

AUDIO_SizewellC_ISH8_Session3_25082021

00:05

Good afternoon, everyone just resumed this issue specific hearing. And I just checked with the case team that my microphone camera working correctly. And then the live stream recording is back up and running. Yes, I can see and hear you and the live stream and recording have started. Thank you very much. So if we go on to the next item, which I think is three be the traffic noise issues considering, I'd like to understand what the implications of noise from the shift patterns the workers would be travelling along the B 1122. I have understood that will be in the early years, around 600 staff potentially coming on buses. So if you can include an explanation of how that fits, in terms of your response, that would be helpful. If I come to Suffolk County first.

01:20

Thank you. So Michael Bedford, Suffolk County Council. So can I just be clear, are you intending then to combine item three B and three c together?

01:33

quite happy to I mean, they're obviously interrelated. And there's been a lot of talk about the various practical solutions that may or may not have been considered and may or may not be available for the various road schemes. So if you wish to answer both at the same time, I'm quite content with that, particularly if it's more efficient.

01:57

Thank you. So I think I don't think we directly had too much that we wanted to say about a few patterns. But I just want to just clarify your approach. And I don't think either we've got too much to say about park ride sites. But if I can, perhaps bring Mr. Bear in, first of all, just to identify any outstanding issues, in terms of our discussions with the applicant, on traffic noise, and then Mr. Mary, if there are any further implications. Thank you.

02:34

Hello, Joe. Bear on love Suffolk County Council. The question in relation is this a very similar question in relation to the new roads schemes, as we've been discussing already discussing but existing road schemes? It's just a question about what additional mitigation the applicant has considered for the new road schemes and will consider during the detailed design phases for the detailed design proposals for the new road schemes. Specifically, whether the new the size will link road and the two big bypass will include quite road surfaces again, and also the consideration of additional barriers or additional buttons along the lines of the route. For example, in relation to farnum Hall and mullets farm on the two village bypass as examples. My understanding is that there is scope for consideration if additional buttons should think Mr. Rose discussed earlier. It's just a question of how that will be secured and what is proposed in terms of road surfaces. That's then I think, if I could pass it over to Steve Mary, in relation to technical traffic aspects, thank you.

03:52

Hello, good afternoon, Steve Murray from Suffolk County Council. Referring to your question about trip patterns is from our perspective, we've only got the information in form of in the form of two points and there to do with trips. So we have the traffic information, number cars and race TVs. But what we don't have is that granular detail of number of workers going and how that changes over the early years and into the peak years. For example, when I'm not aware of any data that shows the the interesting gap between the the, the opening of the park and rides and the completion of the SLR. So where they start bringing people in by bus from the northern Southern Park and Ride nor the switchover from the park and ride at the Le IE to the park and ride at the main site. So we're not aware of that granularity. One thing I would say is that from a perspective and this was raised in I think it was I sh to particular concern is less to do the actual movements of workers per se, but the number of trips they create, so the number of car movements that are robust movements. That's our main focus.

05:04

I mean, I think I've read in the think it's the construction worker travel plan, the indication was that 600 workers in the early years would be brought in by bus. The reason I'm asking the way that I've read it, the shift pattern appears to indicate that it's a double shift pattern that would finish at midnight. And so potentially, if I understood that correctly, there may be I don't know how many buses it would necessarily be but a reasonable number, potentially leaving the site on or after midnight. So from a noise perspective, that's what I was trying to understand. So whether that's for you, Mr. Murray,

05:49

I will certainly look into it. And if we if we do get time, we will put in our response, but is available. To be fair, my understanding was that the majority of the nighttime shifts did not start until after the early years by maybe mistaken in that. But again, it comes back to this this critical period between when the park and rides at dartium and wicker market come into operation and the DSLR the size of link road, because until such time as the to park and ride, so darshanam wicker marker in place, my understanding was that the workers will be going direct to site. So that should be travelling by car rather than bus in that time.

06:29

Your understanding may be correct, and I've got myself confused. So hopefully, the applicant will clarify matters for me, but before I come to them. Thank you, Mr. Murray. And I'll just see if any other interested parties have any particular points on this?

06:50

Right. I'm not seeing any hands go up. So if I can turn to you, Mr. Flanagan. Hopefully you can assist in clarifying for me.

06:59

Yes, thank you, sir. Mr. Martin's going to respond to this point on the detail of the workers coming out coming in by bus on the year. So if I can hand over to Milan, please. Hello, sir. Can you hear me?

07:19

I can hear you, but I can't see. Oh, yeah, yes, you've appeared. Okay.

07:23

Catamount, Milan, on behalf of the applicant. So just to clarify, so and these numbers I'm quoting are set out in table 43 for appendix seven B of the consolidated TA, which is Rep. 046. So, in the early years, there will be bused but there'll be limited between the land east of eastland and the main development side, there'll be shuttling between those. So before we have the northern and the southern park and ride, the strategies that there would be in the early years we've assessed 1500 workers, of which 600 living in the caravan park in the 400 pitches, they would be bused between to work between the caravan park and the main development site. And then there'd be of the the remaining 900 workers and they would you they would be parking either at the land east of eastland parking facility or at the main development site. Those parking at the land use to Veselin Park and Ride would be bused between the main development side and the land is faced and we've assessed in terms of the shift patterns. We've assessed as a robust case 400 of those working at nighttime. So there would be some nighttime buses and assuming the need to check the exact numbers but as a kind of rule of thumb, if you say 400 people 40 per bus, you're talking kind of 10 buses over that night time period, but they would be limited to between the MDS and D. Lundy's, divisions along lovers lane.

09:03

Okay, now that's helpful. Thank you. Okay. I'll move on to the next point, which is just just seen a comment. Could you just clarify for me, as well? And will there be using the temporary construction access for those? That bus service?

09:32

Of course, yeah. So in that table, I've just quoted table 43. It shows that between the land east of eastland and the secondary site access, we've assessed 92 way services over the course of a whole day. We've seen all of those at night. And we've assessed 90, then between the land east of East London size will be access over the course of the whole day shuttling those workers between those two, two accesses. So it's 5050. Split.

10:04

Price. Okay, that's helpful. Thank you. All right, yes, I will now move on to the next item, which is the potential traffic noise upon completion of the size, lot size while we grow them to really bypass. Mr. Bedford obviously, touched on this already. So are there any other interested parties who have any additional points they would wish to raise on this matter?

10:40

not seeing any hands up. So that's relatively straightforward. Mr. Flanagan, is there anything additional you wish to say with regard to the the consideration you've had of practical solutions for noise attenuation prior to the delivery of insulation via the noise mitigation scheme?

11:08

So yes, in terms of attenuation, you heard, I think, from Mr. Rhodes earlier on, the steps have been taken in terms of the mitigation hierarchy and the fact that the park and rides and there's all this inbuilt significant inbuilt mitigation, embedded mitigation, which is part of the strategy, which is for operational purposes, but also serves a mitigation purpose. So you've heard me talk about the highway condition survey and contributions to the B 1122. Also the potential for discussions on going about quiet road surfacing and bonds on the SLR, tuberos bypass at specific points. So that is, I think, the summary of the position. I don't have anything extra to add, just while I'm speaking on it. I know Mr. Baer raised a point just a minute ago, I think, on this topic, querying how you would secure if there was, for instance, extra bonding, on the two village bypass mallets farm was given as an example. That it would be within the parameters, the parameters allow for that work is ongoing, to show the extent to which that might provide some attenuation. And if it needs to be secured, it could be done relatively easy, for instance, through the associated development design principles or some further mechanisms, so we don't see that to be an issue. Right, thank you. Oh, sorry, it's I'm just just, Mr. Rhodes has just suggested he might have an extra point to add, if I may hand over to him.

