protection and enhancement needed. This includes advocacy for best practice site maintenance and care, conservation, improving understanding of the site, enhancing the visitor experience, and promoting local community participation. This will help to better reveal the significance of the Abbey site, and help protect the site for generations to come Obligations and S106 discussions continue on a ‘without prejudice’ basis, but EHT would expect to see direct links between conditions of the DCO and the S106 when drafted, and the SCMS</p>

ExQ1	Question to:	Question:
	Response by East Suffolk Council at Deadline 2	The attenuation of noise arising from the Green Rail Route is provided by the proposed 3-metre-high bunds which, themselves, will have a visual impact. There is clearly a balance between visual and noise impacts arising that affect the identified tranquil rural land which forms an important part of Leiston Abbey's setting. Reducing further the perceptible noise levels from the rail extension when in operation may require increased physical measures and concomitant impacts that are undesirable. On this basis, therefore, ESC does not suggest any further mitigation in relation to terrestrial heritage effects upon which ESC commented in the LIR [REP1-045].
	Response by Suffolk County Council at Deadline 2	The completion of magnetometry and trial trenching surveys across all remaining areas of the DCO red line boundary along the Green Rail route which have not yet been subject to full archaeological assessment, followed by archaeological mitigation (across all areas of the DCO red line boundary) prior to the commencement of any site preparation, landscaping, ecological mitigation or construction works, should still be required going forward. Site specific WSIs should be required for each phase of assessment and mitigation work for every site within the DCO red line boundary, alongside detailed method statements for each site and phase of work to be produced by the appointed archaeological contractor(s). These documents must also be in line with the final approved Overarching WSI. This outstanding assessment and mitigation work (as well as post excavation analysis, reporting, publication and archive deposition) should be secured through appropriate and detailed requirement wording.
	Response by SZC Co. at Deadline 3	SZC Co. notes that the principle of mitigation measures as proposed by SCC are provided for in the Overarching WSI and a detailed scope of such measures will be set out in the relevant Site-Specific WSI.
	Response by Historic England at Deadline 3	Likewise, Historic England would like to be re-assured by the ExA that the additional heritage mitigation proposed can be secured via an appropriately worded legally binding agreement such as a s.106 agreement or similar, and that it is appropriately worded and deliverable.
	Response by SZC Co. at Deadline 5	SZC Co. notes Historic England's comments and will address these through consultation on the specific wording of the Deed of Obligation.
Yoxford Roundabout and Other Highway Improvements (YROHI)		
HE.1.58	ESC, SCCAS, Historic England	Mitigation

ExQ1	Question to:	Question:
		Alongside of the proposed site-specific WSI, is any further mitigation considered necessary in relation terrestrial heritage effects at the YROHI? If necessary, how do you consider such measures should be secured?
	Response by SZC Co. at Deadline 2	No response from SZC Co. is required.
	Response by East Suffolk Council at Deadline 2	ESC stated in our LIR [REP1-045] that the designed mitigation for Yoxford roundabout should address localised adverse impacts in terms of embanking, hedging and field edges. Suggested mitigation for the proposed Yoxford roundabout could include: minimising the extent of associated signage to the remodelled junction; reinstatement of hedgerow and tree planting to the new boundary alignments; and avoiding an overtly urban engineered junction design in terms of materials choices including kerbing, planting, road lining, highway boundary fencing and lighting – all to acknowledge that the majority of this new highways feature will be within the Yoxford Conservation Area which should be either preserved or enhanced. These measures should be secured through detailed design of the Yoxford roundabout.
	Response by Suffolk County Council at deadline 2	Archaeological assessment work has been completed at the Yoxford Roundabout Site. Archaeological remains (of prehistoric date) have been defined. Archaeological mitigation at this site prior to the commencement of any site preparation, landscaping, ecological mitigation or construction works, should therefore be required going forward. A Site specific WSIs should be required for the mitigation work at this site, alongside a detailed method statement to be produced by the appointed archaeological contractor(s). These documents must also be in line with the final approved Overarching WSI. For any other highway improvement works involving areas of significant ground disturbance (including compounds or landscaping works), full archaeological assessment, should be required going forward. Site specific WSIs should be required for each phase of assessment and mitigation work for every site within the DCO red line boundary, alongside detailed method statements for each site and phase of work to be produced by the appointed archaeological contractor(s). These documents must also be in line with the final approved Overarching WSI. This outstanding assessment and mitigation work (as well as post excavation analysis, reporting, publication and archive deposition) should be secured through appropriate and detailed requirement wording.
	Response by SZC Co. at Deadline 3	SZC Co notes that detailed design of the roundabout, including the response to local character set out by ESC would be in line with the plans in Volume 7, Chapter 2, Appendices 2A - 2B [APP-481] . SZC Co. note that the principle of mitigation measures as proposed by SCC are provided for in the Overarching WSI and a detailed scope of such measures will be set out in the relevant Site-Specific WSI.

ExQ1	Question to:	Question:
	Response by Historic England at Deadline 3	Historic England would defer to the LPA and their specialist heritage advisors with regards to this element of the scheme. We have made some minor comments in our Written Representation.
	Response by SZC Co. at Deadline 5	SZC Co. has responded to Historic England's Written Representation in the Comments on Written Representations [REP3-042].
Chapter 18 - LI.1 Landscape impact, visual effects and design		
General		
LI.1.1	The Applicant, ESC, SCC, Historic England, Natural England, Suffolk Coast & Heaths AONB Partnership, Parish and Town Councils, Together Against Sizewell C, Stop Sizewell C	<p>Design Approach</p> <p>It is imperative that the proposal represents a good quality sustainable design which can be effectively integrated into the landscape. As such, please comment on whether the following measures would ensure this would be achieved in the detailed design, construction and operation phases:</p> <ul style="list-style-type: none"> i) A 'design champion'. Such a role would advise on the quality of sustainable design and the spatial integration of the both the Main Development Site and Associated Development Sites <p>A 'design review panel' to provide a 'critical friend' role. Such a role would provide comment on the development of sustainable design proposals</p> <p>The production of an approved 'design code' or 'design approach document' which would establish the approach to delivering the detailed design specifications to ensure good quality sustainable design (as approved in the Hinkley Point C Connector Project (EN020001)).</p> <p>Please advise on how such measures could be secured. In addition, please comment as to whether any other measures or approaches are considered necessary?</p>
	Response by SZC Co. at Deadline 2	Please refer to Appendix 18B of the written responses.
	Response by Walberswick	Parish Councils have been asked to comment on whether a "design champion", a "design review panel" or a "design code" would ensure that a sustainable, good quality design can be effectively integrated into the landscape.

