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00:05

Good afternoon everyone, the hearing is now resumed. So the first topic to be considered under agenda item three E, which we have moved up the agenda to accommodate East Suffolk Council. This first topic is the effect of the intake and outfall HUD works on coastal processes. The fourth environmental statement agenda considers the proposed changes of relevance to the assessment of coastal geomorphology and hydro dam namics. To include the installation and presence or usage and removal of intake and outfall heads for a desalination plant in the near shore Zone C would have the outer longshore bar crest. So proposed change 19 embeds primary medication of the impacts on coastal geomorphology by using the horizontal direct drilling method for both pipelines under the beach and intertidal area, locating the head seaward of the outer longshore bar and beyond the main areas of longshore transport, and the provision of a small area of concrete mattress to mitigate scour around the pipe connecting the drill tunnel to each head. The environmental statement for the defendant states that those primary mitigation measures have been secured through requirement eight of the draft DCA and the applicants position is that overall, the effect continues to be assessed as negligible and not significant. But long term monitoring for bars is proposed in the coastal processes monitoring and mitigation plan. And the primary mitigation measures would be secured by requirements eight of the draft decio. Now that could turn to a Suffolk council

02:00

first.

02:15

Could I

02:16

can I just pose my questions to you? So he suffered cancer in response to CG dot three dot 14, you request that the CPM MP is amended to include an obligation on the applicant to monitor the pipelines and to remove them if they become exposed. In addition, is stuff a council doesn't consider requirements as to which the applicant refers to be relevant to the securing of the primary mitigation? So first, can East Suffolk council explain any amendments to requirements seven a and the cpnp that are sought to safeguard the coastal processes aspect of change 19? Secondly, could you explain the council's position in relation to the role of requirements eight in securing primary mitigation and whether you consider any amendment to the CMS is necessary to fully reflect what is said in the fourth e acid denden. And thirdly, please could you explain the need for requirement that the pipeline's are removed? Should they become exposed?

03:36

Yes, thank you for accommodating us in the in the programme. If I can just have a set at the overall scene, which is that on the basis that the pipe work across the beach, will be installed by HDD and not trenched. And in the light of the fourth addendum, yes, his overall position is that the proposal would not introduce a significant negative impact on coastal geomorphology or coastal processes. Secondly, and I'll ask Mr. Patterson to explain this. At the moment, there is not clarity as to the risk of exposure of the relic infrastructure of the pipeline. And therefore there isn't clarity as to whether that will present a coastal problem in the long term. And that is why we would wish to see reflected in the CP MMP provisions to provide for the removal of the pipe work in the event of exposure by erosion. And in relation to requirement Agent vcms. We understand that he's getting to be adjusted and more widely Not limited simply to coastal geomorphology. There needs to be provision either there or in the cscp for the removal of the desalination plant, which is expressed to be temporary, in its entirety at the end of the construction period. So that's a wider point that goes goes beyond the coastal geomorphology issues. And we think that the present requirement age nor the cscp are adequate to provide for that. And so if I can just ask if Mr. Patterson, if he is available to see if he has anything to add to that if you don't hear from him in five seconds. Mr. Tate, could

05:49

I just ask briefly, for just clarification on the need for requirement that the pipelines are removed your content that that could be dealt with by way of the CMS and requirement eight so you're not actually in to Mr. Phillipotts phrase by a small requirement rather than a formal decio? separate requirement?

06:13

Yes, we don't think it's a formal DCA separate requirement, I think actually better than the CP LMP CP problem with CMS, which is itself controlled by a separate requirement. Thank you. So Mr. Patterson, who is not in the same room as me, is keen to say anything he would do say in the next five seconds.

06:38

Good afternoon, or Paul Patterson, the East suffer cancel, I have very little to add to the excellent summary summary that Andrew has provided. We do feel that there is a risk under future shoreline change, that pipelines may be exposed. And we feel for that reason that it would be helpful for that possibility to be acknowledged, and for a note to be made in the CP and NP, that should the pipelines become exposed, then they are removed. And other than that have nothing to add to the comments of an entry. Thank you.

07:19

Could I just ask you in the event that the pipelines did become exposed? What would what would be the effect of that what what's what's your concern? What's the potential cause cause of that

07:35

the the potential impact on coastal processes from exposed cables would be relatively minor. I think that the potential for them to have an impact at the shore on any offshore banks would be relatively small. I think that as a general principle, it will be good practice for the relic infrastructure to be removed. In case there are other issues to do with public safety, possibly marine safety. I think it's good

practice for for any disused infrastructure that does break the surface to be removed. Yeah, thank you for

08:17

that clarification.

08:18

Thank you.

08:21

Can I just check with Mr. Tate that that's all the council wishes to say on this item?

08:28

That is all we wish to say on the site? And we'll come back on the agenda item five, just to reiterate that but not not extensively. Clearly.

08:39

We've covered that that thank you very much for that. So can I ask if there are any other IPS who wish to comment on the effect of the intake and outfall head works on coastal processes, or the security of mitigation? So I have Allison Andrew, so if I could hear from you, please?

09:12

Yes, thank you very much. And the association had reserved comments on the desalination plant. After the very hurried period of public consultation, there appeared not be a complete assessment. And there is more assessment now. And it was good to hear from Mr. Phil pop that there will be more certainty unless assumption at deadline 10. But what we've been hearing today is that there's no certainty that the desalination plant is a temporary one. A desalination plant is still one of the options that Northumbrian water might have to look to. And so whereas the assessments up to now are fine for something that might be there for five to 10 years. If we're talking about something being there for decades, then as natural England have said Do more assessment would be required. I mentioned earlier before consequences for CBI level seabed level changes. problem is we are on a coast that is highly stormy, stormy and also receding. So, there can always be shore dynamics that get in the way so that as East Coast Council have said monitoring is required. So that's a good request. It is said that the sea water intakes works would be decommissioned once the hope once main supply water arrived, but what would be the impact on the shore shoreline the banks if the intake was needed for the entire operational light life of the twin reactors, and similarly, it stated in rec 7030 that there will be paragraph 3.2 point five one, that localised dredging is assumed to be necessary, assumed in the immediate surrounding area of the head work. And a short period of dredging may be reasonably rapidly recovered from as we've seen in various areas. But if the desalination plant needs to be in place for decades, a further work or assessment is what would be the effect of the continual dredging on the shore and shoreline and actually possibly impacting on long shore sedimentation transport. So these are questions. I don't expect anyone to answer them today, but they need to be part of the long term consideration of a desalination plant. Thank you.