12:49

JOHN rose for the applicant. So I was just gonna say that. As Mr. bridenstine indicated earlier, today, we've been doing some work on what potential there could be within the order limits, and have written to two or three stakeholders in the last week setting out that work and describing for instance, how it could mitigate impacts around farnum Hall, or monitors far more on the SLR really indicating potential that could be achieved during the detailed design stage, but also offering to work with stakeholders as we work up that design. So for example, run farnum Hall Fern, are very helpfully presented themselves as as in the capacity that they've presented themselves to the examination, but certainly on behalf of local residents, as well as their own interest as a sort of mediator between themselves, the community and ourselves as to what would be the best scheme, how could that could emerge. And we know those premature to fix those details, because they need to be worked up in detail before they can be submitted, post decio for approval, but trying to find a process within which we can work with stakeholders so that the design that emerges is the best of all worlds that achieves the landscape objectives, but also optimises the noise objectives and protects their immunity. So through that correspondence, which would be we're happy to share with you it wasn't written confidentially, it's written to a number of parties. We'd be happy to show that perhaps in the written submissions following this hearing, just to show the nature of the engagement that is ongoing and our commitment to that.

14:32

I think that will be helpful. Thank you. Thank you. Okay, I'll move on now to the issue of nighttime rail noise and deliberately posed the question in a way that have following the comments from a software Council. Whether the operation of the frame rail freight, proposes an appropriate mechanism for delivery which obviously has some detail comment from Woodbridge town council will be I don't think there's a representative here today, who were concerned that the assessment of the rail noise was inadequate and hadn't taken account of who guidance on sleep disturbance, or taken proper account of klaxon sounds or trains or the level crossing sirens. And I think it's fair to say that he suffered cancel remained be persuaded the nighttime operation can be done appropriately. That's the way I read the response Rep. 603. To appreciate that's my very short summary. But I think the counsellor saying that if the mitigation is not available through the rail noise mitigation scheme, or strategy, I should say, and

the noise mitigation scheme, that they're looking to have a much higher standard and currently set out to perhaps the lower level, as opposed to the I think the 73 Db level, which is currently in position. So can I clarify with the Suffolk council? If that's the correct summary of position, please?

16:25

Thank you. So I think my screen has been turned off by Central Casting. Cuz I bounced back in at one point, so they can hear you clearly might be able to switch you back on that. Yes, they've they've done that. Thank you. So could I just make four short points on this and then ask Mr. Kemp to come back on on the low point. So, the four points are first that the principle of the aspiration to avoid hgm the movements from the highway network, where possible is supported and therefore, as a matter of principle, the rail freight strategy is supported by the Council. Secondly, the mechanism proposed for bringing forward rail, the various rail elements as a concept is not in dispute. Thirdly, is suffered cancel as you've heard earlier, so not satisfied at present with the rail noise mitigation strategy. And we come back to that later briefly under five d i appreciate and that is, we say necessary to be acceptable for the principle to be satisfied. And fourthly, to flag at one point that may also fall under five D. requirement 25. provides for the submission of a rail noise mitigation strategy. So it's a generic requirement. It isn't present tied to anything in the rail noise mitigation strategy that currently exists. So we think there needs to be some language to ensure that However, one badge is the current document, which we think should be expanded and enhanced requirement 25. And the submission pursuant to that should be in accordance with that document. And so, firstly, then on the point of low I'll ask Mr. Kemp to add his comments please. Okay.

18:47

Good afternoon, sir. Mark camp, a Suffolk Council. It's our position that the RNs represents the applicant's responsibility to mitigate and minimise noise impact to low it represents also represents their obligation to exhaust all forms of mitigation prior to providing the noise insulation in the form of the noise mitigation scheme. So it's, it's our session, it's got to be comprehensive, complete and committed to the RMS and the confidence in the delivery of the RMS is key to accepting the noise mitigation scheme. In terms of the rail freight the EIA x significant threshold as currently offered. However, should the RMS prove to be undeliverable deliverable impart or inadequate, we reserve the right to request at the noise mitigation scheme be used at low to boast that mitigation and minimization of the impact from the noise okay.

19:54

I can just then come to any other interested party I see Mr. Smith, your hand is up.

20:05

Thank you very much. Richard Smith. I'm the county Councillor for blinding division, which includes the town of Saxmundham and 12 villages north of the sizewell site, the nearest being saboten and eastbridge. I must declare an interest sir, before I start in that I live in Saxmundham and I live within 30 metres of the East Suffolk railway line. So you can understand I have a personal interest in this, but I also represent my constituents along the line and other people along the East Suffolk line as far away as Westerfield because you know as well as I do the route of the line going through Woodbridge, wicker market and Saxmundham and it goes through almost the centre of Saxmundham and the ground rises

on both sides of the railway line. So it's a bit like a bowl and the railway noise can be heard throughout most of the town. There are a large number of properties very close to the railway in Saxmundham. And it is an extremely worrying prospect that up to five freight trains will come through the town. heavily laden, I understand they have a weight of up to about 2000 tonnes and most of those will be in the hours of the night. I believe as do others that most of these problems can be countered if we had a passing loop built further down the line in the wicker market that is kempsey ash station area of the East Suffolk line and that would enable one the passenger trains in the daytime to continue uninterrupted and to to get the freight trains into sight. I'm not convinced by the arguments. I've heard that this is difficult. We all know how difficult it is to deal with Network Rail. But EDF have had many years to ponder on this and have made no progress whatsoever. So on behalf of people living by the suffer blind, this is a very great concern. I heard earlier about efforts that can be made, although they don't look like they're going to be made to limit noise by acoustic baffles because Network Rail again have said they don't want them on their land. And I do want to raise as I briefly did this morning, the question of vibration to the normal passenger trains don't really cause any problems. But we all have experience of heavier trains coming through the town. Certainly in the days when the nuclear flasks used to go from sizewell a, up to Cumbria to Sellafield and they are very heavy indeed. And they do cause substantial vibrations through the ground in the local area. I would ask that these concerns be noted, I'm not sure there is a solution. If we're going to have these night time trains, then we're going to have to get used to them and have our sleep interrupted. But I do want to stress the usefulness of a passing loop on the line, which would also have a legacy benefit to the east Suffolk line. Thank you.

23:36

Turn next to Christopher Wilson, please.

23:41

Thank you, Mr. Long. Chris Wilson, on behalf of together against eyesore See, I was just looking for a bit of clarification with regard to the train noise in the applicants consolidated transport assessment section 11. As document rep 400 and five, it was a couple of bits of clarification I was after in paragraph 11 point 3.6 of that document it relates to the early years of round operation. And it basically says that the waiting positions the driver would remain on board. The train has no trackside facilities, does this mean the Local Motors will not be shut down so that the heating and lighting can be maintained in the drivers CAD. Obviously that has a noise implication. And again in paragraph 11.3 point 17 it refers to the three trains a day situation. Table 11.2 shows the first out outbound train arriving at sex London junction at 10 o'clock in the evening. That train can't proceed until the last passenger train has arrived or sex London to understand is 1054 in the evening. So will the train that's stand on the branch branch, branch nine or the six No, at the SEC sets munden station. And again, obviously if the engine is not shut down, obviously has noise implications. Thank you.

25:16

Come to Nigel Brown. Oh no, Tom's gone down. No, sorry, I haven't looked around by all means if you have a comment.

25:32

Hi. Yes, I actually am from Melton Council. Can you hear me? Okay? I can't thank you. Right. Okay. I'm from Melton parish Council. And we reiterate the points that were made about the possible passing loop. We did have a meeting with Sizewell with EDF. And then their indications are that those ideas were rejected merely because of the difficulty of dealing with Network Rail not because of any technical MK in capability, but because they didn't have the confidence that that Network Rail would be able to get on with it fast enough for their timetable. And until that doesn't seem like a valid reason for why we should have 10 years of disturbed sleep. But over and above that, if they do go ahead with the nighttime trains, we would like there to be at the very least a review of the lines that run through Melton and Woodbridge, because we believe there are points where the actual railway lines could be improved so as to reduce the noise. And we also believe that they could use the sound absorption maps to make some of that Lloyd noise less severe. And we also ask that if there is a noise mitigation strategy, there are quite a lot of houses that back onto the railway lines or are in range with the railway lines, that they should adopt a generous approach with regard to installation, and that they should try and make sure that all the installation work is done before the train start running. There's no point in providing noise mitigation work halfway down the 10 year period when the trains are running. So that was it for me. Thank you to an abatement. Next please. Hello, Mr. Bateman.

27:30

On behalf of together bitesize will say, I just wanted to ask about the nighttime rail and what impact that would have in terms of noise on the old Hurst farm estate because old has farmers is mitigation, you know, for the other land take. So it seems a bit odd that you would have land that is supposed to be mitigation that is then going to be impacted by noise from the rail. So please, can you comment on that? Thank you,

28:03

unless the applicant the applicant, I'm sure will include that in their response. Mr. Highly Next please.

