

ExQ3	Question to:	Question:	East Suffolk Council Response:
NV.3.0	The Applicant	Noise thresholds at the Main Development Site 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?	
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</p> <p>(ii) how would this be secured? 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>	<p>(i) There remain significant disagreements between ESC and the Applicant over the suitability and application of the guidance in Annex E.5 of BS5228-1. However, there has been significant progress between ESC and the Applicant following ISH8 and ESC's understanding is that the following points are now agreed by both parties:</p> <ul style="list-style-type: none"> • That there is an increased sensitivity to construction noise in the evening period (19:00 to 23:00) in comparison to conventional daytime working hours. • The adoption of lower thresholds at which the Bespoke Mitigation Plans are triggered provides an acceptable method of managing construction noise below the EIA significance thresholds set out in the ES as an alternative to lowering the thresholds within the CoCP. • In the case of the main development site, setting a construction noise criterion in relation to background noise levels would add unnecessary complexity and

			<p>ambiguity to the process and would be overly onerous in comparison to the night-time thresholds.</p> <p>On this basis, ESC and the Applicant have agreed in principle that the trigger levels in Section 4.4.1 of the NMMP for the main development site should be adjusted to include a 50 dBA evening trigger level to recognise both the increased sensitivity of the evening period and extended duration of the works at the main development site. This, and ESC's other suggested amendments to the draft NMMP are submitted separately at Deadline 8.</p> <p>ii) ESC considers that the construction noise levels around the main development site can be adequately controlled via the NMMP (and associated processes) and therefore that the thresholds in the CoCP can remain aligned to the ES significant thresholds.</p> <p>ESC has accepted the preliminary noise and vibration assessments in relation to construction on the basis these will be significantly refreshed further down the line when more detail is known/agreed. These assessments will be refreshed prior to commencement and as part of the implementation of the NMS once more detailed information has been made available. Construction noise is proposed primarily to be</p>
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			<p>controlled through a bespoke approvals process that will require detailed assessment of the impact of noise and vibration in order to inform Best Practicable Means (BPM) mitigation to ensure noise is kept as low as is reasonably practicable. ESC wish to ensure that appropriate COPA1974 powers are retained. It is noted that under the CoCP there is brief reference to ESC retaining powers under section 60 of the Control of Pollution Act 1974. The reference should be expanded to more explicitly refer to the power to serve notices imposing requirements as to the way in which works are carried out, which is subject to a right of appeal by the recipient. A person who contravenes the requirements of a section 60 notice will be guilty of an offence under section 60. This means that where the requirements of a section 60 notice reflect the measures set out in an approved bespoke mitigation plan, those requirements would be enforceable under section 60 of the Control of Pollution Act 1974 as well as under the DCO. ESC will continue to discuss appropriate wording in the CoCP to ensure that it adequately reflects this process.</p> <p>Noise thresholds are secured through the NMMP and the Bespoke Mitigation Plan process (subject to the separate comments issued by ESC at Deadline 8 being adopted)</p>
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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?</p> <p>(ii) Are the Council satisfied that controls are currently in place would provide adequate living conditions for nearby receptors?</p> <p>(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>	<p>(i) ESC support restriction on working hours where there is the potential for unreasonable impact and there is no requirement for extended hours in order to deliver of the project. ESC's expectation is that this could be secured via an appropriate Bespoke Mitigation Plan.</p> <p>(ii) The Applicant will be required to control noise and vibration to the standard of best practicable means (BPM), and this should have the practical effect of reducing impacts to a minimum. Restriction of working hours for the activities with the highest impact would be an effective way of reducing impact as part of that BPM. ESC notes that even with BPM there will be impacts to local noise sensitive receptors and the Suffolk Coast and Heaths AONB but as we cannot request or expect a higher standard than BPM, those impacts should be taken into account by the ExA and Secretary of State in balancing the benefits and adverse impacts of the Project.</p> <p>(iii) ESC has separately provided suggested amendments to the NMMP at Deadline 8 which have provisionally been agreed with the Applicant.</p>
NV.3.3	Applicant, ESC (iv) only	Residential Gardens	(iv) Construction noise is primarily assessed in terms of external levels outside dwellings, which would generally include residential gardens