11:29

Thank you. Both in terms of dredging, both in terms of long term and also the proposal that's with us, right. Are there any other interested parties who wish to comment on this item? In that case, I'll go to the applicant.

12:01

Thank you, Madam, I'm going to start by asking Mr. Rich Jones from quad just to deal with a couple of points raised on the part of the council in relation to risk of exposure and removal. And then I'm just going to pick up a couple of points and give some references in terms of control. So I'll pass on to Mr. Jones,

12:29

first.

12:36

Good afternoon, Richard Jones for the applicant. So, I just wanted to briefly touch on the point in relation to the the depth of the of the drill pipeline and the risk of exposure that that that may or may not create, I can understand why the why the point the point was raised the deadline eight version of the construction method statement gives details of the during methodology, but what we're looking to do it at deadline term is to is to clarify the intention on that point, it has always been assumed that it will always be the case that the drill pipeline will be very substantially below the seabed and it will indeed be within the within the crack deposits that underlie the the more superficial deposits. So, it will be it will be really very deep in the order of around 10 metres below the seabed in many places and so, there will be absolutely no chance for any of that to to become exposed. So, what what is proposed is that the the a the the pipeline the intake in the outfall is is drilled at significant depth through those crack deposits. The only exception to that being of course is where those pipelines need to raise up in order to meet the the intake headworks and the the outfall diffuser heads and then when those aspects are decommissioned at the end, those aspects will be removed in order to ensure that there is no risk of exposure.

14:22

Thank you.

14:25

And, madam just briefly on other matters in terms of control. The there are two points first of all the requirement eight links to the construction methods statement. And it's important not only to look ahead to anything that's going to change in deadline 10 in respect of that, but also to look at the rep 8054 version of that document which was developed and significantly tightened from the previous one. Because that deals with a number of matters, which are both relevant to the way that it links to the environmental impact assessment, but also to the question of cessation of use, and this not being permanent. And so within rep 8054, I'll just give the references rather than going to it. The intake is dealt with at three 314 in terms of cessation of use, and the outfall in terms of cessation and removal at three 326. There are two other points in relation to removal. First of all, I understand that it's been agreed in discussion with the County Council, that requirement 16 and that deals with the removal and

reinstatement of all temporary buildings, structures, plant and equipment is going to include a deadline 10 reference to the removal of the desalination plant. Similarly, a point was raised by the MMO in relation to the de marine licence, pointing out that the removal had been assessed. But the moment the de marine licence did not actually licence, the activity of removal, which is a licensable activity. And so taking their lead as it were, we are going to add the removal to the de marine licence. So that that is licenced, as well as having been assessed. And then the only other point I would make is that when looking at the suite of controls that exist in relation to the offshore elements, in particular, it's important to have regard to the de marine licence itself sheduled 20. Because that deals not only with matters such as dredging and disposal conditions, 35 and 36, but also condition 52 which is the approval of details that are covered by the de marine licence. And that includes the location design size and shape of the intake intake head, the outfall head and associated vertical shaft the alignment of tunnels, installation methodology, method statement and mitigation. So there are there's more than one system of control here. The construction method statement is important. It's also obviously particularly important onshore, but when you come to the offshore elements, it's also necessary to take into account what's in the de marine licence, and therefore within the scope of the MMOs jurisdiction. Those are the only points I wanted to

17:53

add. Thank you. Was there anything else? Mr. Phil pot,

18:02

just wanted

18:04

to apologise

18:07

that Alison and Jews had mentioned dredging and I didn't know if he wanted to briefly cover the controls for that, or how that was proposed to be

18:18

what I was going to do in the first instance so far as dredging is concerned, in order to put it into context, and the the, the the assessment and the likely impacts of dredging is going to ask Dr. Tony dolphin from see FASS, who's on the line just to briefly explain how that's been dealt with in terms of the assessment and then I'll come back in after after that, if I may. Thank you.

18:55

Thank you turn it off and on behalf of the applicant. The desalination out for an intake, the outfall is located in the same part of the crusher profile as the previous list destination rappels. So it's a system that is effectively the same except to say that we were delicious, that would be the same size as those apples, the fish recovering return and the CDO but it is in fact a bit smaller. So the requirement to to the dredging requirement and indeed the effects of the presence of the outfalls would be the same or smaller than that or the assist. And that's so so within the envelope of what's already been assessed.

19:50

Thank you.

19:52

And then madam just coming back to the question about control of dredging as I indicated in the demer Marine licence renewal The conditions 35 and 36. Deal with an A d 37. Deal with dredging. And they have been, those conditions have been amended in the rep 7272 version of the decio. So this is the one that includes changes to pick up the addition of the temporary desalination, to include the work numbers that are added as a result of the temporary desalination plant. And so what condition \$35 is for those works, no fees of any dredging activities shall commence until the activity details have been approved by the MMO in relation to the relevant work number. And then there's a list of things that the work, the details have to include, in terms of obviously things like the location of area, when it starts and finishes and methodology, method statements and matters of that sort. And then there are further requirements in terms of disposal in 36. And then 37, after the activity is completed, there's a need to notify the MMA with what actually happened in terms of the activity. So the suite of controls over dredging, which were in place to deal with the offshore works at reidentify previously in those conditions has now been updated. So that it covers the new works as well. So that's that's where it's controlled and that suite of controls against the background of the assessment, which has just been summarised for you, and would hopefully provide some comfort that there would not be any significant effects as a result.

21:57

Thank you. I do see that. Actually, Alison Andrews, your hand is up. Is that a legacy hand?

22:13

Right, that's gone down now. So I assume Mr. Philpott? That was all you had to say on that.

22:21

Indeed. That's right, madam.

22:25

So that concludes the coastal processes aspect of this agenda item. I'll now hand over to Mr. Brock to consider whether there be any additional impacts upon relevant internationally and nationally designated sites surrounding under this topic. So Mr. Brock

22:41

Thank you, Raj guy. So these are questions addressed to natural England, the marine management organisation Environment Agency and the RSPB and puts simply in relation particularly to marine ecology, are there any submissions which you want to make as the assessment for HRA of the alterations to coastal processes and to settlement sediment transport, which arise from change 19. And if you do want to say something, then please can you explain what the problem is? And what it is that you want to see? I suppose I can sum up with question by saying are you satisfied with the HRA assessment on those matters? And then is there anything you want to say about the effects of coastal

processes and sediment transport on nationally designated sites, which I imagine would be unlikely but let's see where we go. The Environment Agency first place

23:52

both covenants good Environment Agency, just to say we would defer to natural England there's a trade matters. Thank you.