28:16

Good afternoon, sir. Thank you. Um, I'd like to echo what our county Councillor Richard Smith has said about the impacts of the noise and vibration on the town that Saxmundham disease already stated the line goes more or less through the middle of the town. And there are many older buildings which could well be impacted over the period of 10 years that the nighttime trains are running through that added to that the impact of disturbance on residents of the town. I understand that EDF are proposing to put in mitigation such as double glazing. But that won't be much use during the summer when residents will habitually have their bedroom windows open during warm nights. So, I urge I urge you to sort of consider again the possibility of the passing loop, which would have the stroke eliminate a lot of these problems. Thank you.

29:21

Thank you, Mr. Haile. Right, if I can come to the applicant to respond, please.

29:31

Thank you. So pick up a couple of points. So there are some members of the team to respond to the others on Mr. Tate's four point about requirement 25. And he observed that it refers to a rail noise

mitigation strategy and the suggestion that it should be tied to what the examination has before it. I'll take that away, but I initial responses that we can see the sense of that and therefore we can come up with some drafting accordingly. Second point for me is on a On the passing loop, others may have something else to say but the exact examining authority would have seen it. It's a summary of what was said it by Mr. Bullen issues specific hearing to I think in response to a question then from Councillor Richard Smith, Mr. Bull explained that a passing lead that can see ash would require interventions that no less than 45 level crossings. And having worked with network road, it was concluded that it wasn't a deliverable solution based on the timescales required for the project. And that set out more fully in the in the initial statement of common ground with Network Rail. So that is, in summary, our position on that and it's a fairly clear position based on fairly Stark evidence. See, those are the two points for me I'm now going to hand over to Firstly, Mr. brownstone, I'm gonna ask Mr. brownstone to explain the broad response to the question the agenda item of why the applicant says that the rail noise mitigation strategy taken together with the noise mitigation scheme makes the impacts acceptable in noise turns along rail lines. Secondly, to comment on the points raised about deliverability of the rail noise mitigation strategy. Thirdly, to respond to the E suffix. point about the noise mitigation scheme potentially needing to kick in low should the round noise mitigation strategy not be to Liverpool for some reason. And then also to add to Mr. Branson's task, response to his fate, and also Mr. Brown. Then I'm going to ask Mr. thorny Taylor to pick up on vibration which is a matter particularly within his expertise. And then finally, Mr. Rhodes to respond to Mr. Wilson's points regarding the weighting position of the trains and also the train timings. So firstly, I can hand over to Mr. brownstone. Thank you.

32:14

Mr. browser before you commence. Mr. Haley, would you mind switching your camera Thank you very much. Over to you Mr. Branson.

32:32

Thank you sir. Mike brownstone on behalf of the applicant. So the metro rail and nighttime rally is larger question of planning balance. Planning, policy and stake stakeholders strongly encouraged the use of rail. And from a noise perspective, we consider the use of relative amount of proposed is both appropriate and acceptable. Because the rail noise implications comply with policy to avoid Seoul. Notwithstanding we've taken quite a strict approach to Seoul in terms of maximum noise levels. And also because of the rafter measures in the rail noise mitigation strategy and the noise mitigation scheme to mitigate or minimise between load and Seoul. My understanding is that there are no non rail alternatives. I believe it set out in the freight management strategy, para to 114. And in table four, one, due to the construction requirements to two trains per day, which is four movements that would always be required, and would also lead to hundreds more hgvs on the road. It is also worth emphasising I've ever mentioned the number of trains we're not proposing four trains per day throughout the entire construction works. That's just for a period. Albeit it sounds a lengthy period 2024 to 2028. With with fewer trains outside of that, I believe that is set out in the freight management strategy at table 3.1. So we've committed to a programme mitigation measures. So potential adverse effects are reduced and minimised and exceedance for sole avoided. The measures set out in the draft around those mitigation strategies secured by requirement 28. Subject to Mr. Flanagan suggested drafting points. Be that that's a commitment that that stops the trains being used less that is agreed we cannot use the trains that is the the implication of requirement 28. So even if it is drafted as a rail noise mitigation strategy, unless it

is signed off by the Council, there's no permission to use the trains. So it seems to us to be a fairly strong and important measure there that that's got protection there. Where the eligibility criteria are exceeded the noise mitigation scheme will apply. We take on board Mr. Kemp's points about they would like to reserve their position about the threshold at which the eligibility criteria is set in the noise mitigation scheme. It is our position that we believe the round noise mitigation strategy is deliverable. That is why we've committed to delivering it and put in such terms in requirement 25. We're happy to commit to it because we believe it is deliverable. And therefore, there should be no reason to revisit the noise mitigation scheme. But to the extent to which the impacts rely on the noise mitigation. Sorry, the rail noise mitigation strategy. It is it is a reasonable position for Mr. Kim to take and then we did when we will, we'll keep in mind as things progress. So that's kind of the the overall kind of position. In terms of the specific points. Mr. Brown mentioned, a review of the line through Melton and Woodbridge. That work is ongoing in consultation with Network Rail. There's quite a lengthy process to go through to get permission to go and look at a railway line when they've got trains running on them. That process is underway. I will leave it to Mr. Rose to confirm but I understand that that that is going to happen and there will be a review of the tracking and where the track needs to be upgraded. Where has the unhealthy track type. So jointed rail, etc, the Mr. Tony Taylor can speak about the intention is to upgrade that to something less, less problematic. I think Mr. Brown also mentioned sound absorption mats. I think that may be one for Mr. Tony Taylor to pick up on the mats are a vibration measure rather than the sound measure. So actually, Mr. Tony Taylor to to pick up that Mr. Brown also made the point about doing the installation work before the trains are running. That is the intention. So the noise mitigation scheme where properties are eligible. The programme and the way it's set out is to deliver the mitigation before the noise gives rise the eligibility before that happens the installation should be in place that that is the purpose of it. And and there's Mr. Brown rightly pointed out there's no point putting in after the noise has started. So, that is why the noise mitigation scheme is set out with the with the steps set out in it with with commitments in there for timings and the like. Bateman mentioned all Hearst farm. So, the potential impacts autos farm can be found in a series of noise contour plots, the most relevant one

37:25

is the one relating to the maximum noise level which is figure 9.3 point C point seven rather unwieldy figure reference but 9.3 point C point seven in appendix 9.3 point C, which is as 257 and that shows that altos farm is substantially below the point where we say there's a significant adverse effect, we do not expect significant adverse effects at auto spawn. That is not say for trains will be Inaudible. Clearly they will we certainly will be audible. But we do say that they should not be an adverse effect. Think Mr. Highly referred mostly to old buildings, which I think is more of a vibration point for Mr. Tony Taylor. I think the other two were party look, which is probably best for Mr. Rose to deal with. If Mr. flagel hasn't already.

38:17

When the written submission comes, can you make sure that reference that you just gave is included? Because I'm afraid I didn't get that long convoluted? Yes. Thank you

38:35

can I then head over to Mr. thornlie tailor to respond on the rail vibration points. Thank you.