		<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,</p> <p>(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> <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>	<p>around dwellings. The NMS provides a backstop protection of exceedances of the SOAEL within dwellings in the form of noise insulation to dwellings. However, noise levels in residential gardens would have to exceed the SOAEL by 10 or more dB before the temporary rehousing thresholds in the NMS are triggered. This would allow noise levels which would exceed the action levels set out in the noise at work regulations in gardens before the temporary rehousing offer in the NMS were triggered. In practice, the Applicant's assessment shows that noise levels are not expected to reach this level in gardens, but this does highlight the lack of construction noise mitigation options within gardens. Therefore, ESC has been seeking lower construction noise thresholds and enforcement powers to ensure that the Applicant is using Best Practicable Means at all times to reduce any impact to an absolute minimum</p> <p>Rail noise is assessed in terms of external levels outside dwellings, which would generally include residential gardens around dwellings. However, all proposed Sizewell C freight trains would occur either during or just outside (+/- 1 hour) night-time hours (23:00 to 07:00) which is why ESC have been and remain primarily concerned with the potential for sleep disturbance from Sizewell C trains during the night-time and early morning. This has formed the basis for our discussions with the Applicant, particularly in terms of the NMS. That said, the RNMS is designed to control noise</p>
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			and vibration at or near source and so will reduce the impact externally as well.
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? 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. 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>	<p>(i) Agreement has now been reached on Bespoke Mitigation Plan process as an appropriate alternative to Section 61 applications, subject to the agreed changes being made to draft NMMP document. ESC will also retain powers under section 60 of the Control of Pollution Act 1974 to serve notices imposing requirements as to the way in which works are carried out, which is subject to a right of appeal by the recipient. A person who contravenes the requirements of a section 60 notice will be guilty of an offence under section 60.</p> <p>(ii) n/a.</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. There has</p>	<p>(i) Applicant to respond.</p> <p>(ii) ESC is aware that there is a touring caravan under presumed residential use on Highway Authority land adjacent to the proposed FMF site,</p>

		<p>been a suggestion there is a residential caravan adjacent the FMF in earlier representations [AS-321]. (i) Has the assessment assessed the affects at this location? (ii) Are the Council's able to confirm the status of this caravan and it's precise location?</p>	<p>in close proximity to the A14 carriageway on the westbound side, just before the Seven Hills slip road. As far as ESC is aware, the caravan is on this land without planning permission and SCC, as the responsible authority, are in the process of eviction. This caravan is therefore not regarded as a receptor by ESC, and we would not expect it to be included in any assessment.</p>
NV.3.7	Applicant, ESC	<p>DCO Requirement No. 25 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>	<p>(i) In relation to sub-clause (1), ESC previously requested [RFI 65, REP6-032] that the Applicant clarify why this only refers to Work No.4 and not also to the East Suffolk Line where many more significant adverse noise impacts are identified. A response was provided in Appendix 11B of the Applicant's SOCG [REP7-093] with ESC and SCC, which states (in paragraph 3.11.8) that <i>"The East Suffolk line is not within the DCO limits, so cannot be subject to a requirement. However, since the only purpose of using the East Suffolk line is to access the Saxmundham to Leiston branch line, prohibiting use of the branch line until the 'Rail Noise Mitigation Strategy' is approved by ESC has the effect of preventing the use of the East Suffolk line by SZC trains until that time as well."</i> This clarification is welcomed and accepted.</p> <p>In relation to sub-clauses (1) and (3) of Requirement 25, ESC is unclear why these refer to the hours of <i>"11pm and 6am"</i>. It is assumed this relates to the night-time period, but the ES and ES addendum both define night-time for rail noise and vibration as 23:00hrs to 07:00hrs (in line with the appropriate guidance).</p>

			<p>ESC previously requested clarification from the Applicant on this matter [RFIs 64/65, REP6-032]. A response was provided in Appendix 11B of The Applicant's SOCG with ESC and SCC [REP7-093], which states (in paragraph 3.11.6) that <i>"the stated hours relate to time period when it is expected to be used by SZC Co"</i> and (in paragraph 3.11.7) that <i>"the hours in Requirement 25 can either be amended to match the adopted night-time period of 23:00 to 07:00 hours or removed entirely."</i> ESC would prefer that the specific hours be removed, to ensure the wording is as precise as possible and does not leave it open for trains to be operated at other times (regardless of the practicality or possibility that this could occur). The Applicant has indicated that it is content to remove reference to the hours and we expect to see that in the next dDCO submitted at Deadline 8.</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. 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 [AS 258]</p> <p>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</p>	<p>ESC notes there is no part (ii) to this question.</p> <p>(i) For clarity, the SOAEL has not been revised. The Applicant's SOAEL for night-time sleep disturbance remains at 80 dB L_{AFmax}. It is the</p>