ExQ1	Question to:	Question:
	Parish Council at Deadline 2	<p>The immediate answer is that none of these measures will counteract the impact of two nuclear reactors and all the ancillary construction proposed in the DCO. It is precisely because this infrastructure project is impossible to build in a sustainable, good quality design to integrate into the landscape that it cannot be given approval to proceed. The landscape currently consists of an AONB and SSSI, bordered by the Minsmere RSPB site, by National Trust's Dunwich Heath, by small villages, farmland, and heritage sites like Leiston Abbey amongst others. How could something as devastating to the environment as Sizewell C possibly be 'integrated' into the landscape? This project should be a non-starter and rejected on this point alone. What can a design champion or review panel do about two of the world's biggest nuclear reactors in such a landscape besides influence the most minor issues in some of the ancillary developments? Throughout the Consultation Period, EDF never addressed this central point but instead proposed over and over largely unchanged plans? One already has ample evidence of EDF's approach in the destruction of the 100 year old Coronation Wood – completely destroyed in order to try to make room for Sizewell C which doesn't even have approval! There is no option for the construction of Sizewell C but to largely destroy everything in its path at the building site, to create 30 foot slag heaps on its edges, to create a workers campus that will overwhelm and wipe out the hamlet of Eastbridge and make the walking and cycling in the entire area unpleasant at best and inaccessible at worst</p>
	Response by Woodbridge Town Council at Deadline 2	<p>With respect to</p> <p>i) 'design champion'.</p> <p>This role would encompass a vast array of engineering, architecture, environmental and other design and planning aspects and would require the engagement of a design and construction project manager/director as a co-ordinator with extensive practical experience through design and construction phases of large and complex infrastructure projects. Access to support to address specific, sometimes complex, issues would be essential and as such it is likely that the person will reside within a large 'multi-disciplinary' consultancy with the ability to cover the majority of such tasks in-house under his/her leadership.</p> <p>The precise contractual relationship between the 'design champion' and the developer would require careful drafting to ensure that the advice and guidance is not given lip service by the Applicant or its successor in title. Further As design is never finished until completion of a project of the complexity that will be Sizewell C the 'design champion' would need to be engaged during the construction phase as well as the pre-construction phase</p> <p>ii) 'design review panel'.</p>

ExQ1	Question to:	Question:
		<p>This approach is reasonably common on many major overseas infrastructure projects and UK projects. It can be a highly effective tool to provide comments and advice and would be suitable for the development of sustainable design guidelines and proposals as design progresses and issue arise. The precise authority of the design review panel decisions on the developer design development would, as with the design champion, would need careful drafting.</p> <p>iii) an approved 'design code' or 'design approach document'</p> <p>It is unclear who would be the approving authority/body for such codes or documents as there is no statutory, governmental or quasi-governmental body that we are aware of that could encompass all the aspects of design within their capabilities to be a suitable and qualified approver. Further it is questionable if any such body has the in-house capacity to adequately perform such a role which will require intense upfront development prior to detailed design. It is likely such a document would lead to substantive delay compared to utilising option i) and ii) where such development can progress and develop as design proceeds.</p> <p>Woodbridge Town Council would anticipate that the ONR and other regulators would have regular design review meetings with the Applicant but in this instance given the close proximity of the site to many sensitive receptors we consider it would be appropriate and necessary that these organisations managing those receptors also have such review meetings with the 'design champion' or 'design review panel' to discuss means by which the most appropriate sustainable design can be achieved.</p>
	Response by Stop Sizewell C and Theberton and Eastbridge Parish Council at Deadline 2	<p>i) We consider that if a 'design champion' is employed to advise on the quality of design and spatial integration that the advice should consider the location of the proposed Main Development Site development being in a nationally designated landscape and not simply functional design. Given the purpose of the AONB the primary concern should be to minimise the inevitable negative impacts on the AONB.</p> <p>ii) We consider the role for a design review panel should include an overriding purpose of minimising any negative environmental impact, including landscape impacts. The defined qualities of the AONB such as landscape quality, scenic quality and tranquillity should be maintained as a result of their deliberations and recommendations.</p> <p>iii) We note the design code at Hinkley Point C Connector project but given the fact that Sizewell sits in the national landscape of the AONB and on the Suffolk Heritage Coast, with the highest level of protection from inappropriate development in planning policy, comparisons to Hinkley Point cannot be regarded as remotely similar.</p>

ExQ1	Question to:	Question:
		<p>We endorse the recommendations of the Suffolk Coast & Heaths AONB Partnership in establishing a review structure and panel to ensure that any resultant design meets the obligations as required for such a designated landscape.</p> <p>It is regrettable that matters of design critical to minimising impacts on the AONB have not formed part of the proposed Development Consent Order and instead have been left as a requirement within the draft DCO. The AONB Partnership and other stakeholders should be given a role in the agreement of such a requirement.</p>
	Response by Leiston Town Council at Deadline 2	<p>LI.1.1 Design issues and Landscape</p> <p>It seems to LTC highly unlikely that the design can be sympathetically integrated into the landscape visually and we are not qualified to comment on sustainability and quality. However, the suggestions put forward might all help to lessen the adverse impact of the building. A code drawn up by people with relevant professional expertise, a review panel of stakeholders to comment and discuss and a 'design champion' whose job would be to advise and make sure recommendations were implemented. Concerns have been expressed about the grey concrete domes compared with the white cladding on Sizewell B and also about the height of the stacks on the turbine buildings and the new pylons.</p>
	Response by Together Against Sizewell C at Deadline 2	<p>TASC is opposed to the proposal to build any new nuclear plants in the UK, but of all the potential sites identified, Sizewell in almost certainly the worst for reasons TASC has detailed in its WRs. To construct Sizewell C in its proposed location would be an act of folly which no amount of designing would justify. The questions of a 'design champion', 'panel', 'code' or 'approach' are therefore beyond TASC's contemplation. It is clear that any design will have major adverse impacts on all the attributes that gave rise to the AONB and the Heritage Coast designations: landscape value, scenic quality, relative tranquillity, relative wildness, wildlife value. It is TASC's view that any attempt to incorporate 'good design' would be akin to rearranging the deckchairs on the Titanic - the end result would be an industrial building whose function, purpose and presence would be totally at odds with its environment.</p>
	Response by AONB Partnership at Deadline 2	<p>i) The AONB Partnership consider it to be imperative that if a 'design champion' is employed to advise on the quality of design and spatial integration that the advice should consider the location of the proposed Main Development Site development being in a nationally designated landscape and not simply the design and function of the development. The development should seek to meet the purpose of the AONB and seek to avoid and minimise the inevitable negative impacts on the AONB.</p> <p>ii) The AONB partnership consider there could be a role for a design review panel if the terms of reference for the panel include the remit to minimise any negative environmental impact, including landscape</p>

ExQ1	Question to:	Question:
		<p>impacts. This should seek to minimise the impact of the development on the defined qualities of the AONB such as landscape quality, scenic quality and tranquillity.</p> <p>iii) The AONB Partnership note the design code at Hinkley Point C Connector project but consider that any design code or design approach document should acknowledge that the proposals for Sizewell C sit in a nationally designated landscape, unlike Hinkley Point C, and as such has the highest level of protection from inappropriate development in planning policy.</p> <p>To deliver the aspirations outlined above the AONB Partnership consider that the applicant should facilitate a design champion and associated design review panel and design code/design approach document. The appointment of such a design champion, panel appointees and terms of reference for design code/design approach document should require the endorsement of the AONB Partnership and local authorities.</p> <p>The AONB Partnership considers that matters of design are critical to minimising impacts on the AONB and should have formed part of the proposed Development Consent Order and not as a requirement. The AONB Partnership and other stakeholders should be given a role in the agreement of such a requirement.</p>
	Response by Kelsale-cum-Carlton Parish Council at Deadline 2	<p>Extract from Response by Kelsale-cum-Carlton Parish Council at Deadline 2:</p> <p><i>"1.1 No, sufficient weight has not been given to the statutory purpose and need for protection of the landscape, character and special qualities of the Suffolk Coast and Heaths AONB both within and outside its boundary, in accordance with paragraphs 5.9.9 and 5.9.12 of NPS EN-1.</i></p> <p><i>1.2 The Parish of Kelsale-cum-Carlton has many connections to Minsmere and the AONBs, the adverse impact on all these areas will be significant. Further details on this is provided in our Written Representation on Community Impacts. In essence whilst noting that the premise of NPS EN-1 is that such a project would cause some harm, the sheer scale of it here means that it gives designations little or no protection and therefore approval should not be granted.</i></p> <p><i>1.3 The proposed route for the SLR and its design (of little or no merit) has a direct and profound impact on the setting of the AONB and can only be described as incongruous with other routes leading further into the Suffolk Coast & Heaths AONB. It is difficult to think of an uglier route to an AONB than the proposed SLR.</i></p> <p><i>1.4 The landscape here is rural and the proposed 'other developments' including a number of roundabouts with lighting outside of the main development, are urban in nature, and make no concession to the existing complementary landscape and setting."</i></p>