38:41

Thank you, Rupert only Taylor and on behalf of the applicants, it is true the railway line does go close to dwellings in South London. In one particular case, it's only about three metres in Albion street movie industry. And obviously, that has resulted in a close study of the issues and the effects and mitigation approaches. What happens when you're very close to a railway line is not only does the conventional airborne sound level become larger because of the shorter distance. But there's also the combined effect of grand ball noise which is the effect of wheels rolling on the rails travelling through the ground, and being reradiated inside houses as airborne noise. And we've looked very closely at those effects and in particular considered the the rare circumstances we have in this case, which is getting both ground bond noise and airborne noise at the same time. Usually grandpa noise is an issue when one's considering railways in tunnels, and you don't see or hear the railway in the conventional way. You just get grumble noise through the ground reread the engine hazards. It's unusual to have both together and we've reviewed In considerable depth, the assessment criteria, and in particular the measures that need to be taken to avoid sell and get as close to low as we can. The conventional airborne sound from a train at a short distance can be mitigated bias on installation of the usual kind, that there shouldn't be a major issue in the summer with sound insulation. Because fan installation packages are not just secondary glazing windows they include provision of alternative ventilation. From the point of view of the park that comes through the ground the vibration on the ground or noise. As I indicated briefly this morning. The issue is discontinuities in the rail. A heavy load running on a completely smooth railway just the same as a heavy lorry running on a complete consumers highway uses very little vibration and it rapidly attenuates with distance what causes vibration and ground bond eyes is discontinuities in the rail. And financial this morning effort is underway to identify the locations of discontinuities, with a view to moving them or removing them. One of the issues is that even with long welded rail, it's common practice as a type of weld, which is softer than steel. And so you do get a noise as if a train was running over a joint even though there isn't a visible joint and work is in progress to locate the positions of those welds, so that they can be moved or replaced. But the other tool in the armoury is speed, because vibration grambo knives are very strongly dependent on speed and where trains will be passing very close to sensitive receptors, speeds will be low. And that helps very substantially in reducing the levels of vibration and ground or noise that enter the dwellings. And just one final thing I would say on the issue is that the nuclear blast trains would have been a vibration issue and that modern waggons of the kind that are will be used for size will see have suspension in their bogeys, and the parameter which really controls vibration is the unsprung mass as it's called, it's the weight of the wheels and the axons between them and the lowest suspension in the vehicle and the unsprung mass of a modern freight waggon is much lower than would have been the case for nuclear blast trains. But all in all, the outcome will be that Seoul will not be exceeded. And there are many measures that can be taken to get as near to low and possible. That's I think, addresses all the points have been raised. But if I've forgotten anything we happy to add. Thank you.

43:09

Then, finally, could I turn to Mr. Rhodes to respond on the waiting position of the trains and the train timing points and anything further, he wanted to say on to the property?

43:22

Thank you, John Rhodes for the applicant, hopefully not repeating what's just been said. But there are one or two other detailed points I can I think assist with there was a session up to five trains a night and that certainly comes from the original material that the applicants generated. It has occurred to me from time to time that we haven't completely precluded that possibility or it's not being pursued by us at all. And we don't believe it's deliverable. So I think we need to find a way to make sure that the railroad movements are limited to four trains a night. That's what we've timetabled. That's what we've been discussing with that word rail over the last 12 months or so. So it'll be up to four trains. Then, the work that we've been doing with Network Rail on timetabling but also on the points that Saxmundham means the trains would not need to stop at Saxmundham station. We can confirm that in the written submissions following this hearing and explain it more fully. The technical work that's been done, but that's certainly my understanding. I believe that to be the case. The suggestion that when trains are held they would need to would they be idling or would they be shut down? That's addressed directly in the rail noise mitigation strategy which provides a requirement for trains to be shut down where they're held on the line. The only circumstance in which we expect them to be held is on the branch line in the early years with the help so they don't go through laced in at night. But the strategy requires the trains not to idle but to be shut down at that at that point. And you're Also know that this strategy requires trains to travel at no more than 10 miles an hour through Saxmundham. And the other identified noise sensitive locations. suggestion that the passing loop couldn't be delivered because it was difficult to work with Network Rail is something I want to clarify, because that's certainly not our case. We're having very good engagement with Network Rail, they're being extremely proactive. With us in delivering the rail noise mitigation scheme. It's a very good, very busy and proactive engagement that's working to programme it's not that difficulty. The difficulty is the sheer scale of the interventions that were necessary for the passing loop. And the work that's explained in the agreed statement that was appended to the back of the first statement of Common Ground explains the nature of that work and the agreed position between Network Rail and Sizewell seeds couldn't be delivered on time. And then, as Mr. Brownstone says, We're certainly looking at enhancing the rail through Melton and elsewhere. And it may be helpful just to update you, sir, on the work that's being done in that respect. So there are three stages to that work. The first is the survey of the line, that we have been gathering with Network Rail, all the information that's available from their records on the nature of the line, and the joints on the line. Having inspected that work and our experts having inspected it with theirs was concluded that there wasn't enough detail available in network and bespoke surveys when necessary. Those surveys are really complex. They involve both physical inspection but also drone surveys of the subject line on its full extent from Westerfield to Saxmundham, detailed specifications been agreed for that survey work. And we have a legal agreement with Network Rail in relation to that work, each stage of work requires a legal agreement. But we're quite used to that with Network Rail. That should be concluded this week. And it's expected that the survey is going to happen pretty much immediately after that. There's then a design stage and an implementation stage. But now around explained to the local authorities meeting last week, and again in a board meeting I attended with them on Monday, this week that they expected to be in a position of sufficient knowledge by September of this year to book possessions on the east Suffolk line for that replacement works. So you're probably familiar with the idea of possessions, the where you have work on rail lines, you need to book in advance that you want to do that work.

47:41

And the window for that is September this year, and Network Rail expect to have sufficient knowledge with us by then, of the practicality of replacing the track to be able to book the positions in September of this year, and confirmed at the meeting with the local authorities last week that the timetable, they expect would enable the replacement of the track before the first operational sizewell train. So that's the programme that we're working to add. It's an evolving discussion with Network Rail, but we will want to keep you apprised of the progress in that discussion throughout the examination. Whether it's through submissions or additional statements of common ground, but it's an active discussion with no rail at the moment. It was suggested that because of nighttime train movements, we would need a generous noise mitigation scheme. And I just wanted to draw attention to one or two aspects of the noise mitigation scheme. So we say it is a generous approach. And we say that for several reasons. But we've identified already that it kicks in at a level below that which you might arguably say is necessary. So it kicks in at level below what's agreed to be the significant adverse effect level. And it's not just a standard scheme. It's a bespoke scheme. And the detail of the scheme requires us to understand and survey the buildings which qualify and to develop bespoke mitigation packages. So for instance, if it's a listed building, where normal double glazing wouldn't be appropriate, then we need to come up with a different solution. And if it's something in the fabric of the building, because of its age, for instance, like a timber structure building scheme requires us to come up with a scheme that would be effective there and agree that with the owner and with the council, as Mr. Brown says it absolutely has to be done before the noise arises. And Mr. Kemp has asked for a revision to the scheme which is that it's monitored. So that if the forecast noise which led to the mitigation requirement, turns out to be greater or different from that which was expected we would go back and if there are further qualifying properties, they would be picked up and that's So absolutely written into the scheme as well. And as Mr. Thornley, Taylor said, schemes can include ventilation so that Windows can be captured in this case that's specified directly in the noise mitigation scheme that the standard approach would be double glazing or secondary glazing, and ventilation. So we do think that it's a good and, and general scheme. was the only one that I didn't think there was anything else. So no. So anything else I can help with?

50:35

No, I think that's fine. Thank you. Thank you very much. Concluding your team's comments. We'll move on. So I think, now up to item five, dealing with mitigation. And a lot of this has been covered already. So I would hope that people can give me fairly succinct responses, but I would still like to hear from parties. The primary mitigation as referred to in the environmental statement, and I think it's set out in a number of the documents, but the reference I have is paragraph 11 point 5.8 of app 202, which is the section on on noise for the main development side. applicant describes primary mitigation as often referred to as embedded mitigation, including modifications to location are designed to mitigate impacts. And these measures become an inherent part of proposed development. Then it goes on to list sorts in sort of come paragraphs, specific elements that are regarded as primary mitigation, such as for construction noise, noise barriers, and for road traffic noise, the park and rides the park and ride at the blandisi, the industrial estate, accommodation campus, caravan park, freight management facility, beach Landing Facility and rail upgrades. And the green railroad. Doesn't in the noise chapter, though, include the two village bypass and the sizewell link road. So I just wonder if you could explain through what the distinction is. Is it because of the delivery timing? That isn't included in primary mitigation? And also, what the latest position is in securing these various elements? Obviously, they were touched

on in the earlier issue specific hearing, so hopefully, you can just give me a brief update on those. If I can come to the applicant, please.

53:06

Thank you. Yes, I'm gonna ask Mr. Bronston. to, to come back. And he's just looking for the reference for his benefits was 11 point 5.8. up to 80.

53:17

Yeah, I hope I got that right. Mr. Brown? Aye. Sir. Mike Brown stone on behalf of the applicant. So your question was about primary mitigation not being present for to village bypass and the size will link road in chapter 11 of Volume Two of the ies Is that correct?