24:08

And Miss Holland for the RSPB.

24:13

Thank you sir. So on this specific question, we've got we've got nothing but we do have some thoughts on some of the other kind of sub parts of three. Thank you though.

24:25

Very good. Thank you very much. Very good. I think I think for me for you just say in that case, Mr. Philips, I'm going to hand over to my colleague, Mr. maund do I get that one wrong?

24:40

No. So I was I was simply coming on screen because my name would be mentioned and I've been taught I should

24:46

Yeah, that's fine. So I had her first more now and we will return to item three see noise and vibration.

24:56

Thank you, Mr. Brock. So noise and vibration. I've got A series of questions that I'm going to put to the applicant first. And then after I've heard from the applicant, I'll come to other interested parties. So to the applicant, the fourth s addendum which I think is rep 703 o, appears to infer the only additional noise, noise sources get my mouth around it, which might be regarded as material from change. 19 would be diesel generators and water pumps. And I think that set out in power 3.5 point five. Can I just check that my understanding of that position is correct.

25:41

So I'm going to pass these questions over to Mr. Mike brownstone from resound acoustics. If there are points that go beyond his expertise, I'm sure he'll pass on to the appropriate person, but that sounds like one for him in the first instance.

25:56

Okay, thank you.

26:02

Sir, can I check you can hear and see me?

26:05

I can. That's good. Thank you. Good.

26:07

Mike brownstone on behalf of the applicant? The answer your question is yes.

26:11

Excellent, nice and simple. So you might want to stay on the line, because I guess a lot of these will be heading your way. Again, it seems to set out that the sea water intake pumps are assumed to be at depth. But no depth is specified at the time I could see. So what depth Have you assumed? And how is that secured?

26:37

Think sir, they're not assumed to be any particular depth important point from a noise point of view is they are underwater, their submersible pumps, and therefore there'll be no noise at the surface, irrespective of how deep they are.

26:49

Okay, now that's helpful. Just that wasn't spelt out in a way that I'd understood. But now that's helpful. So next question, then the paragraph 3.1. Point 15. I hope I've got that right. If the construction methods statement, says the rig will be temporarily sheet piled into the ground for stability. And that's in the my understanding and its first location at the main development site main platform. But what it doesn't go on to explain is what happens at the temporary construction area. And so I need to understand what you've done in assessing how it's going to be provided at the temporary construction area. But also, can you help me in explaining how an area that you've indicated is likely to be 70 by 85 metres, will be sheet pile to provide stability? And I'm taking those measurements from your indicative drawing, showing the layout of a typical plant.

28:00

Thank you, sir. My browser on behalf the applicant? I'm not sure I can speak to the point about the temporary of the second location and how that would be secured in terms of stability. In terms of the sheet piling in its initial location. We feel that falls within the already assess parameters. There's already sheet piling being undertaken around the main construction area. And this this is just part of that exercise. In terms of the noise emission levels,

28:27

I could understand why they wouldn't be any louder? Won't it mean that there's going to be far more

28:36

potentially more of it? Yes, sir. But it we've assessed so many different activities and concurrent activities in different locations, that it just falls within the parameters already assessed.

28:48

Okay, so who's going to be able to let me know what you've assessed for the temporary construction area and how it's going to be made stable there.

29:00

Mr. Jones, Mr. Jones,

29:03

thank you. Good afternoon. So if I could just provide a quick clarification on that point. So, the paragraph you refer to relate to the directional drilling rig for the intake and outfall pipes. So it is a temporary piece of infrastructure from which the drilling pipes are fed through and in order to ensure that that otherwise mobile rig is perfectly stable for the for the short period when the when the drills are bored, there is a temporary sheet part associated with that so it only relates to the main platform and the launch site of those in taken out for pipes. It doesn't in any way have any bearing on the relocation of the plant itself which wouldn't be sheet piled to the temporary construction area.

29:56

Okay, that's helpful clarification. So in terms of the plant is So what's that going to sit on?

30:08

I'm just taking advice on that. It's It's It's the standard standard compound compound hardstanding.

30:14

Okay, and that'll be the same in both locations.

30:18

That's correct.

30:19

Okay, thank you. I don't know whether this was going to be for you or Mr. brownstone, but it's the decio. Has the desalination plant cited as I read it within work one a now did the setting where did the S assess it to be located, I understand in the first location of the main platform, but when it moved into the second location, would denote the decio needs to be more precise, perhaps locating it as in a location as shown on figure 1.1 in rep 9026. So otherwise, potentially, it could be anywhere in work one A, which I wouldn't have thought would be necessarily appropriate.

31:18

So if I can come back to you on that one again, sir. So the the approximate location of the desalination plant both in its initial location on the main platform and its subsequent location on the temporary construction area, they're defined on the construction parameter plans, and so it is it is controlled in that way.

31:39

But I, as the DCR has written it, I may be misunderstanding it, but it appears to suggest it could go anywhere. It worked number one a. And I would have thought it probably should be more precise than that.

32:06

So can we can we just chat that and come back to you? Yeah, certainly.

32:10

I'll, I'll go to the other interested parties. And they can you can have a see where it where you get to. Okay, so having heard the answers to most of those questions, can I now come to other interested parties to see if there are anything that they would wish to raise in light of what they've heard? Mr. Wilson.

32:42

Thank you, Mr. Mone, Chris Watson on behalf of task. serum two point particularly as the indications are that the desalination plant will likely be required for the tightwad years of construction activities. tasks, consider the noise and vibration impacts and shouldn't be dismissed so readily by the applicant directly given many nationally and internationally designated sites adjacent to the site. And the potential impact on wildlife such as bats. So basically, tasks really considered there should be a detailed noise and vibration assessment conducted by the applicant to determine whether the cumulative levels to exceed those are deemed acceptable. Thank you.

33:26

Thank you, Mr. Tate from East Suffolk counsel, please.

