

DEVELOPMENT CONSENT ORDER EN010012 : THE SIZEWELL C PROJECT

ISSUE SPECIFIC HEARING 12 WEDNESDAY 15
SEPTEMBER 2021

EXAMINATION LIBRARY REFERENCES : AS33, AS 013, AS 261 and
AS 266.

Sylvia Ballard

3 September 2021

To the Examination Authority

PUBLIC RIGHT OF WAY BRIDLEWAY 19 LEISTON cum SIZEWELL

I would like my concerns about Public Right of Way **Bridleway 19 Leiston cum Sizewell** to be included in the forthcoming Issue Specific Hearing 12 on Wednesday 15 September 2021.

I accept that for reasons of public safety an alternative route will need to be provided for users of this popular public right of way to enable the construction to take place, but how can this be achieved when the alternative route is part of the proposed construction of Sizewell C?

In June this year there was a Community Consultation by the Sizewell C Project for an additional **PROPOSED CHANGE 16 : i and ii - BRIDLEWAY 19 LEISTON cum SIZEWELL**. I responded to this consultation (See Attachment 1), as did other members of the local community. Our responses were to the Sizewell C Project on the understanding that the Proposed Change, along with our responses, would be submitted to the Examining Authority. However, it would seem

that this Proposed Change for the southern section only of **BR19** has been abandoned. The proposals affecting the northern section of **BR19** remain an active part of **DCO EN010012-002875 SZC**.

In May 2021 I submitted a written representation to the Examination Authority voicing my concerns about the northern section of **Bridleway 19 Leiston cum Sizewell (BR19)** that will be affected by **DCO EN010012-002875 SZC**. (see [AS333](#)).

BR19 is well-used by walkers, cyclists and horse riders as it provides a mostly off road connection between the extensive network of bridleways and permissive riding routes to the north and byways and bridleways to the south.

Please see attached with my submission a copy of the Definitive Map of Public Rights of Way for the Leiston cum Sizewell area (Attachment 2).

I have used **BR19** for over thirty years as a horse rider, as part of a circular route which includes riding along the beach at low tide between the high and low water mark from Sizewell to Bridleway 14 Dunwich, and then passes through some of the best landscapes of the Suffolk Coast and Heath AONB.

I usually park my horsebox in the Kenton Hills car park, then ride south along the short section of **BR19** that is located on the road now called Lovers Lane that was once just a sandy track like the remaining parts of **BR19** called Sandy Lane.

This section of the **BR19** was subsumed in the road when the road was developed as the access to Sizewell B. Horse riding on this section of road is no problem as the road is wide with clear sight lines to the next part of the off road bridleway. However the provision of an off road bridleway for this section is long overdue, and is to be welcomed whatever the outcome of the application to develop Sizewell C.

As shown on [AS 013](#) **2.4 Access and Rights of Way Plans: Main Development Site And Rail Rights Of Way Plans – Sheets 1 and 2 of 27** (pages 8 - 9) the northern part of **BR19** is located passing through the

main construction site area, and is identified on the plan as **E-363/019/0** running northwards from near the Kenton Hills car park towards the Eastbridge Road in the north, and is described in the key as:

■|■|■|■| ■ EXISTING FOOTPATH AND PRESUMED PRIVATE MEANS
OF ACCESS TO BE TEMPORARILY STOPPED UP AND
REINSTATED

I am extremely concerned that this valuable route will be stopped up rather than temporarily diverted to a safe alternative horse riding route for the duration of the 10+ year period of the construction phase of the proposed development of Sizewell C.

As can be seen below on **AS 013: Rights Of Way Plans – Sheets 1 and 2 of 27** and throughout all the SZC consultation documentation all public rights of way are described as ‘footpath’ whatever their legal status.

NOTES:

ALL FOOTPATHS, CYCLEPATHS, BRIDLEWAYS, BYWAYS AND
RESTRICTED BYWAYS ARE REFERRED TO AS FOOTPATHS.

Not only is this confusing, but it also means that any proposed alternative route described as ‘footpath’ may only be suitable for pedestrians where the provision of the alternative route needs to be of Bridleway status and in particular be safe and suitable for horse riders.