53:36

Yeah. That mean, that's the way I'd read it. And it's not listed there. And I wonder whether there is a reason for that?

53:47

Yeah, the simple reason is that it's listed in the two for the bypass and sizable engro chapters. So anything related to those two roads schemes, the primary mitigation is listed in the respective chapters. So for instance, for I think this is the to village bypass is paragraph 4.5. Point three starts with primary mitigation.

54:09

Yes, but the way I'd understood the two way bypass is part of the primary mitigation. Well, there's not really the size well, Link road is primary mitigation,

54:23

their primary mitigation for the main development site, and then the primary mitigation for each of those respective schemes is in their respective chapters. Yes, it made logical sense when we wrote it. Well,

54:40

so there isn't a distinction. I'm just seeing something that isn't there. I suspect Oh, sorry. No, no, that's absolutely fine. Okay, so the second point then is the latest patient positioning securing the delivery of these various elements Just always still where we were at the initial list but issue specific hearings in terms of the reasonable endeavours. I think it was that or is something moved on from them.

55:17

So I suspect Mr. Rhoades is best placed to answer that question. Thank you, or Mr. Sharp, Mr. Sharp, I think

55:38

john rose without the gun. So in relation to the implementation plan, we still are at reasonable endeavours. Although we've been talking with the council's about ways in which we can create more

confidence around the delivery of the key elements of that, such as the accommodation campus, for instance, and we're looking to update that deadline sudden

55:59

find that that's helpful. I think that's probably as far as we'll get today, then. That's, that's Thank you. Thank you. I got a number of interested parties with their hands up so far. I can quickly just come to Mr. Brown. Nope. So Mr. Brown, is there anything additional you wanted to add? No, not hearing a response. So I'll move on to Mr. Melon. Simon Mellon.

56:33

Hi, there. Yeah, just wanted to make like sure that it had been explored properly the need for acoustic fencing along the green railroad. Some of the data that's been given.

56:59

Mr. Millan, I've lost you. And I can't hear you any longer. Can anyone else hear Mr. Miller? Or is it just me? Sir? I can't hear Mr. Madden either. No.

57:15

I wonder if I'll come back to Mr. Melon. I hope you could hear me Mr. mullen. Perhaps the case team can have a linkwithin behind the scenes and see if we can come back to him shortly. So I'll move on to load.

57:34

I'll have Mr. Mullen Hello. Yes. Sorry. I could hear you. But you can hear me? No. Well, I

57:41

lost you there, I'm afraid if you want to recommend because I'm afraid I didn't apart from the very beginning where you mentioned in the acoustic fences for the rail line?

57:52

Yeah, I think it's important that these have been explored fully. The data used for the modelling within the sound plan. modelling programme, I don't believe takes into account the effects of the wind direction and speed and the effects of snells law of refraction, which has a huge bearing on on the direction and the intensity of the sound, which will, you know, affect properties along the green railroad.

58:31

Okay, I'll ask the applicant to respond to that shortly. And come to Edwina Galloway.

58:43

Good afternoon, Edwina Galloway behalf of Cal cell comm Colton parish Council. Cal cell comm Colton raised a number of issues in respect of air quality, noise and vibration at our D two submission incisal seas written submissions room is h four in respect of our parish, paragraph 1.3 point 11 referred to a noise mitigation scheme Rep. 03 for the link refers to main development site as dated June 21. There is an updated version of this document from August but this also relates to the main site development as

our parish would host the start of the sizewell link road and also receive 80% of the traffic from the south, slowing to the roundabout. We are concerned about ancillary areas and the impact on what mitigation will be available for our community in respect of quiet road services and bonds etc. Bearing in mind we'll have the link road and the a 12 was slowing traffic. Thank you. Thank you.

59:54

Mr. Bedford from Suffolk County Council's next

1:00:02

Thank you. So Michael Bedford Suffolk County Council. So, the main point for us in relation to item five terms of the delivery and timing of the different strands of mitigation is to have as it were as much security as to what is going to be delivered and where during the examination process rather than leaving matters of weaken to the considerable importance only to the subsequent discharge of requirements stage. We have noted, and I think this appears in rep three, stroke 031, which is the supplementary appendix provided by the applicant on noise matters, what he said at paragraph 3.2, point seven to 3.2 point nine, effectively suggesting that there are a number of noise control measures which are being considered in relation to the provision of the new roads, including use of low noise, road surfaces, acoustic barriers, acoustic fences or bands, and maximising the benefits of natural ground features such as cuttings. But it's then said, well, because the design at the moment is effectively at outline stage, some of the further working and that is left to the detailed design. Now, we understand that in terms of the principle, but what we would really like to see is more specificity as to what is proposed and where, and it certainly to ensure that those measures are fully explored wherever practicable. And it may be that certain matters do have to be left to the detailed design stage. But February, what we would like to see is more reassurance, whether it's by writing it into the sea OCP, or writing it into the noise mitigation scheme. But what we'd like to see is more reassurance that those further steps will be taken, where practicable to mitigate so far as possible, the noise effects of both existing roads and new roads, road traffic. So that's the essence the overarching point, there's then a further point, which is, in so far as low noise surfacing is to be provided, it's already been touched on that, that has a cost implication, not so much as the cost of original provision. But because it doesn't last effectively, as long as conventional road surfaces, there's obviously a need to replace it more frequently. And over the life of the construction period, we would consider that there's likely to be a need to replace low noise servicing, obviously, depending on when it was first provided timescale. And clearly, we would expect to see the maintenance arrangements for that to be adequately secured. That's to say at the cost of the development, because it's the development which is giving rise to the need for provision. And there is I think, still a dialogue to be had with the applicant about that, particularly along the issues. Their desire is to see the county council adopt the two village bypass and the size of our link road. About a year post construction of those facilities are obviously there's a clearly a need for some careful discussion about how the maintenance liabilities will live, particularly if there is something like low noise servicing as part of that. So so those are issues and they're obviously real issues. We don't obviously expect to be able to bottom those out in issue specific hearing, but they are still outstanding issues which need to be carefully addressed. Thank you very much. Laura bonnet. I see your hand is raised.

1:04:24

Yeah, thank you. I hope this is the right point to mention this, but I'm just going to say that at the residence of delta Wiley present in Surbiton. I've been looking at what the noise mitigation scheme would be for residents locally. And it seems to be defined as maybe a physical installation of double glazing or an offer to temporary rehouse and just wanted to raise some points regarding that on table 4.6. In the community impact report. dlt widely present is listed as having significant adverse residual effects. It's also noted as being in South London This, of course is not as uncertain. I will put in more detail put this in writing. But just to gloss over the main points. Were really outdoor the community. And obviously you can't soundproof our lives when we spend probably six months a year outside. I think Nigel Holly already mentioned our open windows and doors. Many people exercise and work outside. And so they will be impacted regardless of double glazing. We have a quite healthy lifestyle here. And I am concerned about the impact of trying to create a culture that in order to mitigate noise, everyone should stay indoors and not have sufficient vitamin D. I'm secondary concerned about actually The good thing about living in this community is the soundtrack of our life. There's lots of really good sound to listen to. And I don't want some mitigation that talks about us not being able to hear our neighbours, our birds, song, the sheep, the farm machinery, the things that make it great living here. And also just the practicalities of rehousing people temporarily. How do you read house people when you already got a workforce that might be saturating the rental market? How do we help families with pets and children in a really limited rental accommodation situation? And how much detail Are we going to get about that is we've basically got 65 words in that consultation document to work on, significantly adverse to how we're going to live our lives live potentially. I just want to read that now. Thank you. Thank you.

1:06:38

Come next to Andrew Tate for the Suffolk.

1:06:47

Thank you, sir. We do have some additional points in relation to items at under five, which I think is relevant to raise now. But there are additional points. So if that's convenient, it's going to start with five a the code of construction practice. So you will have seen the comments we've made about the precision of the language of the document and I'm not going to repeat those particularly in rep 632. There are two points on which I'd asked Mr. Bear to pick up the first relates to the bespoke mitigation plan which falls under the MMP but its interrelationship with the CCP. And the second relates to the application of bs 5228. So if I can just ask Mr. Baer to pick up those two points, first of all the interrelationship with the thresholds in the bespoke mitigation plans.