33:35

Thank you, Sir Andrew at Suffolk just to indicate that the council doesn't dispute the methodology or the outcomes of noise and vibration assessment in relation to the desalination plant and notes that the main development site site noise controls in the nn p which is in the controller requirement to the cscp and its incorporation of best practice or means for noise mitigation is appropriate to control that issue.

34:14

Thank you.

34:17

Mr. hamsters from the AONB partnership please.

34:21

Sir, thank you very much. It's Simon Amstutz from the era of outstanding natural beauty representing the AONB partnership. And we heard that there'll be no surface noise from the intakes. And I'm not aware and I'm happy to be corrected but as the been an assessment of impacts of noise on marine creatures within the sea or under the surface. Thank you.

34:50

Okay, thank you. Are there any other interested parties who got any additional points before I go back to the applicant? Okay, Mr. Phil part over to you, hopefully you can respond and

35:09

indeed I can and I'll deal with the point that I deferred which was the location of the plant. So requirement eight requires the construction works carried out as part of work number one to be carried out in accordance with, amongst other things the various construction parameter plans and lists both the key plan and the individual parameter plans when you look to those plans, they provide the approximate locations of the desalination plant, both in its initial and subsequent phases. And one can see this both on the key plan where you can see them both together. And one can also see it on the individual sheets. So sheet two of four shows the in green, the subsequent location. And then sheet four of four shows in blue the initial location and because requirement eight by its nature on work, number one, and has to be carried out in accordance with those parameter plans. And of course, development consent is only granted on that basis, then if they're not in those approximate locations, then they would not be permitted. So it's not they're not at large within the work areas. And that that's the first point to pick up. And then so far is the point that was raised on behalf of the AONB partnership, and that there has been an assessment of the impact of noise on offshore ecological receptors are I could introduce we've got both Mr. Or Dr. Breckel. Sorry, from C FASS, who can deal with it in terms of I think the assessment generally, but then also, we have

37:46

Dr. Learmonth, who deals with it in terms of marine mammals, so I can ask, I can ask them to come in at this stage. So just to confirm that that has been done. Perhaps, Dr. Brittle? burst.

38:08

Good afternoon, sir. Yes, my practice as the applicant, we've assessed on doors and noise both for the duration and the removal of the head works using cutting and capping within the sedan. So that's under rep seven, zero 30 is at paragraph 3.9. point nine to three, sir. Thank you.

38:41

And so, so it may be that that is it may be that that is sufficient to deal with you and be partnerships. query, we can provide the full suite of references to where it's looked at in terms of particular receptors, perhaps in the written note, rather than taking time with it. Now if that's convenient,

39:02

that's helpful. Be also helpful if you can just let me know the exam Library Reference for the construction plant parameter plant you set out for me.

39:13

Yes, I can I can do that. Sir. I may be able to do that. Straight away the construction parameter plans rep seven to 69269.

39:25

Thank you very much. Sir. When I think the only other noise question I had was that within your rep 902 for the response to the RFP B's concerns at paragraph 1.3 point eight. You set out that the desalination plant will operate at a constant duty at all times. So I'm assuming that's effectively 24 seven and But there isn't clarity, as far as I can tell about whether that's noise that you're assessed, is the basis of the initial water requirement or the increased water requirement? Should you need to expand capacity that the higher water demand level. So I wonder if that could be clarified for me.

40:26

So yes, I think that that would be Mr. brownstone, who can explain how that has been assessed?

40:36

Thank you. Thanks, Mike brownstone on behalf of the applicant. The noise data that was used in the assessment assumes constant duty so it's effectively a constant noise level. We think we have over predicted in that we have included more pumps, for instance, than we think will actually be required. So there is already a degree of headroom built into the calculations, insofar as that that higher demand level at a later date.

41:07

Okay, so it's done on a worst case scenario at the highest water demand threshold. Yeah. Okay. No, that's okay. Thank you. Well, I don't have any further questions at this point. So I'll just clarify whether any interested parties have anything they would wish to add or ask Nikolas Nick Pilkington, your hand was up and he's calmed down? Is there anything you'd wish to ask or clarify at this point?

41:39

Um, yes, there is. So I'd like clarification from Mr. Phil part as to when it whether any of the experts that he's just referenced to our trained behavioural biologists, because there is a lot of evidence on the impact of noise on marine mammals and also animals. And it's quite specialist field. So it's a small world scientists. And I wanted to know whether he had accessed anybody from within that field.

42:22

Okay, thank you. Now, before I go back to the applicant for the final word, just check that there's no interested parties to have anything in addition on this agenda item. Okay, then over to Mr. Cool pop. Thank you.

42:41

Thank you, sir. I made reference a little while ago to Dr. Jennifer lemon. She's from royal has scanning, who is deals with question marine mammals, I'm just going to invite her to come on, and just summarise her credentials, in terms of her expertise in assessing the likely impacts on this particular receptor, if I may. Thank you.

43:09

Thank you, Jennifer Herman on behalf of the applicant, I have more than 20 years experience of marine mammal research, of which 15 of these have been marine mammal consultant, primarily dealing with offshore developments, in particular, offshore wind farms and the effects of underwater

noise on marine mammals, as well as a range of different activities. Again, generating underwater noise and the potential impacts on marine mammals and the mitigation required and hence, my expertise brought into the HOA assessments for marine mammals.

43:50

Thank you very much.

43:52

Thank you. Thank you, sir. And thank you Dr. Lemma that that's I think, Dr. Lemons only appearance so far. We'll see if there's any more required from her but at least now her credentials are established.

44:05

Thank you. So I'll just then hand back to Mr. Brock to see if there's anything additional he would wish to add on this section.

44:16

Thanks, Mr. Moreland. So, yes to natural England, the RSPB and the Environment Agency please. Are there any submissions which you want to make as to the HRA assessment of noise and vibration in relation to change 19 please include disturbance effects. You will remember that Mr. Phillpotts, I think made a point earlier about what was disturbance. And if you would like to clarify that, please feel free to do so. Deal with disturbance on birds, marine mammals, fish and qualifying features on relevant internationally and nationally. Does if the sights and if you will explain what the problem is which you identify and what you want to see, that would be helpful please. So Mr. Scared for the Environment Agency

45:16

I nothing further from the employment agency

45:20

many things Mrs. Sutherland

45:27

Thank you. So if I could ask my colleague Miss Miller to to answer this question for you.