ExQ1	Question to:	Question:
	Response by East Suffolk Council at Deadline 2	<p>Please refer to REP2-347 for full response.</p> <p>ESC can comment from direct and recent experience of a NSIP project at the Third Crossing in Lowestoft (PINS reference TR010023), promoted successfully by SCC.</p> <p>i) For the Third Crossing project, advice to appoint a design champion was made by Design Council CABE. One was appointed by the project promoter to objectively critique the quality of detailed design as it was being produced. This champion was an architect but was not the designer of the scheme. Such a role was invaluable in providing interested parties not involved in project implementation that agreed sustainable design principles would not be lost, watered down or misinterpreted as detailed design, design changes, budgeting and (significant) contractor input evolved. Such a champion for this project would need to have the confidence of interested parties and would need to have access and influence over design quality at a strategic level. Such a champion would need also to exhibit experience and understanding of this type and scale of project. The champion would need to be accountable to the design review panel (ii) to ensure that the design code (iii) was being adhered to. There is also a question of what the champion's discipline would be, as sustainable design includes architectural, landscape and ecological aspects amongst others, often cross-cutting.</p> <p>ii) A design review panel is an excellent suggestion and would include the design champion, who could report to it, for example. Such a panel was established for the Third Crossing project and met on a 3-monthly basis to receive feedback directly from the project manager, project designer and the design champion. The panel's remit included the production of what is suggested here at (iii) which ensured that it was actively useful beyond providing a 'critical friend' role. Membership of that panel was narrow, and it may be that a wider membership for this project would be more appropriate and include a balance between expert and lay opinion. The panel was serviced by the project promoter to ensure that it was well organised, with agendas and minutes provided.</p> <p>iii) A design approach document or code is an excellent suggestion. For the Third Crossing project, a 'Design Guidance Manual' was developed by the design review panel and formed part of the DCO submission, such that it became an embedded and approved design quality control document. In the case here, such a code would be derived from and complement the DAS.</p> <p>For all these suggestions, a willing Applicant is essential to manage, fund and be responsive to the implementation of all the above (and below).</p> <p>There is also a question of the continuing involvement of the Design Council. Only two high-level reviews have been undertaken over the extended design genesis of this project (2014 and 2019, both included in</p>

ExQ1	Question to:	Question:
		<p>the DAS). It remains unclear, for example, how the current proposals responded to the most recent review, as there is no ongoing involvement with the Design Council that we are aware of. We strongly recommend, therefore, that a mechanism is established whereby the nationally eminent expertise and capacity of the Design Council is embedded in continuing phases of the project, where detailed design issues are being considered for the landscape masterplan, operational service centre and workers' accommodation.</p> <p>Perhaps the Design Council can provide the Design Champion. It could also provide the design review panel, although other local representation would still be required.</p> <p>This would need to be secured through the Section 106 if a Design Champion is to be appointed and a Design Review Panel enabled and funded by the Applicant.</p>
	Response by Suffolk County Council at Deadline 2	<p>Whilst a Design Champion has the potential to contribute to consideration of sustainable design issues this would probably need to be incorporated into the discharge of requirements related to design which is a matter for ESC. A design review panel to review the detailed design to support the discharging Authority has the potential to provide useful comment on sustainable design issues. A design code type document has the potential to establish useful parameters and support the discharge of requirements and test any minor modifications that may be made to the finishing and detailing discussed with discharging Authority, particularly given the length and complexity of this project</p>
	Response by Natural England at Deadline 2	<p>This is a nuclear power station proposed for the highly sensitive setting of an Area of Outstanding Natural Beauty, and the largest scheme of its type ever proposed for an AONB. Unlike Sizewell B, this is not a bespoke design for the AONB, but an existing power station design with some modifications deemed deliverable and compatible with the operational and safety needs of the nuclear facility.</p> <p>Design measures can of course enable the scheme to be integrated into the landscape to some extent (and that is welcome) but not 'effectively' if that means reducing the adverse effect on the landscape, and consequently the statutory purpose, of the AONB to a below significant level. Its individual presence, and the combined effect with the existing power stations and other energy infrastructure would, we believe, be too great to achieve that outcome. However, this does not mean that all potential design mitigation measures should not be explored and assessed to reduce, as far as possible, the effect on the AONB and its statutory purpose. An exhaustive exercise of that sort is commensurate with this nationally designated landscape.</p> <p>The design of the scheme has already been guided by a set of agreed design principles. The Design Council has also reviewed the scheme, although Natural England was not involved and not briefed on whether and</p>

ExQ1	Question to:	Question:
		<p>how the statutory purpose of the AONB led that exercise. A limitation to design modifications is that operational and safety requirements take precedent. Therefore, for the reactor buildings and associated major structures a design champion or review panel would either need to accept the assurances of the developer that all possible design measures had been identified and applied, or have enough knowledge of nuclear facility operational design parameters to be able to challenge that.</p> <p>Regarding the Hinkley Point C scheme. If the 'Connector' Project refers to the Hinkley Connection Project that was a National Grid cabling scheme rather than the power station itself and therefore of very limited or no relevance to Sizewell. The Hinkley C power station is not in a designated landscape and so the same planning and design considerations do not apply. The design bar for an AONB is much higher.</p>
	Response by SZC Co. at Deadline 3	<p>SZC Co. note the responses by stakeholders to the issue of design governance. SZC Co. provided a response on design governance matters raised/suggested by the ExA for ExAQ1 LI 1.1 which was prepared in conjunction with the project design team for Deadline 2 [REP2-100]. SZC Co. wish to secure a deliverable design governance model for key stakeholders that secures proper accountability and the correct resources to enable the planning authority in its role. For SZC Co's part, we consider the retention of the key members of our design team in a design guardianship role to mark our commitment for consistent high quality advice and direction in delivering good design through the discharge of requirements and that this would complement properly qualified officer time funded by SZC Co, working in conjunction with key stakeholders including the AONB Partnership in a consultative role. We believe our suggestion provides the basis for further discussions. SZC Co. are content to explore other options in reaching agreement acknowledging comments from stakeholders.</p> <p>Regarding the specific reference to the effects of the Sizewell Link Road on the setting of the Suffolk Coast and Heaths AONB, SZC Co. refer the Examining Authority to its response to ExQ1 LI.1.85 [REP2-100].</p>
	Response by Historic England at Deadline 3	The proposals sound broadly sensible and appropriate however Historic England do not have any specific comments and would defer to the LPA and their specialist advisors with regards to these matters.
	Response by SZC Co. at Deadline 5	SZC Co. acknowledges the response from Historic England. No further response from SZC Co. is required.