1:08:02

Thank you, Joe. On behalf of the Suffolk Council. Yes, so the first point is in relation to the the like mitigation plans in terms of the thresholds which the applicant was discussing earlier, just to come back on the point we discuss, just very briefly about the the application of the construction noise thresholds in annex e five of BS five to two AIDS. There's obviously a bit of a disagreement about the interpretation of it. But it clearly states where construction activities involve large scale long term earthmoving activities. And this is more akin to surface mineral extraction than conventional construction activity. And this situation, the guidance contained within the technical guidance note to the National Planning planning policy needs to be taken into account when setting criteria from sensibility. And then it goes on to set criteria to quote criteria in terms of 55 Db for the daytime 42 at

night, and 10 Db over background and evening. And the point is that the annex of beautiful this 5228 clearly differentiates evening periods is more sensitive than daytime. And I think that's accepted by all parties. So, just to come back to what we said earlier, the use of exposition is that those construction noise threshold should be aligned with annex ii 552 to eight to provide that additional protection in the evening. And also that they should be in the cscp FIDE clear no ambiguous thresholds to the applicants contractors, rather than a kind of BS another layer of thresholds. Whereas the CCP is a document which will be in front of the contractors and will be clearly they will clearly be required to comply with and if I may go on to the comments of his five B and D noise monitoring and mitigation plan in relation to we've suffered counsel have submitted detailed comments about the comments or questions about the draft noise mitigation plan in brep. Six Oh 32. But the headline point is really the discussion about the the proposal for bespoke process to develop mitigation as an alternative to Section 61 applications and e suffolks. counsels position is that prefer section 61 applications consider that any alternative bespoke process should be an enhancement on the section 61 process to social in order to justify such a deviation from a standard procedure. And the drivers really better this section 61 applications are tried and tested process. And there's a clear path through the process, including enforcement and the ability to set conditions as part of applications. And Suffolk castle DON'T DO NOT envisage setting conditions but as a matter of course, but are reluctant to accept an alternative bespoke process which takes away powers which they would otherwise have under Section 61. And so that's the situation. That's the position in relation to the noise monitoring mitigation plan. I think Mr. Tate,

1:11:16

yes, thank you very much. And also on the noise mitigation scheme, the NMS we've dealt with the revised threshold for in relation to rail noise. But I think, Mr. Bear, there's an additional point, which arguably might have come up under to see where the highest standards of protection appropriate in the light of the potential length of the construction period, but it arises here. In any event, do you want to pick that up, please? Yes,

1:11:51

certainly. job at the Suffolk Council. Yeah, the point here is the Suffolk Council have submitted comments on the noise mitigation scheme already. But the one of the issues raised is that was just a request if for consideration of lower noise mitigation, lower noise thresholds within the noise mitigation scene for construction noise around the main development site to take account of the extended period of the construction here. It's accepted that they're based on industry standard thresholds. It's just asking for consideration of the duration, given the duration of the construction works here, in comparison to other more conventional construction projects, whether there was scope for practically reduce or lowering the threshold which noise mitigation would be offered to residents in the areas around domain dependent sites. And that's the question it's been put to put together. And so I shall head back to Mr. Tate.

1:12:50

Thank you. Then sir, under D rail noise mitigation strategy. You've heard a bit about that already. But I just want to see if Mr. Kemp has anything to add that you haven't already heard.

1:13:05

Us. Good afternoon, sir. Mark campy suffered counsel. I think opposition on round noise mitigation strategies, relatively clear. I just want to pick up on a couple of points, firstly, to thank Mr. Rose for his latest information in terms of the Suffolk line, and the track replacement along there and also welcome the applicants efforts. In pushing that forward. We do consider that, as I said before central in terms of mitigation and minimization of adverse impacts. And so it's good to see that moving on, in terms of noise barriers is no tip. Contrary to the first network, rail statement, Common Ground network around now don't support barriers on their land. That's something that I would like to pick up with them at some point and understand that a bit better. Although we also in that same note, welcome the applicants looking into other land where these were these potentially could go, we'd like to see the licence branch line and the green rail route included in in those sort of areas for consideration, and look forward to discussion with them. On that coming up, we do still consider barriers to be part of the package in terms of mitigation and minimization of impact above low, and we'd like to see them considered as an as an option in the RMS. I think if barriers are completely discounted, then it just shows the Suffolk line improvements are even more important to make sure they're delivered. But that's all I have to say now on the RMS

1:14:42

And so finally, finally on item five, the working hours. So we've already made the point about the evening period of being more sensitive and alternative thresholds for that. There's one additional point that allows asked Mr. Bear to deal with on working hours, which was set up in our set out in our rep 632 RFI 25. So, Mr. Bear,

1:15:11

I think you'd go back he suffered counsel, just a very quick point in relation to the working hours on associated development sites, which is that the applicant assessments identified the the majority of the significant impacts occurring on Saturday afternoons when the thresholds for impacts are more stringent than in other working hours. And it's really just a question to fall back to the applicant about whether working on Saturday afternoons on the associate attendant site is strictly necessary to the development to the delivery of the overall project, given that this is where the impacts the greatest number of significant effects occur. The obvious question is, does that working has to happen at that at those times? And if it does, I think the applicant should demonstrate why that is critical to deliberate the project. That's the end of that point. Thank you, sir.

1:16:08

So that's our competitive compendium of points on a TV. All right.

1:16:15

Thank you very much. And I note, Mr. blacklock, your hand is raised. What is the same, but they can I just pause you for a second? I'm getting interference on by and I'm not hearing distinctly what you're saying. So I don't know whether that's your end? or mine? Is it just me is perhaps if you say something, we'll see whether it clears up? Okay, can you hear me at that moment? Oh, good. It's mine. It's quite distorted at the moment. I'm not quite sure what is going to be an easy solution. But I'm told it's not just me. Which is reassuring for once. But I don't know. If I've been trying to get to the point. I think what I'm need to do because it isn't clear at all, is distorting quite badly for me. I wonder if what I might do is ask

the applicant to respond to the points other parties have raised and then come back to you in perhaps if you log out and log back in again. You it might resolve it. I don't know. I don't know. Alternatively, if there's a headset available or something, maybe a different microphone, maybe solution. Okay. Not a great deal better. Oh, girl, again, rollback. Okay, thank you very much. If I can come to the applicant, and then obviously, you'll be able to respond to any additional points. Mr. Black not may make, so we can hear from you now. Thank you.

1:18:18

Thank you, sir. So there's quite a bit there. I'll try to deal with it efficiently. It's a few points. I can I think usefully deal with myself. verschil. One? I think it may have been. Galloway noted that the noise mitigation scheme on its face is under the heading of a development site. I think that's because there was originally an appendix to that part of the ies but I can't confirm in response to her point that it is it is a project wide noise mitigation scheme. So hopefully that answers that concern. Secondly, a specific point on maintenance liability raised by Suffolk County Council there is already a requirement within the DCA, it's requirement 21. Three Sorry, it's article 21. Three, which requires that the undertaken will not commence various works, one a one B one, C nine and so forth, prior to entering into an agreement pursuant to the above paragraph, which provides details of the specification that works and will reasonably satisfy the Highway Authority in respect of maintenance and adoption of such works and that includes the the bypasses. So there is already just to draw Suffolk County Council and examine authorities attention to it that provision has been made for maintenance and it has to reasonably satisfy the Highway Authority. So if there needs to be further discussion is Mr. Bedford suggested it might be more a matter for offline discussion. Fine, but is that has been addressed to that extent. Thirdly, from Barney, from my point of view, the bespoke mitigation plan. And obviously this overlaps into legal areas regarding section 61. And concern from a Suffolk that it might somehow cut down their existing powers. I can confirm that that is certainly not the intention. And we certainly don't think it does in any way cut down or take away from their existing powers. It's something additional, something bespoke and indeed use Mr. Bear's words and enhancement. So for instance, Mr. Bear referred to the ability to impose conditions on a section 61 consent. Well, what the bespoke mitigation plan provides for is for the plan to be approved by the Council. And if it's not approved, the works can't go ahead. And they can require changes. So it provides all of those powers, but does so in a way that it it does. So in a much we think we'll be swept away and wondered if there's disagreement will provide for expert dispute resolution rather than going off to the non expert Magistrates Court, which obviously has a disadvantage from that point of view and can hold up the project. So it's certainly not the intention to cut down their powers, we think we're adding something useful and beneficial. So those are the points I wanted to address. I'm now going to hand over to firstly Mr. Brown stone and ask him to address a number of the points have been raised and I'll just outline the ones I'm going to ask him to address firstly from this to bear in respect of the cater construction plan and the noise monitoring and management plan. Why the applicant says that annex II point five of BS five to eight I think it is it is simply not applicable to our project I we're not we're not a quarry or mineral scheme. And why did the 60 Db threshold that you already see in the code of construction practice is actually we say low and generous threshold for a construction project. Secondly, in a related point, why from the acousticians point of view the bespoke mitigation plan is an acceptable and proactive way forward. Thirdly, moving to the noise mitigation scheme, the Suffolk Suffolk Council's points on that and the point raised about the construction noise

thresholds. Fourthly, the point raised regarding Saturday afternoon working which no examining authority have also asked about

