

ExQ3: 09 September 2021

Responses due by Deadline 8: 24 September 2021



**The Planning Inspectorate
Yr Arolygiaeth Gynllunio**

Application by NNB Generation Company (S2C) Limited for an Order Granting Development Consent for The Sizewell C Project

The Examining Authority's third written questions and requests for information (ExQ3)

Issued on 09 September 2021

Responses are due by Deadline 8: 24 September 2021

PART 5 OF 6

NV.3 [Noise and Vibration](#)

P.3 [Policy and need](#)



ExQ3	Question to:	Question:
NV.3	Noise and Vibration	
NV.3.0	The Applicant	<p>Noise thresholds at the Main Development Site</p> <p>In light of the proximity of the borrow pits and the stockpiles/spoil heaps near to Eastbridge and Potters Farm and the similarity of the works and machinery that are likely to be used to those on a waste or minerals site. Why would the controls linked to BS 5228 suggested by the Council not be more appropriate than those currently proposed?</p>
NV.3.1	ESC	<p>Noise Thresholds at the Main Development Site</p> <p>In light of the ongoing concern identified at ISH8 and in earlier representations, should the Applicant not agree to a change to the noise threshold for evening working;</p> <p>(i) what control would do the Council wish to see in place? And (ii) how would this be secured?</p> <p>In the event this were to be a revised or additional requirement please provide a draft of the wording the Council would wish to see included.</p>
NV.3.2	Applicant, ESC	<p>Borrowpits and Stockpiles at the Main Development Site</p> <p>(i) The response in [REP6-025] is noted however, there is nothing currently in place which would prevent 24 hour working at the borrowpits or stockpiles. While para 4.3.8 indicates this is not the intention, should this not be prevented by prescribing a restriction of working hours in these locations? (ii) Are the Council satisfied that controls are currently in place would provide adequate living conditions for nearby receptors? (iii) If the Council continue to have concerns would a revised or additional requirement be appropriate? please provide a draft of the wording the Council would wish to see included should this be the case.</p>
NV.3.3	Applicant, ESC (iv) only	<p>Residential Gardens</p> <p>The Noise Mitigation Scheme and draft Rail Noise Mitigation Scheme are both aimed at reducing noise impacts within properties that would be subject to adverse noise.</p> <p>(i) Please advise if there has been an assessment of effects on residential gardens, (ii) Please advise what would be in place which may protect the enjoyment of people's gardens and the enjoyment of outside space associated with the home.</p>



ExQ3	Question to:	Question:
		<p>(iii) What standard is sought to be achieved in protecting residential gardens? If this varies relative to the source of noise please explain any distinction that exists.</p> <p>(iv) Are there any concerns the Council has in this regard either with the assessment undertaken, or the mitigation offered?</p>
NV.3.4	Applicant	<p>Noise Mitigation Scheme</p> <p>Are you able to advise of the number of properties that are anticipated that would require noise insulation to avoid SOAEL?</p> <p>In considering this question it is understood that more detailed noise assessments are expected to be carried out, nevertheless an estimate for each element of the numbers of properties affected by the development would be helpful in understanding the degree of effect that is anticipated.</p> <p>It is also understood that these figures will vary for construction and operation, please provide a breakdown on that basis, site by site, or by activity (e.g. Green Rail Route. East Suffolk Main Line, Saxmundham to Leiston branch line, SLR, TVB etc.)</p>
NV.3.5	Applicant, ESC	<p>Appropriate Control Mechanism</p> <p>During ISH8 on Air Quality and Noise there was debate around whether effective controls would be in place via the Applicant's preferred route as opposed to the established legislative route already in place through S60 and S61 of the Control of Pollution Act.</p> <p>(i) Has agreement now been reached as to the appropriateness of the Applicant's route?</p> <p>(ii) In the event it is not agreed, what would the Council wish to see in place either through a requirement or other form of control?</p>
NV.3.6	Applicant, ESC, SCC	<p>Additional receptor at FMF</p> <p>D7 Appendix 11B response to LPA Second Request for Information has undertaken further noise assessment for the FMF set out under heading of Operation at para 2.3.</p> <p>There has been a suggestion there is a residential caravan adjacent the FMF in earlier representations [AS-321].</p> <p>(i) Has the assessment assessed the affects at this location?</p> <p>(ii) Are the Council's able to confirm the status of this caravan and it's precise location?</p>
NV.3.7	Applicant, ESC	DCO Requirement No. 25