ExQ1	Question to:	Question:
LI.1.2	ESC, SCC, Historic England, Natural England, Suffolk Coast & Heaths AONB Partnership, Parish and Town Councils, Together Against Sizewell C, Stop Sizewell C	<p>AONB – Adverse Effects</p> <p>Has sufficient weight has been given to the statutory purpose and need for protection of the landscape, character and special qualities of the Suffolk Coast and Heaths AONB both within and outside its boundary, in accordance with paragraphs 5.9.9 and 5.9.12 of NPS EN-1? Please qualify your answer. If not, please identify what additional measures are required?</p>
	Response by SZC Co. at Deadline 2	<p>SZC Co. has given substantial weight to the conservation of the natural beauty of the landscape and countryside in the Suffolk Coast and Heaths AONB in accordance with paragraphs 5.9.9 and 5.9.12 of the NPS EN-1³. SZC Co. has:</p> <ul style="list-style-type: none"> • Consulted the Suffolk Coast and Heaths AONB (in its role as a consultee on the landscape and visual impact assessment, along with East Suffolk Council, Suffolk County Council and Natural England) on the approach to assessing the landscape and visual effects, and effects on the agreed natural beauty and special qualities of the AONB. • Engaged with the Suffolk Coast and Heaths AONB on matters related to the design of the proposed development, including the estate-wide landscape masterplan, design of the turbine halls and other embedded mitigation. • Sought to avoid or mitigate adverse impacts on the natural beauty and special qualities of the AONB wherever practicable through the design of the proposed development (see below for more details). • Assessed and documented the potential impacts of the proposed development on the natural beauty and special qualities of the AONB. This is set out in Tables 13.14 and 13.17 within Volume 2,

³ DECC (2011) Overarching National Policy Statement (NPS) for Energy (NPS EN-1)
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/47854/1938-overarching-nps-for-energy-en1.pdf [Accessed May 2021]

ExQ1	Question to:	Question:
		<p>Chapter 13 of the ES [APP-216], and updated by the ES Addendum in Volume 1, Chapter 2 [AS-181] and Volume 3, Appendix 2.8.A [AS-206].</p> <ul style="list-style-type: none"> Agreed an appropriately defined fund in the Draft Deed of Obligation (Doc Ref. 8.17(C)) to mitigate the residual landscape and visual effects of the proposed development on the AONB and its setting, and the wider landscape beyond the area designated. <p>Measures to avoid or mitigate adverse impacts of development within the main development site on the natural beauty and special qualities of the AONB include:</p> <ul style="list-style-type: none"> A considered site selection process, as set out in Section 3 of the Site Selection report, Appendix A of the Planning Statement [APP-591]. Reducing as much as reasonably practicable the extent of physical disturbance to the landscape and the visual prominence of development within and in the setting of the AONB, as set out in Paragraphs 13.5.9 and 13.5.12 in Volume 2, Chapter 13 of the ES [APP-216]. This includes lighting, which is controlled through the Lighting Management Plan included in Volume 2, Appendix 2B of the ES [APP-182]. <p>SZC Co. recognises that an AONB can also be affected by non-visual factors, such as noise. A Tranquillity Assessment, which considers the effect that noise associated with construction work on the main development site would have on the tranquillity of the surrounding area (including the AONB) has been undertaken and is set out at Volume 2, Appendix 15E of the ES [APP-270].</p> <p>SZC Co. is not proposing development within the AONB beyond the main development site. There would also be no views of that proposed development from within the AONB and, therefore, no potential for visual effects on the AONB. This is shown by the Zones of Visual Influence in Figure 6.4 of Chapter 6 of Volumes 3 to 9 of the ES relating to the associated development sites [APP-362], [APP-392], [APP-423], [APP-459], [APP-492], [APP-522], [APP-553].</p> <p>Tranquillity Assessments have also been undertaken for the two village bypass and Sizewell link road, which identify that the AONB is too distant from the proposed roads to have any material effect on tranquillity through increased noise levels, provided in Appendix 8A in Volumes 5 and 6 of the ES [APP-430 and APP-465].</p> <p>SZC Co. has sought to minimise and mitigate effects on the natural beauty and special qualities of the AONB through an extensive iterative assessment and design process. Indeed, to ensure that a comprehensive assessment and design process would be possible, SZC Co. worked with the Suffolk Coast and Heaths AONB Partnership, Suffolk County Council and East Suffolk Council to identify and agree the AONB's natural beauty and special qualities. The final and agreed version of the Suffolk Coast and Heaths</p>

ExQ1	Question to:	Question:
		<p>AONB Natural Beauty and Special Qualities Indicators document is presented at Volume 2, Appendix 13C of the ES [APP-217].</p>
	Response by Walberswick Parish Council at Deadline 2	<p>Parish Councils have been asked to comment on whether sufficient weight has been given to the statutory purpose and need for protection of the landscape, character and special qualities of the Suffolk Coast and Heaths AONB both within and outside its boundary, in accordance with NPS EN-1. If not, please identify what additional measures are required?</p> <p>This is the key question in the process and the answer is an overwhelming “NO” – sufficient weight has not been given. One must assume in reading NPS EN-1 that only in the most extraordinary circumstances should an AONB be disturbed. It is clearly stated that the AONB (not to mention SSSI) must have the highest status of protection in relation to landscape and scenic beauty. The conservation of the natural beauty of the landscape and countryside should be given substantial weight by the IPC in deciding on applications for development consent in these areas.</p> <p>As with our answer to the first question above, it is clear that building Sizewell C in Suffolk’s AONB should be prohibited. It is impossible to protect the landscape and scenic beauty of the AONB and SSSI if Sizewell C is built within it and on its borders. Everything that Sizewell C will do will overwhelm the natural environment including the land, water and sea. The night sky, a critical part of the natural environment for wildlife and humans, will be lost to the construction. The wildlife that depends on the AONB and Minsmere, including the Marsh Harrier, will be severely impacted and cannot be addressed through any mitigation except not to build Sizewell C. The slag heaps will be visible and environmentally destructive, the light, noise and air pollution will be felt not only in the AONB, but on all villages and towns that border it.</p> <p>Moreover, the proposal for Sizewell C fails on other aspects of the policy. As quoted in Walberswick’s and other Councils written representations, the development’s impact will be detrimental on the local economy by making tourism, the mainstay of our local economy, unsustainable at least for the duration of the construction. This will impact the area with the loss of jobs and businesses. The ability to walk and cycle, to visit the AONB and appreciate the natural and delicate beauty of the coastal area will be extraordinarily impacted by the construction of the workers’ campus, the Northern Park and Ride, the by-pass road and the huge number of HGVs and other vehicles on the road, even if EDF were able to secure the marine and rail options proposed.</p> <p>Finally, EDF has not provided any sufficient information on the impact on coastal processes and erosion. These impacts not only fail NPS EN-1, but could potentially be calamitous for communities up and down the</p>