1:22:42

then, Mr. Bronson could also ask him to address points from three interested parties. Mr. Melon, raised the detail points regarding wind direction, speed and smells law of refraction, which would certainly have to defer to Mr. brownstone on secondly, Galloway asked about mitigation for Cal Cellcom, Colton and thirdly, Miss bonnets point about going outside and Firstly, the need to go outside not being confined inside and also the practicality of rehousing. And then finally after that, and asked Mr. Rhodes, to come back on Mr. Bedford's point about the specificity of detailed design in terms of particularly bonding and barriers, which might attenuate noise, so you can ask Mr. Brass to deal with those points, please.

1:23:38

Hello, sir. Mike Brown on on behalf of the applicant. So taking those points in the order, Mr. Flanagan set them out. The first point for Mr. Bell regarding annex e five. Mr. Bear referred to a disagreement in terms of what annex II five states, it does say what he says it says it does say you should take an account of the technical guidance to the nppf, which is now in a planning practice, guidance note for minerals. But the full extent of that guidance for minerals extraction does not end with the quote MBs five to eight, as I mentioned earlier, it makes specific provision for example, to raising the noise levels for specific periods to allow for certain work to happen where there is a beneficial effect. So we don't see that annex D five applies to the site. It is not a mineral extraction site. It is not akin to a mineral extraction site. There is earth moving but there is also railfreight activity, there's bits of plant on the site, there's general construction activity, and applying the single threshold that might be applicable to an element of the scheme to the entire scheme seems to us to be both disproportionate and unrealistic in terms of disaggregating sources etc. The 60 decibels point Mr. Flanagan mentioned in the code of construction practice that that value was derived in recognition of the fact that it is a lengthy construction process for a number of years, and is not a usual site and has this very complex mix of uses. That is how we came up with the 60 decibel value is lower than anything that would come out of British Standard five to 20. If one was to apply, for instance, the five DB change method or the ABC method, you wouldn't get a lower limit and 65. So we say that that limit is already more protective than would ordinarily flow from those standards. In terms of the bespoke mitigation platform and acousticians point of view, Mr. farrakhan has already mentioned how we don't say that it is taking powers away, but it's actually enhancing the council's powers to influence the works. From an acoustic point of view, I don't see the difference between this and the section 61 process, we will still be obliged to look at the works ahead of them to work out how much noise they're going to generate. And when we go over a certain threshold, which we've said will be 55 decibels, we must come to the council and discuss and agree the mitigation and the monitoring and whatever other conditions are appropriate. We think that that gives the council a high degree of influence and control over the works. And we don't do that lightly. We do that because the council are concerned and rightly concerned about the length of the works and the noise. And we enter into that arrangement willingly. You know, it is effectively a partnership in orbit name in how that will work. And the big benefit is that it doesn't rely on the magistrate's court, both parties. I thought agreed we had a meeting a couple weeks ago and both parties agreed that the magistrates court, while a helpful and weighty arbiter in terms of the process

that you know it has legal status is not necessarily the best place to body to adjudicate on matters of noise and keeping the works moving and getting expert intervention where required are set out in a bespoke dispute process. Though, for their comments, we've not heard back from them yet, but we only send to them at the back end of last week. There was a point on either constructions thresholds for the noise mitigation scheme. So as Mr. Baer acknowledged thresholds, we've used have precedent that they are widely used, and they set out in the British Standard, we are contend that they are a fair and appropriate standard to implement for the construction works. The aim of the construction works and the mitigation process is through the code of construction practice. The noise monitoring management plan and the bespoke mitigation plan is to not reach those levels is to apply mitigation way before we get to those kinds of levels, and it simply won't be engaged. However, we will contend to those on the Right levels and there is a lot of precedent for them on the Saturday afternoon working point. So the examiner authority have asked this question, I believe that envy 2.1. The programme doesn't rely on Saturday afternoons as I understand it. So the delivery timeframes for the associated development sites don't rely on working on Saturday afternoons. I think Saturday afternoons is recognising the code of construction practice and under limited circumstances, I think there's a required for it to be less noisy works and essentially maintenance activities. As I understand it, there may be on dry evenings, principally during the summer months, I would expect although this summer, potentially less so the possibility to do some earthworks to accelerate the programme to bring the delivery of the associative and insights forward and therefore that you get the wider benefit earlier with a programme doesn't rely on it to the programme is based on not working in an intensive, heavy way on Saturday afternoons as I understand it. And we will confirm that in our response to envy. Point 2.1 at deadline seven to Mr. melons point about snells law and wind direction. calculation. undertaking sampling uses two different methods. So for rolling time averaged row noise that uses the calculation of raw noise that takes into account a positive wind vector essentially from source to receptor is essentially an impossible situation because it's from every source to every receptor in all directions, which clearly can't happen. But that that's how propagation factors work in the calculation around noise and that's implemented in sound plan for maximum noise levels. The calculation of raw noise doesn't cover those. So, the calculation framework in ISO 9613 has been used for maximum noise levels and that simply assumes a positive wind vector from every source Every receptor. So downwind conditions are used throughout. If I'm honest, I'm not entirely sure whether snells law is invoked in sound plan in in the way described. As I understand it, it uses a ray tracing type of model and it takes into account refractions and the like and that kind of thing. So there is an element of refraction and diffraction and all those kind of things. But they they flow from ISO 9613 and calculation row noise. From I had a note that I had to respond to Mrs. Galloway. But I understood her point was about the main development site limitation on the noise mitigation scheme. And I think you addressed that Mr. Flanagan, in that it is not just the maintenance, it is a project wide scheme. And Miss pond, it was about temporary rehousing. So temporary rehousing is only envisaged for construction works. If that is how it is normally normally dealt with. We don't envisage in any temporary role we haven't provided for temporary housing as this result of any kind of long term aspect of schemes such as roadway noise or road traffic noise is that that's simply not how it's normally done that the noisy space regulations only provide for installation. That's the model we've we've adopted. So temporary housing is provided for construction, noise and vibration, only the scheme is reasonably detailed. It is supposed to be flexible, is supposed to take on board, individuals preferences in terms of location, pets, etc, are included within it. So there is a facility within the temporary housing remit to use calories or candles or whatever is appropriate. And the way envisaged

it's just it's a pretty straightforward implementation, the same kind of scheme that's used on numerous other projects elsewhere. Was there another point point about

1:32:01

Mary's concerned about the noise in gardens, and it's a general points been raised by others elsewhere about whether the noise outdoors would encourage or require people to end up going inside and avoid the outdoors. And I think that's a general point that we raised by a number of parties.

1:32:29

I think it's a fair point, the noise mitigation scheme clearly doesn't touch outdoor noise levels. it's to do with a deep glazing and ventilation so will only affect internal noise levels. To control noise levels more generally, you're looking at this code or construction practice and other mitigation measures on the associated development sites where appropriate. I think there was one other point I just wanted to touch on in terms of Mr. Kemp mentioned, including barriers on the green rail route and the branch line. The reason they're not in the the rail noise mitigation strategy is because at this moment in time, we can't commit to them the document is is a commitment document, we're required to deliver whatever is in that document, and then that has to be signed off at this stage until barriers are identified in terms of their location, their effect, and and they can be committed to they can't be included in the right in their own words mitigation strategy is not a general document is a very specific document that we're committing to. If barriers do come forward, and we can commit to them, they will absolutely appear in that document. But until such time, they won't just throw it one further point on temporary housing. Just to say we don't expect to trigger rehousing, we were not expected to get noise levels anywhere near the temporary housing levels. It's therefore a comprehensive coverage. It's not something we expect to be required.