ExQ3	Question to:	Question:
		<p>As currently drafted DCO Requirement No.25 relates to works no. 4 only.</p> <p>(i) Are there appropriate mechanisms in place to ensure that operational and constructional controls for the rest of the rail line are secured such that the trains operating in association with the development and the construction activities operate in the way anticipated and the mitigation to be provided through the NMS and RNMS would be delivered?</p>
NV.3.8	Applicant	<p>Rail Noise</p> <p>Woodbridge Town Council raise additional questions at D6 on the suitability of the assessment and whether vibration effects from empty wagons can be safely used to predict the vibration effects of filled wagons.</p> <p>Please respond to this concern and explain whether there is likely to be a material difference between an unladen train and a fully laden one.</p>
NV.3.9	Applicant, ESC (ii) only	<p>Sleep Disturbance Assessment</p> <p>[AS 258] Appendix 9.3D set out an assessment of the potential for sleep disturbance.</p> <p>(i) In light of the revision to the SOAEL which has now been adopted for the Noise Mitigation Scheme following discussions with ESC. Please explain whether in reducing the SOAEL this has any implications for reducing the number of properties where issues of sleep disturbance could arise.</p> <p>(ii)</p>
NV.3.10	Applicant, ESC	<p>LEEIE</p> <p>At deadline 3 it was noted that discussions were ongoing in respect of noise from the LEEIE [REP3-015].</p> <p>Please provide an update on the situation and advise of any outstanding concerns</p>
NV.3.11	Applicant, ESC, Create Consulting part (iii) only	<p>Issues raised by Create Consulting</p> <p>D7 submissions by Create Consulting on behalf of Mr Grant and Mr and Mrs Dowley reiterates and reinforces concerns previously set out in respect of the methodology of noise assessment, the subsequent levels at which mitigation would be engaged and the consequent harms that they consider that would arise.</p> <p>(i) Please provide a detailed response to the criticisms raised, and explicitly set out where the differences remain between the parties.</p>



ExQ3	Question to:	Question:
		<p>(ii) Do ESC concur with the approach and findings of Create Consulting?</p> <p>(iii) Time is of the essence is there a potential for a SoCG which clearly sets out the areas of agreement and disagreement?</p> <p>(iv) The response to previous similar concerns in REP5-119 is noted. Is there anything further that could be provided to assist the ExA in understanding the differences between the parties and which approach might be regarded as the most appropriate.</p> <p>(v) If the approach that Create Consulting recommends were to be used, is it possible to understand whether a better outcome for the residents of the affected properties might result?</p> <p>(vi) Consequently, is additional mitigation justified?</p>
NV.3.12	Applicant, ESC	<p>Issues raised by Acoustical Control Engineers</p> <p>Similar concerns would appear to be raised on behalf of Mollets Farm (at D7) to those raised in the previous question, but in addition suggest there is an underestimate of impacts due to the juxtaposition of the farm to the roads, the sensitivity of the receptor and the specific context of the business and the consequential affects of the prevailing wind direction.</p> <p>Please respond to the concerns identified and how if agreed to be appropriate this could be mitigated.</p>
NV.3.13	Applicant, Network Rail	<p>Train Warning Sirens</p> <p>The Applicant [REP5-119] in responding to concerns identified by Woodbridge Town Council [REP3-085 & REP3-087] indicated that train warning klaxons may no longer be required except in emergency circumstances where Miniature Stop Lights were installed.</p> <p>(i) Please advise on the progress of this element of the upgrades and confirm that warning sirens would no longer be necessary in the event this form of adaption was provided at the level crossings.</p> <p>(ii) Please advise which level crossings these changes apply to and what secures the delivery of these upgrades.</p>
NV.3.14	Applicant,	Rail Noise Acoustic barriers



