

**Sizewell C**

**Compulsory Acquisition Hearings**

**Written Submission to Deadline 7 on behalf of N J Bacon Farms and Ward Farming Limited**

We are writing to confirm our oral representations at the Compulsory Acquisition Hearings on Wednesday 18<sup>th</sup> August. This written representation is made on behalf of the N J Bacon Farms and Ward Farming Limited, the farming structures of the Bacon family who own Theberton Hall Farm.

This representation is not a formal objection to the compulsory acquisition of any land relating to the SLR and we acknowledge that we have, on our clients behalf, negotiated terms with EDF in relation to the acquisition of land at SLR on a voluntary basis by way of the option mechanism.

However, this representation does constitute a formal objection to the compulsory acquisition of land at Grange Farm, Westleton for marsh harrier compensatory habitat. The property lies on the edge of Westleton village and is being required by our client at the end of this month. That property is some 3km from what we understand is the closest nesting sites on Minsmere Reserve and it is also on the edge of the popular village of Westleton with its substantive tourism activity, particularly in the spring and summer months. To date, the applicants and their agents have not referred to any permanent acquisition and all representation have been made exclusively on the basis of acquisition by agreement for temporary rights, by way of an option to lease, their preferred term being for 12 years.

Our clients have put forward an alternative site at Theberton which we consider to be more suitable and our clients ecologist, Roger Buisson of BSC Ecology has produced a comparison between the Westleton and Theberton sites based on various applicable criteria which he sets out in his evidence at Deadline 7.

We attach a plan of the land at Theberton, the boundaries of which are edged in red. It is broadly similar in size to the land at Westleton, being over 50 Ha, but is much closer to the marsh harrier nesting sites on the Minsmere SSSI, which lies adjacent to its easterly boundary.

Positive engagement has been made by the applicant including their Ecologist Mr Lewis and we recently held a meeting on site to look at the two options. This was a positive and productive exchange of views and we commend Mr Lewis, Mr Smith and Ms Horsfall accordingly.

We also recently struggled to obtain the original criteria that was applied to the various alternative sites.

Mr Philpot in his earlier statement refers to a note in relation to further details of the original criteria since the date of the hearing, this has been received.

We are of the strong view that a permanent acquisition of this land at Westleton will neither be reasonable or proportionate in relation to securing the necessary rights. The justification of permanent acquisition in order to provide the land owner certainty is clearly not applicable with our client not wishing to have the land compulsory acquired on a permanent basis. Indeed, it is our understanding that the applicant preferred option was to acquire a lease and negotiations have commenced accordingly.

Given the length of the temporary use which is envisaged for the marsh harrier habitat, in essence for the duration of the construction works of approximately 12 years, we consider that a permanent acquisition is unreasonable.

In relation to the original points made on behalf of our client, we support the principle of landscaping the land owned by our client to the west of Theberton Hall including within the DCO boundary which has been agreed to be acquired on a voluntary basis. It is clearly a subject which you as the Examining Authority wish to consider further given that it was raised in your questions in public on 3<sup>rd</sup> August, reference QHE2.10

Our clients would also wish to make the point that although they have agreed to sell the land voluntarily through the option mechanism in the event that the land within the detailed application is compulsorily acquired, rather than the option being exercised, we wish to have the right to require the purchase of the severed area of Theberton Hall Farm created by the alignment of the SLR on the basis that these areas would be entirely uneconomic to farm in the future.

M G Horton, BSc MRICS  
On behalf of Savills (UK) Ltd  
27<sup>th</sup> August 2021