1:34:07

Thank you very much. Mr. Flanagan. Are there any further points that your team would wish to respond to at this stage?

1:34:17

Sir, not that have been raised. I'd only ask whether that completes your consideration of item five on the agenda only because there's the final part of your item five, which refers to so I also I admitted to Mr. Rhodes was going to I can respond to Mr. Bedford's point about specificity and detail design or of mitigation. And so if I can hand over to Mr. Rhodes before I say what I was going to say.

1:34:47

Thank you, John Rhodes, the applicant just briefly. So I think I may be about to say what you might expect me to say which is that the detailed design is exactly that. It's the detailed design if there is a requirement. For to be submitted and approved in relation to highways by the county council. Also reserve the detail of drainage and landscaping. And I don't think it would be appropriate or sensible to try and accelerate that detail into the examination are certainly not necessary. We haven't relied upon additional noise screening coming out unexpectedly or otherwise through detailed design. And into insofar as it does, then that's a benefit. But what we will do want to do with the detailed design is engage with those most directly affected in the way that I explained we'd started to do it, farm all the

wallets, farming cetera. So very happy, obviously, to engage with the County Council on that as well. And through the detail workshops we've been pleased to have with the County Council, there's a lot of design, development of the highway schemes, but not to the point where we get to detailed design of landscaping and bonding. It's not something which I think is necessary or appropriate at this stage. And just to also to add, in response to Mr. Kemp, saying that he'd like to discuss the potential for acoustic barriers along the green rail line and the licen branch line. You know, we look forward to that discussion, where the Mr. Kemp's engaged with his planning colleagues, about the practicality in planning terms of having acoustic barriers. And I think that's something we're going to be engaging online just the next couple of weeks to see what's practical. And certainly we're exploring that as well. My expectation is that we will potentially conclude that there are very limited locations where the benefit of acoustic screening of that nature justifies the visual impact of the barrier button, we're certainly going to have those discussions that will update the examination. Thank you. Thank you.

1:36:57

Mr. Flanagan. I know you are going to come on to another point. But you'll recall that Mr. blacklock had a technical issue, or I did somewhere in between. So if I can ask Mr. blacklock for his comments, please. And then perhaps Mr. Flanagan can can respond. Hopefully, we can hear you now.

1:37:16

Yeah, hopefully. Can you hear me any clearer?

1:37:19

That's very much better. Thank you.

1:37:21

Fantastic. Okay. Thank you very much. Yes. So my question is from Mike, Brett Brownstein, about the borrow pits in particular, and the extended hours into the evenings is going to have a direct impact on to the residence at Potter's farm and also separate in house. And so much as it's been it's been included in their noise in the sound plan mapping. And yeah, just want to understand why the 8.5 does not extend to this thing is that is particularly dirt work directly involved with mineral extractions. Okay.

1:38:06

Mr. Flanagan, I returned to you.

1:38:10

Thank you. I'm gonna ask Mr. Brown to respond on that point about bobby pins.

1:38:17

I know that Mike brownstone on behalf of the applicant. So taking Mr. blacklock points in reverse order. We say annex II five doesn't apply in general terms. We're not an earthmoving project. We're not a mineral extraction project. I did say there were elements of earthmoving and elements of extraction such as the borrow pits, but they don't happen in isolation. And it's it's impossible to disaggregate the noise from the minerals extraction element of the borrow pits, from everything else. So I understand the point, but we say it doesn't apply. We're not in those circumstances. We're not that type of project. The

extent to which the body parts and bits are modelled there within the calculations we've undertaken, the noise level is predicted at both POTUS farm and septon house include the noise from the borrow pits, and the the outcomes are what we say they are.

1:39:09

Okay. Yes, thank you. So the only point I had was, if you were going to move on from item five, simply to confirm that there was a question on your agenda relating to whether the E xa should disapply the defence of statutory authority, which I don't think has been covered yet in anyone else's. So I can give you a short answer on that, which is that the applicant is not considered that that defence should be disappplied. We're not aware that anyone has specifically suggested that it should. You obviously have the controls under the code of construction practice the monitoring of mitigation plan, both the dust one and the noise, one I'm hearing other voices other than Mr. Flanagan. Yes, I think that's gone. Thank you. So I was just saying so controls are provided throughout mitigation roadmap is itemised there. There's also, obviously statutory provision for compensation under Section 152, which is relevant. And we say that that strikes the balance as to what's acceptable. And it's not in the public interest. For Well, it's in the public, the public interest weighs in favour of infrastructure projects such as this going ahead without the threat of nuisance claims. And that's what the purpose of Section 158 is. And we say that purpose applies here and therefore should be disappplied. The gjort.

1:40:50

Thank you think Mr. Tate has his hand up, presumably in response to that point, sir. Frank and continue Mr. Tate. Sorry, I

1:41:15

was addressing my own team and not you, I do apologise, I didn't have my microphone on. So they have to hear me again. So on the first point, any additional requirements I mentioned requirement 25 to be adjusted. So that the scheme that is submitted does have some relationship to the commitments that are said to be within that document. Secondly, I also we also covered the point about operational and operational noise requirement, because there is no requirement as I understand that at present in relation to any aspect of the operational noise emanating from the main development site, whether it relates to the substation that main station or whether it relates to any of its constituent parts. And we think consideration should be given to that. If there isn't any such limitation, then it raises the question as to whether there should be the defence of statutory authority in that, in, in that respect, in circumstances where there's no limit, no noise limit at all at present. So, we are going to consider that in discussion with the applicant, because we think the way to resolve it is by looking at some form of operational noise limit and you've had the discussion on levels, which I won't repeat.

1:42:45

Right. Thank you. Thank you. Before I go back to the applicant, can I just clarify with the subject sorry, Mr. Taita asked me to come back. There was a proceeding point on the environment ABOUT SECTION 16, section 61 of the ctrl. C. And as I understand it, at the moment, your preferences that that procedure remains in place for you as an authority to agree, various elements as they roll through the programme of development. But the applicant is proposing a new innovative response to this complex

proposal and at the moment, you're not in agreement as to which is the most suitable solution? Is that the first one right,

1:43:43

that that's correct. So we are aware, we've been shown in draft further innovations to the innovative approach, which I think are going to be submitted by the applicant at the next deadline. So we've seen those, we haven't absorbed those fully. So we know there are changes afoot, and it may be those changes will be able to persuade us that it is certainly no worse than and preferably better than the section 61 process. That isn't the position that at present. So we will, but we remain open minded in this respect, but at the moment, we haven't been persuaded. No.

1:44:23

Okay. Thank you. I'll come back to the applicant. And on those two, two points of sentencing you wish to respond to.

1:44:33

So thank you. Yes, on requirement 25. And the amendment to that, as I said, I don't take that away, but provisionally, we can see the sense of that operational noise limit, you've heard our position on that we don't think that's necessary. If it is imposed, it has to be at a level we can actually achieve. As to how that might relate to the defensive statutory authority. We don't see that That impinges on it. The noise levels from the main power station are what they are they can't materially be decreased in the statute defence, to defend a defensive stance to authority should apply regardless because that enables the project to be constructed without the threat of use claims which we shouldn't have to face. On the section six 60 and 61 point, Mr. Tate is correct, that we have provided the council with a draft of what we propose. We we certainly don't think it's worse. We think it's better than section 61. But it's also an addition. It's not taking away anything that originally got. And we will, having received the soft counsels. thoughts on that will take them on board. And we intend to provide a version of that to the examining authority at deadline seven. Thank you.

1:45:54

Right, I'm conscious the time it's four o'clock. And I think it's appropriate that we take a 10 minute break and reconvene at 10 past four. Again, I'd remind those watching on the live stream, you'll need to refresh your browsers. And we can then return and look at the air quality element of the agenda. So we reconvene at 10 past fall. Thank you