45:32

Thank you. Thank you. Good afternoon, sir Jackie Melaka, RSPB and SWAT. And we do have one comment specifically in relation to the assessment of effect on noise of noise on water birds in the applicants response to our queries about noise impacts in rep 9024. We note the applicant asserts that additional effects over and above those of the original assessment are not predicted while the desalination plant is in its initial location in the main platform during phases one and two of construction. However, the figures provided do not include combined noise levels for this initial location, only those arising from the desalination plant alone. Based on the figures which are provided for other phases, we consider that it is necessary to assess the combined noise effects of the desalination plant and other sources of construction noise, particularly at nighttime whilst the plant is in its initial location. This

should include consideration of effects on the marine environment, including birds of the minsmere Walberswick, SBA and outer Thames Estuary SBA. Thank you

46:38

very much. Mr. Phillpotts, do your clients want to make a response to Bismillah?

46:54

I just can't. I'm just going to ask Mr. brownstone to briefly respond to that.

47:05

Hello, Sir, my brownstone on behalf of the applicant. As I understand it, and and I was only involved in the HRA, insofar as providing noise inputs into the assessment, the key effects for maximum noise levels as I understand it, and there is very little prospects of any additive effects from the desalination plant operating cumulatively with other sources, because maximum noise levels simply don't combine in that way. In terms of longer term, average noise levels, the desalination plant is comfortably quieter than any of the other noise sources in the area. And again, we don't view there to be any additive effects.

47:43

Thank you. Let me just clarify something with you. My recollection is that if I put if I've got something which is operating very noisily at 75 decibels, for example, and I put something alongside it, which is it 50 decibels? That does not give 125?

48:02

No, it would still give 75 if it's more than 10 decibels below it has no additive effect at all.

48:10

Thank you. That's but I didn't understand I didn't know that level. So if it's within 10, there is an additive effect.

48:15

There'll be some sport additive effect. Yes. Okay, so

48:18

the obvious question then is, is your desalination plant within 10 or not?

48:24

It might be very, very close to it, you know, within a few metres of it, but once you're beyond maybe 510 metres. The noise levels in the desalination plant are calm three below. Monitoring country below I mean, 10 decibels or more below the acoustic noise from other plants in the area.

48:42

Okay, just hang on, I've got you slightly confused me. The 10, which you're referring to, I thought was within 10 decibels of a higher level where I had my 75 and 50. Example. And now you've given me 10. In terms of linear measurement, do you want to just

48:57

go sorry, 10 1010 metres, I just said as you get further from the plant, it gets quieter, because the noise comes from a fixed spot as it were. So once you're beyond about 10 metres from the plant, the noise levels from the desalination plant will be at least 10 decibels lower than everything else in the area, and therefore there'll be no additive effect. Sorry, two new references to 10 metres and one decibel.

49:19

Thank you. I understand that. That's awful. Philip, what is that the end of what you wanted to say in response.

49:30

So yes, thank you very much. That is.

49:33

Thank you very much. In that case, I'm going to hand back to my colleague Mr. Moun to is going to look at air quality with you.

49:42

Thank you. So the air quality questions again, I've got a series of questions that I'd like to put to the applicants initially and then I'll come to other interested parties. So first question, the diesel generator has not been assessed at the SEC. One location within the temporary construction area. So can I just confirm it would be correct to say that being outside the assessment diesel generators would not operate the desalination plant in the temporary construction area, the second location?

50:23

So yes, that is my understanding when when they move into the secondary location at that point that they need to be connected to electricity and not used diesel generators. And that's why you have that switch at that at that point.

50:41

That's fine. And if it were to still run on diesel that that'd be a breach of the decio.

50:51

I just want to check what there is in the construction methods statement about that, I believe. Just bear with me while I check my reference.

51:05

Yeah, it'll be helpful because that leads on to my next question, because I think that there's some slight contradictions with what Yes, method statement says,

51:19

Can I give you the reference so if that if that helps. So this is the rep 8054 version, and paragraph 3.1 point 12. And what that says is onsite diesel generators will be necessary to provide up to 1.6 MVA, but it's just deeper the desalination plant located in the main platform and then talks about how their impact is mitigated containerize ation and so on. That it says once the construction sites permanent electricity connection is installed and operational, the desalination plant must be connected to the fixed power supply and diesel generators must be decommissioned. This connection will be made before the plant needs to be relocated from the main platform to the temporary construction area. So the requirement to connect it and then decommission the diesel generators is free standing. So if the connection is made, whilst they're still in the initial location that bites, but it must be made before the plant has relocated to the temporary construction area. That's my understanding of how that is intended to work.

52:32

Okay. So it may be that things have changed slightly since the rep 730, which was the fourth addendum to the EAS because on Pena, the electronic page 168, para 3.6. Point three, it said the operation of desalination plant would require the use of temporary temporary diesel generators in the initial location until the construction site permanent electricity connection is installed and operational. So that's on a par with what you've just advised me is a must now within the CMS and then it says the S appears to assume your generators operating for up to three years. Yet that is significantly beyond the time period when the main supplies expected to be available in the main development site. So is that just the S again, creating a worst case scenario?

53:42

I'm getting nods. I understand that is that is the case. If if it turns out that that's wrong, well obviously clarify. But my understanding is that that's the position.

53:52

Thank you. And so now that the CMS says must is that a must to be connected as early as it's as soon as it's available. And

54:07

I need to see if there's anything else that incorporates those those words in terms of the obligation is the obligation to connect the site as soon as possible or to connect to the mains part of the fixed power supply. Once it is available, then those may be two different things they may they may both be right, but I just wanted to check to see if anyone is able to assist with references to that.

54:43

I think that they're probably so you listen to your colleagues and you know,

54:53

I think in terms of the the the latter, I don't think there's anything beyond The wording that I have drawn attention to, and what I what I would also I just just just check if there's anything in relation to connection of the, or rather the installation of the fixed power supply. And generally if there's anything goes beyond that, I don't believe there is the moment, sir.

55:23

Now you'll see where I'm heading. I think in that I'm trying to get clarity in my own mind as to what is the obligation to you to connect the mains to minimise the outputs from the diesel, both in terms of noise and fumes? Because that's in everybody's interest as far as, of course.