ExQ1	Question to:	Question:
		Suffolk coast that are already threatened by climate change. This would have impacts far beyond the AONB and adjoining areas.
	Response by Stop Sizewell C and Theberton and Eastbridge Parish Council at Deadline 2	<p>Paragraph 5.9.9 of the NPS EN-1 requires the former IPC (now Examining Authority (ExA)) to give substantial weight to the impacts on the AONB when deciding on applications. The paragraph is reproduced below:</p> <p><i>National Parks, the Broads and AONBs have been confirmed by the Government as having the highest status of protection in relation to landscape and scenic beauty. Each of these designated areas has specific statutory purposes which help ensure their continued protection and which the IPC should have regard to in its decisions¹²⁶. The conservation of the natural beauty of the landscape and countryside should be given substantial weight by the IPC in deciding on applications for development consent in these areas.</i></p> <p>Throughout the pre-application consultation and even within the DCO application, we do not consider that the applicant has given sufficient weight to the statutory purpose of the AONB and its environs. Whilst suggestions have been made regarding changes in cladding and other relatively simple changes have been made by the applicant, the fact of the matter is that both the cumulative size of all the buildings plus the unforgiving nature of the concrete reactor shell cannot really be adapted in a sympathetic way.</p> <p>Paragraph 5.9.12 recognises that development outside nationally designated areas can compromise the purposes of adjacent designations and that such projects should be sensitively designed. We agree with the AONB Partnership that the accommodation campus and temporary beach landing facility/jetty, but would add that the increased height of the Hard Coastal Defence and the lengthened and more substantial design of the permanent beach landing facility, which will be on the coast for close to a century, in the setting of the AONB will compromise the purpose of the AONB designation as the defined characteristics of the AONB, including landscape quality, scenic quality, relative wildness and tranquillity, will be significantly negatively impacted.</p> <p>We agree with the AONB Partnership and consider that the applicant should further review these elements of the application and seek to redesign those aspects that have a significant negative impact on the AONB.</p>
	Response by Leiston Town Council at Deadline 2	<p>LI.1.2 AONB – Adverse Effects</p> <p>Leiston Town Council has always expressed concerns about the siting of another nuclear power station of this scale within the AONB. The aim of the AONB is to “conserve and enhance” a landscape that has special qualities. The development of SZC will do nothing to conserve or enhance the landscape qualities, scenic value, relative wildness or the tranquility of the area. Indeed, during construction, the landscape, character and special qualities will be lost completely for the duration of the construction and the restoration will take</p>

ExQ1	Question to:	Question:
		<p>decades and the generations currently enjoying this environment will never see a return to its current character. Splitting the AONB into two parts is also seen as detrimental to the whole. While recognizing there will be an attempt to screen the buildings from both the land and seaward sides and the ambition to enhance the estate in the long term, without question, it will lead to the total destruction of our much loved and enjoyed section of the Suffolk Coast and Heaths AONB.</p> <p>During construction, the view of high cranes will be seen from Leiston itself and for miles along the coast, including within close proximity to RSPB Minsmere and National Trust Dunwich Heath. Light pollution will affect the residents within the local area and also its ecology. In addition, noise and dust and the loss of clean air, will mean the enjoyment of the AONB in this area is deemed impossible.</p> <p>We can evidence the above views by observing the site at Hinkley Point C, which despite the topography in Somerset, can still be seen for miles around – even from Dunkery Beacon on Exmoor National Park, which is 30 miles away. Also by the experience of the Sizewell B construction which was on a smaller scale.</p> <p>It would therefore, in our view, be impossible to protect the landscape, character and special qualities of the SC&H AONB should this project go ahead. Furthermore, experience has shown (with Coronation Wood for example) that mitigation or safeguards built in at this stage cannot be guaranteed for the long term should future unforeseen needs involve further demand for land from the AONB.</p> <p>Leiston Town Council concurs with the Relevant Representation and other submissions by Suffolk Coast and Heaths AONB to further evidence these observations and concerns.</p>
	Response by Together Against Sizewell C at Deadline 2	<p>The construction of Sizewell C, creating 12 years of light, noise and air pollution on a 900 acres site within the AONB will impair the ability of the AONB to deliver its core values to the area. TASC refer PINS to the TASC document 'AONB and landscape' for further assessment of the impact the development will have and the inadequacy of the weight given to the need to protect the landscape and the special qualities of the Suffolk Coast and Heaths AONB.</p>
	Response by AONB Partnership at Deadline 2	<p>The AONB Partnership consider that paragraph 5.9.9 of the NPS EN-1 requires the former IPC (now Planning Inspectorate) to give substantial weight when deciding on applications. The paragraph is reproduced below:</p> <p><i>National Parks, the Broads and AONBs have been confirmed by the Government as having the highest status of protection in relation to landscape and scenic beauty. Each of these designated areas has specific statutory purposes which help ensure their continued protection and which the IPC should have regard to in its decisions¹²⁶. The conservation of the natural beauty of the landscape and countryside should be given substantial weight by the IPC in deciding on applications for development consent in these areas.</i></p>

ExQ1	Question to:	Question:
		<p>The AONB Partnership anticipates that the Examining Authority will give substantial weight to the statutory purpose of the AONB when making decisions. Furthermore, the AONB Partnership do not consider that the applicant has given sufficient weight to the statutory purpose of the AONB as it has repeated the design from Hinkley Point C, which is not in a nationally designated landscape and has therefore not sought to significantly adapt the design to avoid and minimise the landscape character, natural beauty and special qualities of the AONB.</p> <p>The AONB Partnership considers that the applicant should seek to avoid and minimise negative impacts on the AONB by the design and not simply replicate a design from Hinkley Point C. Therefore the AONB Partnership does not consider that sufficient weight has been applied to the statutory purpose of the AONB, its landscape, character and special qualities.</p> <p>Paragraph 5.9.12 recognises that development outside nationally designated areas can compromise the purposes of adjacent designations and that such projects should be sensitively designed. The AONB Partnership consider that the accommodation campus and temporary beach landing facility, in the setting of the AONB will compromise the purpose of the AONB designation as the defined characteristics of the AONB, including landscape quality, scenic quality, relative wildness and tranquillity, will be significantly negatively impacted.</p> <p>The AONB Partnership consider that the applicant should further review these elements of the application and seek to redesign those aspects that have a significant negative impact on the AONB.</p>
	Response by East Suffolk Council at Deadline 2	<p>Early in the consultation stage it was realised that this issue needed to be addressed, and in response, the Applicant commissioned its landscape consultants (LDA) to draw up a document that described all the special qualities of the AONB that justified its designation as a protected landscape of the highest level of designation. The preparation of the document followed a rigorous criteria-based approach that built on the existing Natural England process for the designation of protected landscapes. The final approved version was published in November 2015. That Special Qualities document went on to be adopted by Suffolk Coast and Heaths AONB and is now universally applicable to all planning and AONB management processes. It has been submitted to the ExA as Appendix 1:19 [REP1- 079] of the LIR. The DCO must comply with this document to demonstrate significant weight has been given to the special qualities of the AONB.</p>
	Response by Suffolk County Council at Deadline 2	<p>The Applicant commissioned its landscape consultants (LDA) to draw up a document that described all the special qualities of the AONB that articulated the reasons for its designation by explaining how natural beauty in the terms of s82 of CROW Act 2006 is expressed in the Suffolk Coast and Heaths AONB. The preparation of the document followed a rigorous criteria-based approach using the existing Natural England</p>