		<p>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>	<p>threshold at which the NMS comes into effect that has been reduced to 70 dB L_{AFmax}. ESC maintains that the SOAEL and EIA significance threshold should be aligned at 70 dB L_{AFmax} but are no longer challenging this as the lowering of the NMS threshold is, in effect, a de facto SOAEL because it means that significant adverse effects above this would be avoided through the NMS.</p> <p>To answer the question directly, the lowering of the NMS threshold does indeed reduce the number of properties where sleep disturbance could arise, specifically those properties where maximum night-time rail noise levels would be 70-80 dB L_{AFmax}. It would, of course, be possible to further reduce the number of properties where sleep disturbance could arise by reducing the NMS threshold further, either between 60-70 dB L_{AFmax} or even to the LOAEL of 60 dB L_{AFmax}, or through the delivery of a reduced NMS in respect of the provision of mechanical ventilation between LOAEL and the EIA threshold (60-70dB L_{AFmax}) to allow residents to keep windows closed as discussed at ISH12.</p>
NV.3.10	Applicant, ESC	<p>LEEIE</p> <p>At deadline 3 in was noted that discussions were ongoing in respect of noise from the LEEIE [REP3-015]. Please provide an update on the situation and advise of any outstanding concerns</p>	<p>ESC's position is that the LEEIE would be considered under the MDS in terms of noise impact and mitigation and therefore would be subject to the requirement to secure BPM as the standard by which noise is controlled and subject to the other control measures imposed on the MDS including S.60 and/or the Bespoke Mitigation Plan process if selected.</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> <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>	<p>(ii) The reports produced by Create Consulting reinforce the representations made by ESC throughout the Examination on the potential impacts associated with development of this scale and duration taking place in a quiet rural environment.</p> <p>ESC shares the residents' concerns and encourages the Applicant to engage with local residents as part of their commitment to ongoing dialogue with the local community.</p> <p>However, there are a number of technical matters raised in the Create Consulting reports which ESC do not agree with.</p> <p>ESC have previously accepted the Applicant's construction noise modelling methodology as appropriate to the level of detail currently available on the proposed construction methodologies. This is on the basis that the Applicant will be required to undertake more detailed modelling as part of the Bespoke Mitigation Plan approval process once detailed construction methodologies have been developed.</p> <p>ESC have previously agreed the Applicant's figures for SOAEL on the basis that the most effective minimisation of noise impacts on local communities will be achieved through a focus on site specific noise controls and appropriate methods for enforcement of these controls.</p>
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			<p>ESC agree that short-term ambient noise measurements are not necessarily representative of “typical” ambient noise levels at the assessment locations. However, the “2-5 dB(A) Change” method from BS5228-1 referenced by Create Consulting is subject to lower cut-off values of 65 dBA (daytime), 55 dBA (evening) and 45 dBA (night). Given that noise environment at the receptor locations is generally expected to be well below these levels, ESC consider it unlikely that the results of long-term noise monitoring at the receptor locations would have a material change on controls imposed upon the Applicant if the 2-5 dBA change method were adopted.</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. Please respond to the concerns identified and how if agreed to be appropriate this could be mitigated.</p>	<p>Road Traffic Noise is a Highways Authority function and ESC defer to SCC on this question.</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	<p>Rail Noise Acoustic barriers</p> <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> <p>(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?</p> <p>(ii) What acoustic standard/ acoustic benefit was the fence assumed to have?</p> <p>(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?</p> <p>(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</p>	

NV.3.15	Applicant, SCC, ESC	<p>Road Noise</p> <p>(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.</p> <p>(ii) Please update how it is expected to be secured and maintained in the future assuming it is to be provided.</p> <p>(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.</p> <p>(iv) In the event there is a different approach please explain the justification for such an approach.</p>	Road Traffic Noise is a Highways Authority function and ESC defer to SCC on this question.
NV.3.16	Applicant, SCC, ESC	<p>Road Noise</p> <p>(i) Please provide an update on the provision of noise barriers along the SLR and TVB and whether these have now been agreed.</p> <p>(ii) Please provide an update as to how it is intended these measures would be secured assuming they are to be provided.</p>	Road Traffic Noise is a Highways Authority function and ESC defer to SCC on this question.
NV.3.17	Applicant, SCC (ii and iii)	<p>Road Noise</p> <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</p>	The sensitivity of receptors has been set by the Applicant and ESC has asked for justification [RFI62, REP6-032] as to why Pro Corda has been afforded a higher sensitivity than others. A response was provided in Appendix 11B of the