55:48

I think so probably the best I can offer on this is that we'll look at whether there's anything more needed in terms of the wording in three 112. so far is connection once it's available. But we'll also look to see if there's anything more that needs to be added in terms of creation of some incentive on getting the connection as soon as possible. What I, what I'd also need to check as part of that is the extent to which the applicant does or doesn't have control over that connection. Because that will be relevant to what is reasonable to expect, by way of a commitment on that matter.

56:33

Yeah, no, no, that's helpful. Thank you. My next question then leads into effectively what's happening when it's moving from the initial location to the second location, because again, the wording seems to be inconsistent or my reading of it seems to make sense because he says in the CMS that para 3.4 point six one, the plant is relocated to the temporary construction area. Now a relocation means in my book, there will only ever be one desalination plant on site. But elsewhere, it talks about decommissioning at the same time as the first one is B, the second sight is being created. So I want to be clear that it sort of links back, I think, to the point that was raised this morning by one of the interested parties, Mr. Galloway, about the timing and what you've assessed in terms of is it one desalination plant that is really affected? Or do you have one running? And then you're bringing in a second one? And you then switch off the first one?

57:54

Yeah, so that that sounds like the sort of factual question that I think Mr. Andrew Langley, from the applicant may be able to assist with He is someone that the examination has served from before, and again, to ask him to come in just to help with that factual point. Thank you.

58:19

Good afternoon, can you hear and see me? Okay, thank you under Langley for the applicant. So far, just trying to expand on the phasing of the transition from phase one to phase two, that would probably help this matter. We've got the phase one D sub punch operational with everyone's on to two sets of plants for resilience and maintenance. So we have two containerized systems sitting next to each other and two tanks. So that's that's the design we've got currently sitting in the parameters have been discussed. Because we go from 2.6 mega litres defogging mega litres in our second location in terms of capacity, we start by installing the extra suite of containers we need in the tcaa. So we have another third container system that fits so we, we basically commissioned that, and then we turn off the phase one location and transfer that plant to give us the four mega litre capacity in total, when we need it. So effectually have we have three online systems or combining into one bit of infrastructure, two are in phase one, and a third is added in phase two in the second location, and that gives us the total capacity

hence enable us to transfer from one location to the other seamlessly, while still using the same marine in taken out for infrastructure.

59:46

And is that what the yes is assessed?

59:52

I believe so. I'm looking for notes. I believe so yes, in terms of the term one location, often to one location on Yes.

1:00:00

So so they will they won't ever run together at the same time? No.

1:00:09

We will we will hand over.

1:00:11

Okay. And is that because you just physically can't happen because of the way that the infrastructure is installed?

1:00:21

Yeah, but partially, we also have to commission the potable water supply out of the system. And then obviously, you don't want to mix those two systems. So you want it in one location, plus the infrastructure for the intake and outfall runs off one set of pumps that pumps it to one locations, we will divert that to the second location and hence we went over supplied to the first location. So you'll have to divert, yeah, you can't run both simultaneously.

1:00:48

I think if you if after this hearing, you could provide a note to explain this process. So it's clear and link that through to how that is committed to within either the construction method statement or some other reference. So everyone's clear as to exactly what it is we're understanding.

1:01:13

Okay. Yes, no problem.

1:01:15

Thank you. Thank you. So just, if I may come back to the the question I said, I've been assisted as ever by Mr. Matthew sharp from quad has pointed to the code of construction practice Part B, table 4.1. what that says is that the use of stationary generators must be minimised through the provision of site electrical power, and use of alternative supply sources until power becomes available at site, which will be provided at the earliest opportunity, thank you, and then continues by explaining that the stationary generators were use must be aggregated and controlled through an environmental permit, if applicable. And then talks about the different directives that apply as appropriate and then generators must be located away from site boundaries where possible so that is an important piece of the puzzle and it

does also provide them that obligation in terms of the provision of power at the site at the earliest opportunity.

1:02:24

Thank you very much. I'll come to other interested parties now see if they excuse me, because any other points they would wish to raise? Jenny curtly.

1:02:41

Thank you, Mr. Mom, can you hear and see me Okay. Thank you. Thank you. Rep. 9.0 to seven refers to the two diesel generators or It seems as if they've gone up to three now being modelled in isolation, but task consider that the cumulative impact from other activities on the development needs to be assessed task our concern that there is no assessment of Pm 2.5 and pm 10s. and wonder why these have not been modelled in task consider that the applicant needs to undertake an assessment on the human health impacts from the diesel generators, and others aspects of the DPW operation. Task have consulted with Jenny Bates, the air pollution campaigner at Friends of the Earth headquarters, who has advised us as follows and this is her statement, the developer does not seem to have updated their air quality assessment on ambient air quality, relevant relevant for human health to incorporate the proposed diesel generators to power the proposed desalination plant. As they have habitat sites, this must be done. The World Health Organization's International Agency for Research on Cancer has declared diesel exhaust to be carcinogenic to humans because of lung cancer in the same category as smoking and their submissions from diesel generators must be taken extremely seriously. The reassessment must include not only no two concentrations, but also particulate matter articulate matter, including both pm tense and pm 2.5 which must at least be done using the surrogate of Pm 10 levels assessed against Pm 2.5 criteria excuse me, as the aim is to protect health criteria for assessment of pollutants should not be just current UK levels, but the new w h o guidelines recently revised to protect health and also task would like confirmation that diesel generators would be removed once electricity supply is connected. Thank you.

1:04:59

Thank you Come to Edwin Galloway. Next please.

1:05:05

Hello, I have a brief question is the main development site working going to be 24 hours seven days 365. Hence the diesel working 24 hours a day being no impact. I'd be grateful for clarification. Thank you.

1:05:26

Come to Josie bassinet, please.