ExQ1	Question to:	Question:
		<p>process for the designation of protected landscapes. See https://www.suffolkcoastandheaths.org/wp-content/uploads/2021/01/Natural-Beauty-and-Special-Qualities-of-the-Suffolk-Coast-and-Heath.pdf</p> <p>Whilst this work has informed the design and approach to the Applicant's proposals, SCC considers that the Applicant has not given appropriate weight to the sensitivity of the receiving environment with respect to the power export solution proposed, the design of non-nuclear buildings and the location of the outage car park within the AONB, as set in in the Local Impact Report [REP1-049] at section 7 and Table 2, and in SCC's Written Representation submitted at Deadline 2.</p>
	Response by Natural England for Deadline 2	<p>Firstly, a fundamental point. The national importance, status and statutory purpose of the AONB should have been reflected in a bespoke design for the proposed power station, as was delivered for the Sizewell B station. In those terms sufficient weight has not been given to the statutory purpose and related matters of landscape character and quality.</p> <p>Moving on to the assessment of landscape effects and proposed mitigation measures. We do not consider that the developer's assessment of the effect of this scheme on the delivery of the area's statutory purpose is realistic, both for the construction and operational phases of the power station.</p> <p>In that context it can be argued that insufficient weight has been given to the statutory purpose, or to put it another way the vulnerability of the statutory purpose to this proposed development may have been under played. A combination of the extent and long duration of the construction phase, the scale of the operational scheme, and its in-combination effect with the existing power stations, all within a narrow neck of the AONB presents a risk that this part of the AONB will no longer be contributing to the statutory purpose.</p> <p>We have no 'additional measures' to add but anticipate that the examination process will give appropriate (i.e. significant) weight to the statutory purpose.</p>
	Response by SZC Co. at Deadline 3	<p>SZC Co. has reviewed Chapter 7 of the Local Impact Report prepared by ESC and SCC and has prepared a response to the issues and comments presented including matters related to use of pylons and the siting of the outage car park at Goose Hill, see Comments on Councils' Local Impact Report (Doc Ref. 9.29).</p> <p>SZC Co. is also engaging with the AONB, SCC and ESC to prepare Statements of Common Ground, which include matters related to the location of the proposed Sizewell C development within the Suffolk Coast and Heaths AONB, the design of the proposed development and embedded mitigation, the findings of the LVIA</p>

ExQ1	Question to:	Question:
		in regards to the effects on the natural beauty and special qualities of the AONB and the scope of the Natural Environment Fund to mitigate the residual landscape and visual effects of the proposed development on the AONB and wider landscape beyond the designated area.
	Response by Historic England at Deadline 3	Historic England do not have any specific comments in relation to the AONB, which is outside of our statutory remit. We would defer other experts in this matter.
	Response by SZC Co. at Deadline 5	No further response from SZC Co. is required.
Main Development Site (MDS)		
LI.1.45	The Applicant	Outage Car Park SCC consider that the staff car parking and outage car parking at Goose Hill represents additional development within the AONB for which there is no overriding need in the proposed location ([RR-1174] and [AS-307]). What consideration has been given to less sensitive locations, including the shared use of the Sizewell B outage car park?
	Response by SZC Co. at Deadline 2	<p>The outage car park is part of the critical infrastructure required to operate and maintain the power station. By extension, the adjacency of the outage facility to the Power Station is fundamental to delivering planned and unplanned maintenance without compromise to safety and efficiency of operation.</p> <p>If the facility were to be substantially detached from the main site (and by necessity associated with a park and ride facility) the operator would be severely restricted in terms of maintaining responsiveness and flexibility for the workforce, particularly in the event of unplanned or emergency situations where time and cost are critical. Equally, there are significant logistical problems in ensuring a large workforce, often on different shift patterns, can be properly served by a P&R facility, which by necessity would be required to frequently run on a 24hour cycle.</p> <p>On grounds of practicality, flexibility and efficiency the Goose Hill site is considered to provide the optimal location and therefore no other sites outside of the AONB have been considered. This judgement is not blind to the impact on the AONB of the car park and the land take required to provide operational and</p>

ExQ1	Question to:	Question:
		<p>outage parking in an area already generally impacted by the power station and access to it. However, as demonstrated within the submission, impacts can be appropriately mitigated by the approach to design and siting through the extension of existing woodland planting extending from existing perimeter planting and by breaking up the extent of hard standing with planting, different surface materials and walking routes. With regard to the potential to share an outage facility with Sizewell B the operational arguments against this approach are set out below:</p> <ul style="list-style-type: none"> • A single station outage car park would require planned and coordinated outages avoiding overlap which is not possible to guarantee and could very quickly, be disrupted due to unforeseen circumstances: <ul style="list-style-type: none"> ○ An outage could overrun ○ Forced/un-planned outage – these are unpredictable by their very nature and therefore you cannot anticipate when they will arise, resulting in potentially concurrent outages ○ Delaying an outage in order to avoid a clash would be a huge commercial risk, with a significant cost to the operator if a restart was delayed ○ Following a forced outage, this then results in the planned outages having to be changed to allow for the 18 month period between each outage (per unit), which will then lead to the gaps previously planned between outages to be altered and come closer together or overlapping. ○ SZC Co. cannot be sure when Unit 1 Sizewell C will be operational and the refuelling cycle times in the early phases of the operation are variable in order to obtain the correct fuel mix in the core. It is therefore not economic or environmentally responsible to forego months of operation to enable gaps in outages to remain spaced out. ○ Should one of the station’s operating cycles change in the future (e.g. move to a two year cycle), then outages could clash and therefore the need for two separate car parks is essential. <p>To help illustrate the point, Plate 18.1 shows a schedule of outages for the 3 units once all in operation. There will typically be a 3 - 4 month gap between each outage (each Unit will have an 18-month gap between planned outages). This would mean that (if there was only one joint car park) either Goose Hill or the Sizewell B outage car park would potentially be permanent in use, which is not the intention.</p>

ExQ1	Question to:	Question:																																																																																																																																																											
		<p>Plate 18.1: Illustration of schedule of proposed outages for all 3 Units</p> <table><tr><th>Month</th><th>1</th><th>2</th><th>3</th><th>4</th><th>5</th><th>6</th><th>7</th><th>8</th><th>9</th><th>10</th><th>11</th><th>12</th><th>13</th><th>14</th><th>15</th><th>16</th><th>17</th><th>18</th><th>19</th><th>20</th><th>21</th><th>22</th><th>23</th><th>24</th><th>25</th><th>26</th><th>27</th><th>28</th><th>29</th><th>30</th><th>31</th><th>32</th><th>33</th><th>34</th><th>35</th><th>36</th><th>37</th></tr><tr><td>SZB</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr><tr><td>SZC-1</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr><tr><td>SZC-2</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr></table> <p>It is operationally unacceptable to not hold safety related outages when they need to be held with restrictions arising from parking limits.</p> <p>The outage car park forms part of the operational functional, safety and security requirements and as such cannot be compromised. Under the terms of the Nuclear Safety License, there is a 'hard' safety limit within which the operator cannot operate the reactor resulting in plant shut down. A remote car park would pose a risk to this hard safety limit.</p>	Month	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	SZB																																							SZC-1																																							SZC-2																																						
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	Response by Suffolk County Council at Deadline 3	SCC wishes to refer the ExA to its Written Representation [REP2-189] setting out its position in respect of whether there is an overriding need to locate the proposed outage car park within the AONB. That Written Representation was based on having seen the Pre-Submission arguments raised here and challenges a number of the points made in the Applicant's answer.																																																																																																																																																											
	Response by SZC Co. at Deadline 5	SZC Co. has responded to SCC's Written Representation in the Comments on Written Representations [REP3-042], cross referring to SZC Co's Comments on Local Impact Report [REP3-045].																																																																																																																																																											
LI.1.46	The Applicant	<p>SSSI Crossing – Design (Change 6)</p> <p>The MDS Flood Risk Assessment Addendum [AS-157] states that by 2090 the maximum crest height of the SSSI crossing is likely to need to be increased to 10.5m AOD. Noting the comments made by SCC in [AS-307], please explain why no further change is proposed in respect of the height of the crossing to mitigate against future flood overtopping? What consideration has been given to any future disturbance in respect of established landscaping on the embankments if an increase in height is required in the future?</p>																																																																																																																																																											
	Response by SZC Co. at Deadline 2	As stated in our answer to question G.1.33 , in response to feedback from stakeholders following our January 2021 change application, SZC Co. commissioned a design review to determine if the structure could be optimised to further reduce impacts on Sizewell Marshes SSSI. This has included consideration of the adaptive design. Whilst this work is still being finalised, SZC Co. is satisfied that we can reduce the width of the structure from 40m to approximately 15m at the end of the construction phase by removal of the eastern side of the bridge deck. Should the crossing need to be adapted in the future to reduce the																																																																																																																																																											