ExQ3	Question to:	Question:
		<p>It may be academic in light of Network Rail response to the potential for screens to be placed along the rail line on land within their control, nevertheless it would be helpful to understand the following;</p> <ul style="list-style-type: none"> (i) What distance was the barrier assumed to be from the source of noise in the acoustic fencing assessment and how was this distance derived? (ii) What acoustic standard/ acoustic benefit was the fence assumed to have? (iii) Is the Applicant able to advise how the height and length of fence was derived? (iv) Have barriers of a reduced height which might be considered to be more appropriate in the broader planning context been considered? (v) The Council at deadline 7 has now had the opportunity to consider the broader planning implications of such barriers and have indicated that a full assessment with consultation would be appropriate to conform with the policy requirements of minimising and mitigating noise at source, is this an agreed position and should it now be taken forward as part of the RNMS? If this is not agreed please provide a full explanation
NV.3.15	Applicant, SCC, ESC	<p>Road Noise</p> <ul style="list-style-type: none"> (i) Please provide an update on the assessment of quiet road surfacing, and in what areas this has been agreed (if at all), and to what standard. (ii) Please update how it is expected to be secured and maintained in the future assuming it is to be provided. (iii) It is understood that in order to maintain the noise saving properties a revised maintenance regime would be required. Please explain how this is to be delivered through the construction and operational periods, or if there is a different approach for each period. (iv) In the event there is a different approach please explain the justification for such an approach.
NV.3.16	Applicant, SCC, ESC	<p>Road Noise</p> <ul style="list-style-type: none"> (i) Please provide an update on the provision of noise barriers along the SLR and TVB and whether these have now been agreed. (ii) Please provide an update as to how it is intended these measures would be secured assuming they are to be provided.
NV.3.17	Applicant, SCC (ii and iii)	<p>Road Noise</p>



ExQ3	Question to:	Question:
		<p>(i) Acoustical Control Engineers on behalf of Molletts Farm at D7 have expressed a preference for barriers along the side of the road, subject to them being appropriately designed to act as an acoustic barrier. Please advise on the progress on any adjustments that are being considered.</p> <p>(ii) Are SCC in agreement with the redesign of the barriers being reconsidered?</p> <p>(iii) Has a maintenance regime been agreed and secured?</p>
NV.3.18	Applicant, ESC	<p>Rail Noise</p> <p>(i) In setting the sensitivity of receptors, one of the reasons for Pro Corda School being in a higher sensitivity class is the use of the premises for music events. An IP [REP2-205, REP5-188] has now advised at D7 that a music studio is present in close proximity to the Green rail route. Should this not be regarded as a higher sensitivity receptor?</p> <p>(ii) Should additional protection or mitigation be forthcoming as a consequence of this evidence?</p>
NV.3.19	Applicant, ESC (ii and iii) only	<p>Rail Noise – Acoustic Screening</p> <p>ESC at D7 following the ISH on Noise and Air Quality have undertaken an initial assessment of the potential for acoustic screening along the rail line. National Policy in EN1 at para 5.11.9 states</p> <p><i>“The IPC should not grant development consent unless it is satisfied that the proposals will meet the following aims:</i></p> <ul style="list-style-type: none"> • <i>avoid significant adverse impacts on health and quality of life from noise;</i> • <i>mitigate and minimise other adverse impacts on health and quality of life from noise; and</i> • <i>where possible, contribute to improvements to health and quality of life through the effective management and control of noise”</i> <p>(i) In light of the ESC submission please explain how it is considered the first and second bullet points of this part of the policy test are met.</p> <p>(ii) In not undertaking a full assessment of the potential for acoustic barriers at the outset has the opportunity to minimise and mitigate noise at source been missed?</p>