1:05:32

Yes, thank you. Josie basnet on behalf of Walberswick parish Council, I have three points related to the air quality. One is related to this discrepancy in applicants to air quality documents, which was raised, I think, by one of the IPS under item two. And that is the issue that diesel would run for 244 days. And the other document providing analysis says it's going to run for three years. And as we've heard today,

since there's no certainty, when and if this will be shut off. I just feel that we actually do not have an adequate assessment of the air quality until this discrepancy is corrected. And I would suggest that it would seem that it would have to be a now analysed on a minimum of three years of diesel. My second point would be that also in this document labelled desalination plant airpad impact 3.4 point three paragraph, which refers to NH three, it actually says that the impact on minsmere does go above the threshold of insignificance. But then it goes on to argue and says that they can dismiss this by rounding their assessment down. And it would seem to me that given that we're talking about minsmere, and not some brownfield sites somewhere, that this argument that you would round your decimal points down rather than up would not seem to be good practice. And I also believe that this becomes even more critical, as we've learned today, that the analysis of cumulative effects are not forthcoming at this point, I think this needs to be addressed. And the third point, I would just like to make, again, in relation to the same document in paragraph 3.5, and paragraph four, where the applicant discusses control measures and provides a summary. Basically, the applicant falls back on the argument that this is all temporary. And therefore, if they've got it wrong, it doesn't matter, because, quote, any effects on the habitat sites will be temporary. This argument seems to me to be logically flawed. But from what we heard this morning about the great uncertainty, whether it's sustainable water salts can ever be identified, then it would seem that we actually don't have an acceptable control measure, because the only argument for control is that it's temporary, so we don't have to worry about it. So therefore, it would just appear to me that one, we don't have adequate control measures, and that the attempt by the applicant to dismiss this possibility of significant impact doesn't really feel appropriate to me. Thank you very much.

1:08:43

Thank you. Right

1:08:48

Nicholasville

1:08:50

nickel Pilkington, your hand is going up and down. So I'm not sure whether you wish to say anything at this point.

1:08:57

I would like say something. And I am unaware of my hand going up and down. I left it up when I last. I'd like to go back to an environmental report. That goes back to November 2012. And it's basically an initial proposal, an options report, stage one pre application consultation, and in that section on air quality, and it states that from 2010, nine and 10 that EDF had been monitoring the sites for nitrogen dioxide so that they could get baseline figures. But there's been no mention at all about particulate matter. I'm particularly PMT fives. And what I am concerned about as is that, during the last 12 years, the evidence has changed on the dangers of pm two fives. And yet, EDF still has no intention of monitoring pm to five so on the construction site. And I just wanted to finish by saying that I should be providing written evidence to support port task statement going back to 2007, where the WWF actually produced a report on the dangers of seeds of desalination plants. And also there have been a lot of subsequent reports on on using the kind of equipment that they these desalination plants proposed are

going to use, and a lot of these relate health. So I'll send you in a lot of links. But I would like an answer. from Mr. Phil prot. As to why EDF has never monitored PMT fives.

1:11:41

Okay, thank you. Right. Don't believe there's any further Hands up. You can put your hand down, hopefully. Clear. Thank you very much. And come back to you. Miss Philpott. Thank you to respond on the I think Can I just before you do respond. Miss bassinot raised the question of rounding up from one of your reports the rep 9026 I think I've got a question coming up on that later if you might want to reserve your response until

1:12:18

very well. So I've got another number of points to respond to. I'm conscious that Mr. Lowe, my air quality expert has to leave shortly. He'll be back later on. But I'm going to ask him if he can deal briefly with the Pm 2.5 and two point 10 points and the cumulative points in the time before he must leave us and then I shall go on to others if I can introduce him first. Thank you.

1:12:47

Thank you, Doctor representing the applicant. Yes, apologies. I do have to go. Business unfortunately. So the answer to the question. So starting with the Pm 2.5 point, I think we've addressed Pm 2.5 and beam 10. From construction at one of the previous hearings. And in that hearing, we confirmed that we are committing to undertake Pm 10 and pm 2.5 monitoring in around the construction site. We have undertaken just monitoring in and around the main development site. To establish a baseline. We've agreed with the council's the position on the effects of the proposed development and the project on dust and that we aren't obliged to or haven't identified the need to undertake the particular monitoring. But we do fully appreciate the concern of members of the community. And as a result, the applicant has committed to undertake that monitoring. So hopefully that reassures on the particulates point the points relating to the cumulative so the air impact assessment that we've done where we sorry rescan

1:14:09

your camera's going on.

1:14:11

That's okay. We with regards to the desalination plant. I think the context here is that the generators that are proposed are relatively small, and they're located in right at the middle of the site. We typically don't undertake a quantitative assessment of standby or construction diesel generators at the decio application stage. Normally, that's done at a later stage to inform the permit application for those diesel generators. The reason being is that there's uncertainty around the exact hours of operation of the generators, the exact size that will be required, their reading regime, etc. So normally when we come siddur the effects of construction, we undertake the assessment as we did for the barbital statement where we go through the scoping and identify which of the potentially significant sources and assess those. And indeed, we have done that through the Yes, and through the cumulative impact assessment associated with it. So the permit is required for the operation of diesel generators. And that's a position that's agreed with Environment Agency. And it's also been agreed with the council's and at that stage, an undertaking will be to provide an air impact assessment to support the permit application. That

permit application is then reviewed with the area but assessment by the Environment Agency, in consultation with natural England. Now, in this case here, because there was a specific point raised by natural England in the deadly noid submission on the desalination plugged diesel generators, we felt it was prudent to provide some confirmation of reassurance that the effects of those diesel generators was not going to be anything as insignificant on the habitats. So we undertook that additional assessment that we submitted, and that you've referenced previously, in that assessment has also been talked about previously, we took a number of conservative assumptions. So to avoid any doubts on risks, we undertook the assessment on the basis that the generators would run all day for three years to provide a conservative assessment of volute for the environmental statement, and that's the results that are presented in that document there. So that's why it's only looking at those two diesel generators in isolation, because we don't normally undertake the assessment of them at this stage. And it was done just to provide reassurance. So because of those worst case assumptions that we've used, and the outcome of the findings we had, that's why we wanted to show that in the report that we've presented. In actual fact, the impacts will be lower than that, on top of which any significant defects were there to arise which we have identified, don't expect would not allow a permit to be granted for those diesel generators. In any event, other diesel generators could be re cited, if appropriate to further reduce the effects. And finally, just to touch on the points relating to the human health effects, the reason we haven't assessed human health effects for those particularly diesel generators, is because this assessment was undertaken to respond to the natural England's point that was raised related to the habitats effects specifically and also the distance of these diesel generators from human health receptors are such that there will be no effects on human health receptors given the location, because the stack heights that are associated with these generators are very small, so any dispersion is very localised to them. Okay. Sorry, one final point. So just to reassure that, again, the commitment made through the code of construction practice and agreed with the local authorities is that the generators will be cited away from site boundaries, and that there will be this switch to the electrical power at the earliest opportunity. And that's already been clarified. But again, that's why we've already assessed that first stage. The point on the rounding coaches do need to leave shortly, but the point on the rounding is that the assessment criteria for either significance modelling will give you as number of decimal places that you desire to determine the precise numeric number that can be derived from a dispersion bottle. But the guidance is very much that the percentages should be rounded. And it should be used in the context of not an exact point, decimal points of a percentage to determine whether it's insignificant or not, but more around whole percentage points. And that's the point being made there. So given the uncertainty, the conservative nature of the assessment and given the nature of the wording of the guidance,

1:19:09

the use of decimal points in terms of establishing significance is usually not undertaken to try and understand that level of effect. But I appreciate you might have an additional point or not, you wish to ask.