ExQ1	Question to:	Question:
		risk of overtopping, we are satisfied that this could be carried out within the retained 15m operational deck of the bridge. The optimised adaptive approach is not expected to significantly affect established landscaping. SZC Co. intend to submit details of the optimised SSSI crossing at Deadline 4.
	Response by Suffolk County Council at Deadline 3	While we await the revised proposals anticipated for D4, SCC will wish to see the degree to which it can be shown that this reduces the "barrier effect" for ecology. These changes do not though address the concerns about the loss of a greater amount of SSSI with the causeway proposal than the bridge.
	Response by SZC Co. at Deadline 5	SZC Co. has responded to SCC's comments in the Comments on Written Representations [REP3-042].
Li.1.49	The Applicant	<p>Independent Environmental Trust</p> <p>In respect of the proposed independent Environmental Trust, please provide further detail on the following areas:</p> <ul style="list-style-type: none"> ii) Governance and Implementation iii) Financing iv) Membership <p>Would the Trust form part of any mitigation for the proposed development?</p>
	Response by SZC Co. at Deadline 2	<p>As stated in response to question BIO.1.43, SZC Co. is seeking to explore additional legacy and enhancement measures beyond those to be secured in the draft DCO (Doc Ref. 3.1(C)) (through the measures embedded into the scheme and secured through the Deed of Obligation (Doc Ref. 8.17(C))) through an environment trust. SZC Co. has now established a working group of external stakeholders who met for the first time on 25 May 2021, with a focus on shaping the objectives of the trust. Meetings scheduled for later in 2021 will consider matters relating to financing, membership and other matters needing to be considered to enable a formal launch of the ambition in late 2021. The next meeting is scheduled for July, and SZC Co. will provide an update on the environment trust at Deadline 4.</p> <p>As confirmed in response to question BIO.1.43, the trust is not necessary to make the proposed development acceptable in planning terms, those measures are already secured through the measures described above. Therefore, it is not the intention for the Trust to form part of the mitigation.</p>
	Response by Suffolk County	Given that there the Applicant will provide an update on this at D4, SCC will comment in response to that.

ExQ1	Question to:	Question:
	Council at Deadline 3	
	Response by SZC Co. at Deadline 5	No further response from SZC Co. is required at this time.
LI.1.51	The Applicant	<p>Pylons – Alternatives and Impact</p> <p>The change to both the location of pylon parameter zone P3 and reduction in height of the southernmost pylon from 79m AOD to 59m AOD is noted. Nonetheless, concern has been raised by several IPs, including [RR-0877, RR-0878, RR-1170, RR-1174], regarding the impact within a sensitive landscape and whether all alternatives to pylons have been adequately discounted. Noting the comment made at paragraph 3.2.82 of Appendix 8.4A [APP-591] please confirm the outcome of any further assessment regarding undergrounding options. Please also confirm what consideration has been given to the use of Gas Insulated Lines.</p>
	Response by SZC Co. at Deadline 2	<p>In order to present a robust planning case for the project, the scope of undergrounding the power export connections has been reviewed in detail. In carrying out this review, SZC Co. has drawn on the collective experience of the EDF Group’s global power transmission engineering centre in Paris, the fleet of operational nuclear power stations in the UK, and the organisations currently engaged in the construction of Hinkley Point C.</p> <p>The Power Export Connection Technical Recommendation Report (Appendix 5E of the written responses) comprehensively considers the potential options for the power export connection including:</p> <ul style="list-style-type: none"> • Underground cables • Gas insulated lines • Overhead lines <p>The evaluation has been guided by safety as the overriding priority for the project. Issues of constructability and schedule impact were brought out by detailed analysis of potential underground and overhead routes through the main development site. The impact of selecting a particular option on nuclear safety was assessed, recognising the significant role that the power export connection plays in ensuring power is always available to the plant from National Grid.</p> <p>Please refer to this report (at Appendix 5E of the written responses) for a detailed assessment of the options considered.</p>

ExQ1	Question to:	Question:
	Response by Suffolk County Council at Deadline 3	SCC wishes to refer the ExA to its Written Representation [REP2-189] setting out its views, and the evidence from its technical consultants, on the potential of the use of Gas Insulated Lines as an alternative to pylons and overhead lines. SCC had the opportunity to see a pre-submission version of the report included by the Applicant at Appendix 5E and the Council's WRs address the matters referred to here.
	Response by SZC Co. at Deadline 5	SZC Co. has responded to SCC's Written Representation in the Comments on Written Representations [REP3-042], cross referring to SZC Co's Comments on Local Impact Report [REP3-045].
Freight Management Facility (FMF)		
No further comments received at Deadline 3.		
Sizewell Link Road (SLR)		
No further comments received at Deadline 3.		
Two Village Bypass (TVB)		
No further comments received at Deadline 3.		
Northern Park and Ride (NPR)		
LI.1.112	The Applicant	Landscape – Legacy Marlesford Parish Council have requested the delivery of a long-term legacy of landscape improvements within/around the site of the SPR [AS-307] and have provided specifics relating to this. Please provide a response.
	Response by SZC Co. at Deadline 2	Since the submission of the application, SZC Co. have engaged with Marlesford Parish Council and other interested parties to work together to reduce and/or avoid the impacts, where possible, associated with the construction, operation and removal and reinstatement of the of the southern park and ride at Wickham Market. SZC Co. has sought to reduce any impacts of the proposed development through a range of mitigation measures embedded through the Associated Development Design Principles (Doc Ref. 8.3(A)). Those of specific relevance to landscape and design are as follows: <ul style="list-style-type: none"> The creation of landscape bunds up to 3m high to the southern, eastern and northern boundaries of the site using on-site material removed due to earthworks associated with the levelling of the site and top soil storage.