ExQ3	Question to:	Question:
		(iii) Is the screening considered to be a necessity to avoid significant adverse impacts on health and quality of life, and or to mitigate and minimise adverse impacts on health and quality of life?
NV.3.20	ESC	<p>Rail Noise - Acoustic Screening</p> <p>Following the D7 submission the potential for additional acoustic screening is identified as an appropriate form of mitigation subject to consultation, design, location and a fuller understanding of the balance between visual harm and acoustic benefit.</p> <p>In light of the current status of the examination and</p> <ul style="list-style-type: none"> • Network Rail saying they would not support barriers on their land, and • the other areas (Woodbridge, Campsea Ashe etc.) not being within the DCO <p>(i) How would you propose such mitigation to be considered and how would you propose that it be secured?</p>
NV.3.21	Applicant, ESC	<p>Rail Noise – Whitearch Park</p> <p>(i) An acoustic barrier is being considered as one of the potential mitigations for rail noise. In light of the response from Network Rail opposing acoustic barriers within their land. How is this to be delivered and what mechanism within the DCO secures its provision and maintenance?</p> <p>(ii) ESC at D7 have suggested that Whitearch Park could benefit from the speed reduction proposed elsewhere. Please advise if this is possible, what benefit it might bring, and explain if not possible why this would be the case.</p>
NV.3.22	Network Rail	<p>Acoustic Barriers</p> <p>From the information available to date there appears to be the potential for acoustic benefit which would reduce impact on nearby receptors and subject to design, location and other factors meet policy objectives in protecting human health.</p> <p>(i) It is understood from the representations made that Network Rail would oppose any barrier in principle, is this correct?</p> <p>(ii) In light of the national policy objective to protect human health please explain why you consider this position is justified.</p>



ExQ3	Question to:	Question:
		(iii) It is understood that there will be an imperative for safety on the rail way line, but without detail of the design and location of any acoustic barrier can a safety case be properly assessed at this point?
NV.3.23	Applicant, Network Rail, ESC	<p>Acoustic Barriers</p> <p>(i) If it were deemed that acoustic barriers along the railway line were appropriate and necessary to protect human health from significant adverse noise effects. Would the Secretary of State have the power to require them subject to an appropriate safety audit?</p> <p>(ii) How could this be secured?</p>
P.4 Policy and need		
P.4.0	The Applicant	<p>Policy and need:</p> <p>The Deadline 7 submission of Professor Blowers submits that Government policy on the question of need is far more restrained than a decade ago and that the prospect of new nuclear is qualified by various reservations which apply to Sizewell C. In addition, a substantial nuclear component would, in any event, continue until well beyond the critical net zero date of 2050 without any contribution from Sizewell C and that such contribution towards net zero is likely to be minimal. Please comment further, in the light of those submissions, on the need for new nuclear at Sizewell C, as expressed by national policy, and its potential contribution towards net zero.</p>
P.4.1	The Applicant	<p>Policy and need:</p> <p>The Deadline 7 submission of Professor Blowers submits that the EN-6 policy which lists sites identified as potentially suitable is out of date and under review; that there is a policy limbo with respect to site designation and strategic siting criteria and that changing circumstances, including Climate Change, indicate that Sizewell C must be considered an unsuitable site. Please respond to those specific points in relation to the continued applicability of EN-6, and the question of whether Sizewell C can be considered a potentially suitable site for nuclear deployment.</p>
P.4.2	The Applicant	<p>Policy and need:</p> <p>The Deadline 5 submission of Professor Blowers [REP5-189], submits that, in view of the substantial geographical scale and intergenerational timescale of the impacts of Sizewell C, the potential suitability not only of component parts but of the whole project at this site</p>



ExQ3	Question to:	Question:
		should be considered. Please set out and explain further the overall assessment of the Project that has been undertaken.