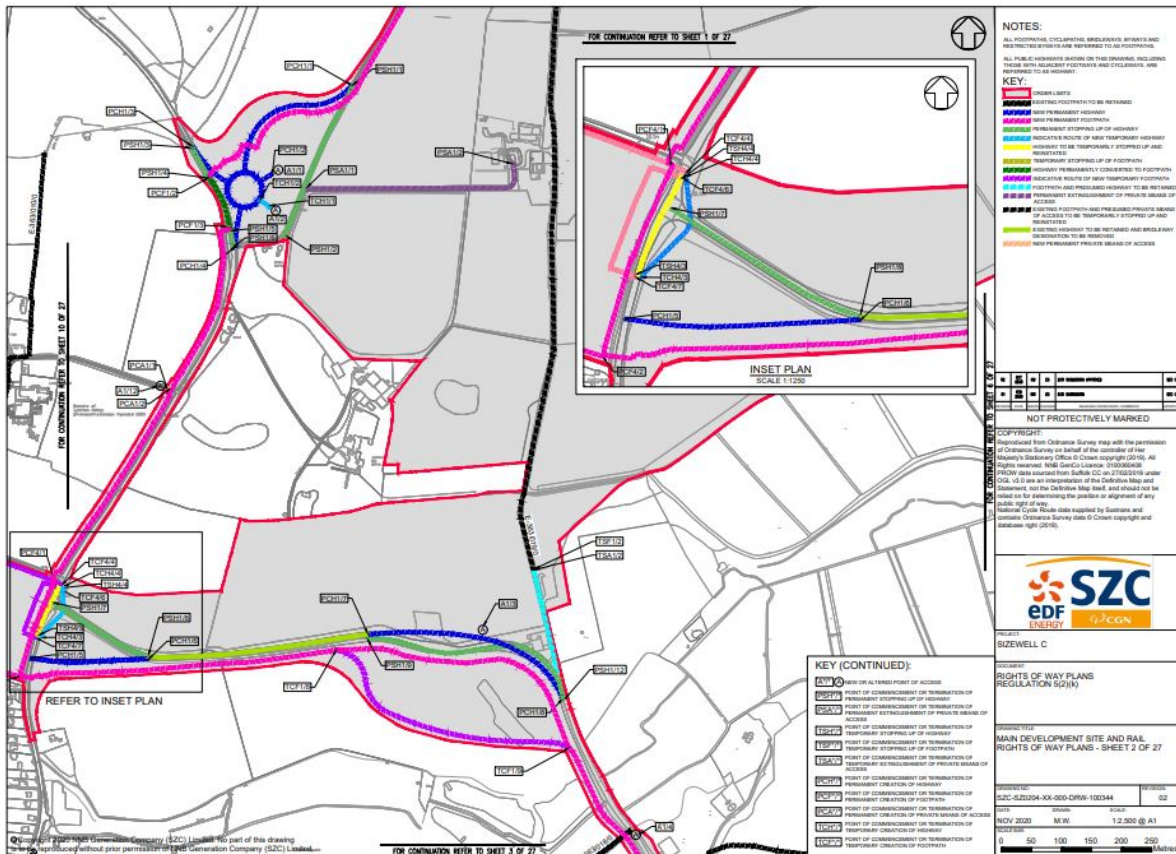


Figure 1:- AS 013: Rights Of Way Plans - Sheet 2 of 27

(AS 266) 8.5 Transport Assessment Addendum Section 12 paragraph 12.2.5 (page 150) assumes that the southern end of **BR19** will remain open to the public during the construction phase, but does not mention the temporary stopping up of the northern section of **BR19**. The only reference to the northern section of **BR19** as being ‘temporarily stopped up’ is in the Key on **AS 013 2.2 Access and Rights of Way Plans: Main Development Site And Rail Rights Of Way Plans – Sheets 1 and 2 of 27**

The provision of a bridleway link across Lovers Lane described in **AS266 Transport Assessment Addendum Section 12 paragraphs 12.2.5-9** will benefit walkers accessing the Kenton Hills car park and permissive walking routes during the construction stage of the main Sizewell C site, but will not benefit horse riders attempting to use **BR19**.

(AS 261) 8.1 Main Development Site Design and Access Statement Addendum 2.5 Amenity and Recreation Strategy (page16) makes it clear that

2.5.4 The new permanent route and crossing point would be made available for pedestrians in the construction phase once the entrance to the main development site from the B1122 is in place and the number of HGVs using the early years access is reduced. The link would be designated as a bridleway once construction is complete.