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> • The retention of existing woodland and hedgerows where appropriate, as well as additional temporary soft landscaping and suitably sited tree and shrub planting within the car parking areas. • Permanent supplementary hedgerow planting proposed along the southern and eastern boundaries of the site to screen views from Footpaths E-387/008/0 and E-288/007/0. • Temporary hedgerow planting would also be planted along the access road, whilst the park and ride is operational, to replace hedgerows lost during construction, and would be re-planted as close as possible to the original hedgerow line during the removal and reinstatement phase. • Lighting columns within the car parking areas and along the access road would be restricted to 6m in height to minimise visibility during day and night-time. • Lighting columns, to a maximum height of 10m including lanterns, would be provided from the roundabout with the B1078 and along the slip road leading to the site and the northbound A12. • Lighting columns would utilise LED base lights with zero-degree tilt to minimise light spill and along the perimeter would be fitted with demountable shield to reduce backward spill of light. • Use of a central management system for the lighting which would be capable of dimming of parts of the site independently from other parts. • A general design approach aiming to create an unimposing appearance, with the buildings screened as far as possible. The layout aims to maximise the benefit of existing screening provided by Whin Belt and the other blocks of woodland located to the north, west and east. Where visible the buildings would adopt natural colours to allow their appearance to harmonise with the surroundings. <p>In addition to the Associated Development Design Principles, the approved changes set out in Volume 1, Chapter 4 of the ES Addendum [AS-183] included moving the security fence along the western boundary of the site further east to allow for sufficient space between the PRoW and the security fence for the proposed planting to establish and provide appropriate screening.</p> <p>The listed measures aim to control and limit views of the proposed development from neighbouring receptors, including local residential properties, the A12 and local PRoW.</p> <p>In addition, mitigation measures listed within the Code of Construction Practice (Doc Ref. 8.11(B)) will help to minimise landscape and visual effects during construction and the removal and reinstatement phases.</p> <p>SZC Co. note the following responses to each of the specific points raised.</p> <p><i>Provision of new hedgerows and/or woodland planting on all site boundaries (including the cross field northern boundary) where there is no existing vegetation</i></p>

ExQ1	Question to:	Question:
		<p>As noted within the applicable design principles above, SZC Co. will provide permanent supplementary hedgerow planting proposed along the southern and eastern boundaries. In addition, temporary hedgerow planting would be implemented along the access road, whilst the park and ride is operational, to replace hedgerows lost during construction, and would be re-planted as close as possible to the original hedgerow line during the removal and reinstatement phase. Furthermore, provision of new hedgerow trees (to give height) where there are already hedgerows (as on the east boundaries) would help screen views into the site.</p> <p><i>Space provided for suitable landscape mitigation, as above and mounding on the west boundary where there are open views towards the site</i></p> <p>As noted within the applicable design principles above, SZC Co. will provide permanent supplementary mitigation.</p> <p>In addition, effects to the west of the site would reduce rapidly to small scale during construction due to existing vegetation (woodlands and hedges) which would soften and/or screen the presence of construction and the emerging security fencing and landscape bunds and restrict views to the roofs of taller construction vehicles and emerging buildings.</p> <p><i>We support the provision of soiled mounds to provide visual mitigation</i></p> <p>SZC Co. note the support.</p> <p><i>Wider landscape enhancement of the B1078 from the roundabout to the site</i></p> <p>The site is already well screened from views to the west but the extension of the landscape bund to the north-west of the site [AS-183] will help to provide some additional screening to views from the west. Hedgerow planting will also be provided along the access road whilst the park and ride is operational, as stated in the Associated Development Design Principles (Doc Ref. 8.3(A)) and retained important hedgerows along the B1078 slip road, accessing the site, will be augmented by additional hedgerow planting as shown on the proposed landscape masterplan [AS-125].</p> <p><i>The DCO proposals for the SP&R include surface water drainage and open swales. MPC has previously asked for further details and until these are received, it cannot make a judgement on the effectiveness of the drainage proposals.</i></p> <p>The final details of on-site drainage will be controlled by Requirement 5 of the draft DCO (Doc Ref. 3.1(C)). However, section 4 (Associated Development Sites) of the Outline Drainage Strategy (Doc Ref. 6.3 2A(A)) and the Associated Development Design Principles (Doc Ref. 8.3(A)) provide the further detail of the parameters which will inform the design of the final drainage strategy. This includes SuDS to attenuate surface water run-off and minimise sediment generation. SuDS measures, including swales, geo-</p>

ExQ1	Question to:	Question:
		cellular storage within the landscape bunds and infiltration basins, will be incorporated within the site to allow for surface water run-off to be returned to ground, ensuring there will be no changes to the local hydrology regimes. Permeable surfaces will be used where feasible in the main car parking area to minimise surface water run-off.
	Response by Marlesford Parish Council at Deadline 3	The Applicant responds that, "Since the submission of the application, SZC Co. have engaged with Marlesford Parish Council and other interested parties to work together to reduce and/or avoid the impacts, where possible, associated with the construction, operation and removal and reinstatement of the of the southern park and ride at Wickham Market. SZC Co. has sought to reduce any impacts of the proposed development through a range of mitigation measures embedded through the Associated Development Design Principles (Doc Ref. 8.3(A))." The last and only formal meeting that MPC and neighbouring villages held with the Applicant regarding LVI issues at the Southern Park and Ride was 8th October 2020. Apart from the extension (reinstatement) of the bund to the north west of the Park and Ride, we have seen no other substantive changes to the proposals. We await further detail on mitigation measures to address the concerns and legacy issues raised at the meeting last October.
	Response by SZC Co. at Deadline 5	No further response from SZC Co. is required at this time.
Southern Park and Ride (SPR)		
LI.1.115	The Applicant	Dark Skies Area Both Hacheston Parish Council and Marlesford Parish Council [AS-307] and [RR-0758] state that the location of the SPR is within a Dark Skies Area. Please confirm what consideration has been given to this?
	Response by SZC Co. at Deadline 2	SZC Co. has held discussions with DASH Astro and other local astronomical societies to present the lighting proposals for both the main development site and associated development sites, as well as receive feedback on ways to minimise lighting impacts. Members of these astronomical societies have been responsible for obtaining dark sky status in areas of Suffolk further to the north, but none have been applied for in the vicinity of Hacheston or Marlesford. SZC Co. have found no formal designation covering Hacheston or Marlesford Parishes that denotes it as a dark sky village. The closest Dark Sky Discovery Site is located approximately 16.5km to the north east of the village at Westleton Common as shown by Figure 6B.1 at Volume 4, Appendix 6B of the ES [APP-391]. Figure 6B.1 indicates that there is a low level of artificial light within much of the study area, including the site itself. To the south-west, the settlement of Wickham Market, creates a much higher

ExQ1	Question to:	Question:
		<p>degree of light pollution and there is a further area of higher light pollution around Campsea Ashe to the southeast of the site. Marlesford is indicated to have relatively dark skies and Hacheston slightly less dark skies. However, both settlements are located in areas that are less dark than the designated Dark Sky Discovery Sites.</p> <p>The night- time appraisal takes into account the existing lighting levels identified by the Light Pollution Map website⁴, as recorded in March 2019. It considers the study area for the southern park and ride site to be relatively dark, but not to contain any designated dark skies.</p>
	Response by Marlesford Parish Council at Deadline 3	<p>The Applicant states "SZC Co. have found no formal designation covering Hacheston or Marlesford Parishes that denotes it as a dark sky village." The Applicant points out that Wickham Market is a source of light pollution at night and the Applicant goes on to explain its lighting strategy. MPC argues that simply because the skies around the village are not designated Dark Skies, there is no reason not to protect the darkness that we have and which is highly valued by residents. From the details given by the Applicant (and in the absence of expert interpretation), it is difficult for us to assess the proposals, but MPC remains concerned that with 6m lighting columns in the site and a bund of only 3m and given the fact that the Southern Park and Ride site is on a prominent hill, we find it difficult to accept that there will not be adverse impacts on our dark skies. We ask the ExA to continue to press the Applicant to provide the best measures in order to preserve the dark skies around Hacheston and Marlesford.</p>
	Response by SZC Co. at Deadline 5	No further response from SZC Co. is required at this time.
Rail		
No further comments received at Deadline 3.		
Yoxford Roundabout and Other Highway Improvements		
No further comments received at Deadline 3.		

⁴ Juri Stare. Intensity of Artificial Lighting (Visible Infrared Imaging Radiometer Suite 2018). (Online) Available from: <https://www.lightpollutionmap.info/> [Accessed May 2021].