



The Planning Act 2008

Sizewell C (SZC)

Planning Inspectorate Reference: *EN010012*

Deadline 8 – 24 September 2021

East Suffolk Council response to ExA post-hearing questions published 20 September 2021

East Suffolk Council 20026200

Annex A

Appendix C to the Applicant's Response to the Examining Authority's commentary on the DCO [PD-038]

A commentary with questions is set out at Annex A to this letter. Please respond at Deadline 8, 24 September. East Suffolk Council should note there are points directed to both the Applicant and East Suffolk Council.

2.3. However, there is nothing in the CoCP to provide a procedure for that. Nor does a word search for "dust" in the dDCO produce any procedure. Nor can the ExA find anything for that in the DoO. Questions which arise are (a) what is the procedure, (b) what are the time limits and dispute resolution procedure and (c) is there a fee structure?

ESC Answer: Using the example provided by the ExA, ESC expects the DMMP to be required under the CoCP and to be submitted to ESC for approval. It would therefore be included in the existing time limits and dispute resolution procedures written into the DCO for discharge of requirements. The fee structure for discharge of requirements is in the process of being agreed with the Applicant and will be included in the next iteration of the dDCO submitted by the Applicant at Deadline 8.

6. Coastal Processes Monitoring and Mitigation Plan. The approval mechanism is correctly described in Table 2 page 2. However separate plans are to be submitted to ESC and to the MMO, with the possibility of different results. How is that to be avoided?

ESC Answer: ESC and the MMO have different responsibilities with regards to the coastline and each authority will only be responsible for approving the elements of the CPMMP within their own control. There is an area of overlap between Mean High Water Springs and Mean Low Water Springs and we are in the process of agreeing who takes the lead but it is likely that we will work collaboratively (as we do currently) with each other and with SZC Co. to ensure that the CPMMP can be approved in its entirety under the Deemed Marine Licence condition and the DCO requirement. It is possible that ESC and the MMO will disagree, however, resolution of such disagreements would be expected to take place through the Marine Technical Forum and by working collaboratively.

8.3.4. Some of the points in 8.3.3. were explored at ISH14. The ExA asks the Applicant to set out their response and explanation carefully in their post ISH14 summary at Deadline 8. Similarly, ESC is asked to set out its position carefully in its post-ISH14 summary. Question 8.3.3.3 was not put. Question 8.3.3.4 was mentioned but not followed up. The Applicant's answer to Question 8.3.3.5 is assumed to be the same as the answers to Questions 8.3.3.1 and 8.3.3.2 but please will the Applicant confirm or explain otherwise.

ESC Answer: ESC have responded in our ISH14 summary submitted at this Deadline.

Annex B

(k) Please will East Suffolk Council and Suffolk County Council state whether they agree with the ExA's summary in questions (b) and (c) above of the Applicant's explanations given during ISH14.

(b) Req 11 – Approved Buildings on the MDS, a list of works which are all part of Work No.1, but the Req only applies the Parameters Plans to alternative plans. In answer to the question, what happens if there is a difference between the Parameter Plans and the plans referred to in Req 11(1)? The Applicant explained that Req 11 applies to buildings that have been designed – see also the reference to Approved Plans. Therefore, the reference in Req 11(2) to alternative plans (and only alternatives) being in accordance with Parameter Plans is proper.

(c) Req 12 – MDS reserved matters, the Parameter Plans apply to some buildings on the MDS, but not all. Why? It was explained by the Applicant that between them, Reqs 11, 12 and 13 cover all the buildings, structures and plant on the MDS. Req 13 requires the buildings to which it applies to be in accordance with the relevant Parameters Plans.

ESC Answer:

(b) ESC agrees with the Applicant's response given during ISH14, requirement 11 lists works for which detailed plans have been included as part of the DCO, Req 11 (2) is for unforeseen changes to the design of those works that may be required at which time they must be in accordance with the parameter plans (as the DCO detailed drawings are). ESC agrees with the Applicant's explanation.

(c) Requirement 12 lists the works (buildings) for which no detail has been submitted as part of the DCO as they are not yet designed, as such they are reserved matters, to be submitted and agreed by ESC at a later date. These works will be expected to comply with the submitted parameter plans and the design principles. Requirement 13 lists ancillary works/buildings which will be expected to comply with the detailed design principles and parameter plans but will not be specifically approved by ESC. ESC agrees with the Applicant's explanation.