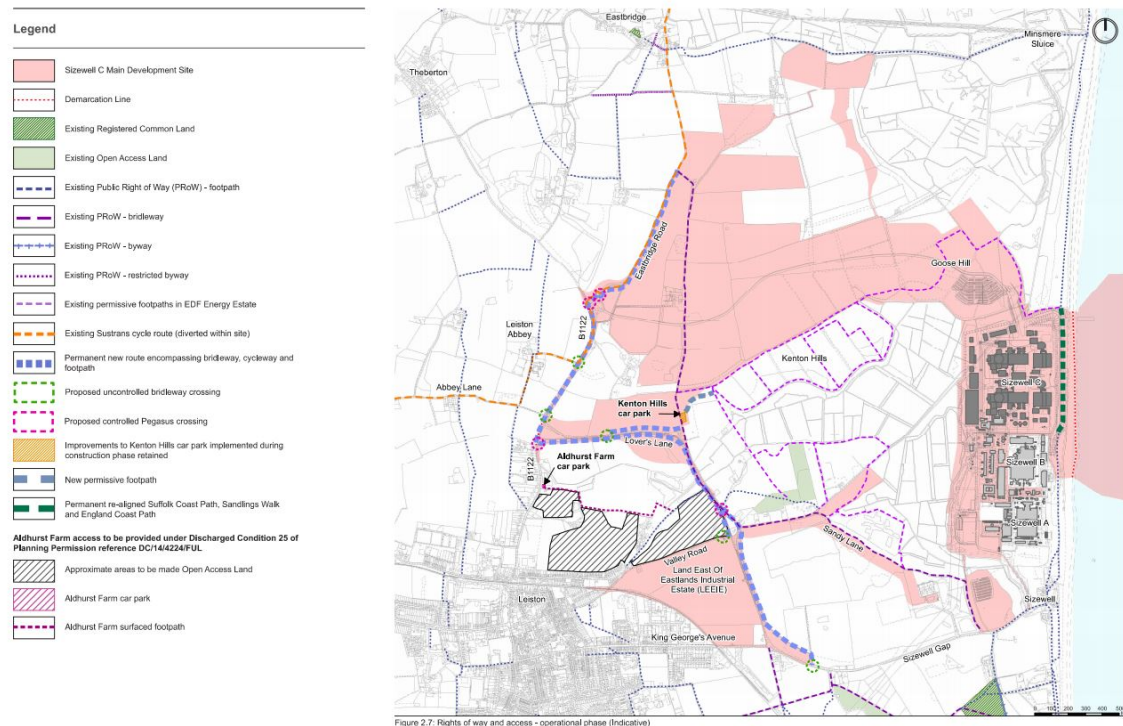


Figure 2:-AS261 Amenity and Recreation Strategy Figure 2.7 (page17)

The proposed 'permanent new route encompassing bridleway, cycleway and footpath' shown above on **Figure 2.7 of AS261 Main Development Site Design and Access Statement Addendum 2.5 Amenity and Recreation Strategy (page17)** will not be available until it is built as part of the proposed alterations to the B1122 road, and then during the 10 year+ construction period will only be available for pedestrians. If this is the alternative route for **BR19** where is the provision for horse riders?

The construction of the main development site, the alterations to the B1122 and the provision of the permanent new bridleway, cycleway and footpath are all encompassed in the whole development of the Sizewell C site.

As the northern section of **Bridleway 19 Leiston cum Sizewell** is located in the main construction area, the temporary stopping up of this right of way would need to comply with the requirements of [\(DCO\)](#) **Schedule 17 of the Draft Development Consent Order EN010012-002875 SZC** before any of the development construction could take place.

Under **Schedule 17** of the **Development Consent Order EN010012-002875 SZC** it is clearly stated that that no public right of way ('street') may be wholly or partly stopped up or extinguished unless a new temporary right of way ('street') to be substituted for it has been completed and is open for use to the reasonable satisfaction of the street authority.

The proposed diverted route for **BR19**, which would also include the temporary diversions of the Suffolk Coast Path and the Sandlings Walk, was identified at an early stage in [\(APP 270\)](#) **Environmental Statement Volume 2 Chapter 15 Amenity and Recreation** and shown in **Appendix 15I Figure 15I.2.** (page 118)

1.2.16. The new off-road bridleway would be constructed prior to the closure of the Coast Path and temporary diversion of bridleway 19 and closure of bridleway E-363/013/0.

As the consultation and additional submissions have progressed all the Right of Way Plans use the term 'footpath' to describe all public rights of way, whether they are footpaths, bridleways, byways or restricted byways. So when temporarily diverting **Bridleway 19 Leiston cum Sizewell**, to meet the criteria of **Schedule 17** of the **Development Consent Order EN010012-002875 SZC**, the substitute way provided may be described in the plans as a 'footpath' but must be suitable and safe for horse riders.

As has been shown from the various submissions made by NBB Generation Company (SZC) Ltd no safe alternative route would be provided during the entirety of the construction period that was open, safe and usable by the horse riders who currently enjoy free access along **BR19**.

The safe passage of all the users of **BR19** must be protected, and it is unacceptable for horse riders to lose this valuable through route for the duration of the construction of the proposed Sizewell C.

CONCLUSION: For the terms of the **Development Consent Order EN010012-002875 SZC** to be met, a suitable and safe alternative route for the northern section of **Bridleway 19 Leiston cum Sizewell** must be provided, be certificated by Suffolk County Council, and be open and available for use by horse riders and all other members of the public

before any temporary stopping up can be authorised and before any construction work affecting **BR19** can commence.

However, the only possible alternative route for **BR19** will not be available until the end of the initial construction stage. As **BR19** is located within the construction site, the route cannot safely remain open to the public during the construction of the alternative route.

This conundrum has not been adequately addressed by the applicant of **DCO EN010012-002875 SZC**.

Please could I present this issue at the forthcoming Issue Specific Hearing on 15 September 2021?

Ms S M Ballard