		<p>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>	<p>Applicant's SOCG [REP7-093] with ESC and SCC which clarifies that this is, in part, due to the specific health needs of some Pro Corda clients, particularly those with Special educational needs and disability (SEND). ESC discussed with the Applicant whether residents with similar needs could and should benefit from the enhanced mitigation afforded to Pro Corda on this basis and welcome the positive actions of the Applicant in including this in the NMS [REP7-022].</p> <p>If it is the case that Pro Corda have also been afforded this extra mitigation/sensitivity on the basis of commercial considerations, in that they hold events and are a business that are sensitive to increased noise, then ESC supports the suggestion that other businesses with a justifiable case for a similar sensitivity should also benefit from further assessment and additional protection where suitable and worthwhile and would welcome the Applicant's consideration of this.</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 "The IPC should not grant development consent unless it is satisfied that the proposals will meet the following aims:</p> <ul style="list-style-type: none"> ● avoid significant adverse impacts on health and quality of life from noise; ● mitigate and minimise other adverse impacts on health and quality of life from noise; and 	<p>(ii) ESC has been in discussion with the Applicant for some time in respect of the full suite of mitigation provided by the RNMS as part of their obligation to mitigate and minimise impact from rail noise. ESC has maintained that all forms of mitigation should be thoroughly explored and considered including utilising barriers where suitable and where the benefits are evident. The Applicant continues to explore the potential for noise barriers and ESC anticipates continued discussion to further explore sites where these</p>

		<ul style="list-style-type: none"> ● where possible, contribute to improvements to health and quality of life through the effective management and control of noise” <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> <p>(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?</p>	<p>would be possible with both the Applicant’s and Network Rail’s support. However, the latter has now withdrawn that support which changes the nature of discussions. ESC is hopeful that there is still the opportunity to explore the potential for acoustic barriers on land outside of Network Rail’s ownership with the Applicant and we note that they welcomed this at ISH12. ESC understands that the aim is for this process to be written into the draft RNMS. ESC’s preference would be that the final RNMS (to be submitted to and approved by ESC) would include details of specific barriers in specific locations, after appropriate technical and planning consideration and in consultation with landowners (residents) and other stakeholders, however if this is not possible ESC welcome the commitment to the process of assessment and eventual implementation of such mitigation that is reasonably possible and worthwhile prior to commencement and will continue to engage positively with the Applicant in this regard.</p> <p>(iii) ESC considers a fully developed RNMS 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. ESC further consider that noise screening should be incorporated in the RNMS where appropriate.</p>
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</p>	<p>ESC considers that screening should be included in the RNMS where appropriate. The RNMS is to be approved by ESC post-consent (if consent is</p>

		<p>subject to consultation, design, location and a fuller understanding of the balance between visual harm and acoustic benefit. In light of the current status of the examination and • 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> <p>(i) How would you propose such mitigation to be considered and how would you propose that it be secured?</p>	<p>granted) and would contain all deliverable mitigation proposed by the Applicant. It is envisaged that the good dialogue that has been established between ESC and the Applicant will continue and that the Applicant will continue to explore and consider all areas of rail noise mitigation (including barriers and track upgrades to the East Suffolk Line) for inclusion in the final RNMS to be approved by ESC. Where it is fully justified by the Applicant that mitigation cannot be delivered, ESC would accept that position. ESC would like to see a commitment to continue exploring what can be included in the RNMS beyond the Examination so that the final document truly represents the optimum mitigation that can be achieved, including specific barriers in specific locations (where appropriate). Discussions during this process will be crucial to ensuring that all appropriate mitigation has been considered and subsequently secured by the RNMS. The RNMS would then be approved by ESC on this basis. If the exact type and location of mitigation cannot be specified at the present time, ESC welcome the commitment from the Applicant to continue to assess the potential options and to deliver such mitigation as determined suitable and worthwhile by those assessments, to be reflected in a revised Draft RNMS as a certified document</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</p>	<p>ESC considers that part (i) of this this question is best answered by the Applicant.</p>

		<p>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>	<p>However, in terms of part (ii) and the speed reductions, it is worth noting that the Applicant considers limiting the speed of the trains to be a core part of their mitigation strategy for other areas so the same could be said to apply here.</p> <p>ESC accept that the Applicant needs to ensure that reducing train speed does not prejudice the timetable and therefore the delivery of the rail freight strategy. Speed restrictions should therefore be deployed reasonably in terms of speed and location. However, considering that Whitearch Park is almost directly adjacent to the Saxmundham speed restriction area already proposed, it could be relatively straightforward and practical to simply extend the Saxmundham speed restriction area to include the track past Whitearch Park; effectively this would mean that the trains would slow down a little sooner than is currently suggested.</p>
NV.3.22	Network Rail	<p>Acoustic Barriers 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> <p>(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?</p>	

NV.3.23	Applicant, Network Rail, ESC	Acoustic Barriers (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? (ii) How could this be secured?	ESC is not in a position to answer this question.
P.4 Policy and need			
P.4.0	The Applicant	Policy and need: 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.4.1	The Applicant	Policy and need: 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.4.2	The Applicant	Policy and need: 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 should be considered. Please set out and explain further the overall assessment of the Project that has been undertaken.	
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