1:19:24

I will help but I'm conscious that you have a time limit. So I'm just wondering whether it's something I come back to

1:19:32

thank you very well, if I should be back in about 15 minutes if that's

1:19:38

no, that's fine, because what I'll do next, I'll see if Mr. Philpott has any other elements he wants to write respond to in the first instance. And then we'll see where we get to from there.

1:19:53

Thank you, sir. And thank you to Dr. Lowe for that. Just a couple of points. It's The first point is just to pick up on what Dr. Lowe was saying about the permitting process. And this also, I hope will provide some further comfort for Miss bassinet who was concerned about the extent to which generators would be controlled. The generators are subject to a separate regulatory regime to control their emissions under the environmental permitting England and Wales regulations 2016. And when you apply for a permit, under those regulations, you need to support it with sufficient environmental information to allow for the environment agencies it would be to be satisfied. But that process also engages the habitats, regulations. And so the environmental agency is the competent authority for the purpose of the habitat regulations in respect of those emissions. And it will only grant a permit, if it's satisfied that there wouldn't be an adverse on the integrity of the European site unless one were to go through some sort of re p process which would be difficult in respective individual generators and groups of generators. But that assessment would have to be done looking at the context of the project as a whole. There is provision both within een one relating to the relevance of the other regimes dealing with pollution and the extent to which the decision maker can have confidence in the robust operation of those regulatory processes. And there is also as so you'll no doubt be aware, quite a bit of case law about the ability to rely on those other processes, both in terms of the general planning matters and the planning balance and taking account of the system of controls as a material consideration in that context. And and the fact that it would operate in a way that is effective, but also, specifically within the context of the habitats, regulations themselves, there is provision dealing with the the overlap as it were in regulation 67. Two, which allows for a competent authority to effectively conclude that another competent authority under another regime will be better placed to assess the effects of some particular aspect of a project. And that that's the the, to deal with situations such as this, where you have a particular regulatory regime, the permitting regime, which will govern the operation of the generators in terms of their emissions, but also importantly, has the ability to impose controls over those so in terms of the practicality of the assessment, and the way that it informs the decision maker through each process. Clearly, one wouldn't want to duplicate the controls in the permitting process through the DCA process. And the permitting process is the one that is best equipped to govern the detailed management of generators, and it takes place at stage and this level of detail. That is more than would normally be expected in the decio process. Hence, Dr. loes evidence about the way that these things are conventionally dealt with through decio matters. Now, what I propose is that we set that out in a note for you. So you've got the position clear, which can incorporate both doctor lows technical input, and also just the legal framework, so that you've got our position on that clear before the examination closes. So we would provide that for the deadline 10 submissions.

1:24:18

I think that would be helpful because that leads very neatly into the next question, which was directly in response to the environment agencies Rep. 8158 submission deadline eight, and I was going to ask them in the first instance, but it links directly to what you've just been saying about the environmental effects he said they need to understand and read and write are advising you to begin the process of determining how the aggregation of diesel generation on the construction site and for the operation of Nissan A plant would be assessed. What I need to really understand from both yourself and the Environment Agency is that the assessment that had been undertaken to date are robust insofar as the decio process. And because the environment ACR, making reference to possibly the indice industrial emissions directive, as opposed to the medium combustion plant rules, which I assume they're different. And I guess there are slightly different emissions levels from both. So I need clarification from both yourself and the Environment Agency as to how it fits together so that we're not missing something. And that, in light of what the environmental agency have raised, deadline, eight, that they're comfortable that the information we've got to date is satisfactory for the purposes that we're looking at. But whether there's any implications of what they've now said, in terms of what the consequences might be. So if I can go to Mr. Scared in the first instance, and then I'm sure you can respond. Mr. Scared?

1:26:25

Thank you. So yes. Our advice in in rap 8158 was essentially around the environmental permitting regime, to give a little bit of insight into the considerations we would sort of undertake there. So I think what we were highlighting really, was that there's potential for the additional diesel generators to to be permitted in slightly different ways, depending on the the aggregation of those those generators. I suppose, notwithstanding that we've not received those permits, they've not been submitted yet. So we're not in a position to, to basically predetermine those permits or, or provide any sort of ladders of comfort about about the our ability to grant those permits, I suppose Moreover, it's really to highlight the process that those sources of air pollution will be considered, and under the environmental permitting regulations, and there will be additional assessments such as HRA that will be undertaken in the determination of those permits. So hopefully that answers your question.

1:28:00

It does it in part, but obviously, you've made reference in your representation to the different rules that may apply for medium combustion plant as opposed to the industrial emissions directive. And there may be something I don't need to worry about. But I just want to make sure I am not, well, the examining authority are not falling between two stools, and missing something that we should otherwise be covering. So if you can explain to me the distinction, and I guess the critical thing is that the assessments to date are appropriate, as far as you can see, the advice you would give us in understanding the likely effects or B, I understand you're not going to be able to give a green light for the licencing regime, which is going to come later.

1:29:00

Yes, so So I think in terms of the point of detail around sort of the different triggers for different types of permitting, perhaps we can provide an update in our written summary if that if that's okay. Yeah. I think in terms of the assessments I've made to date, I think we were contented in so much as for the

purposes of the DC on our interests. However, that doesn't pre determine any decisions that we've made through the environmental permitting regime.

1:29:44

No, that's that's understood.

1:29:46

Thank you.

1:29:49

For talking to them, I know your hand is up again. Is this a new point?

1:29:57

It's It's a point that wasn't clarified. When Dr. Lowe left. And this has to do with the size of generators and statistics that I've got regarding amounts of nitrogen oxides, they produce particulate matter. I think it's important because safety of the people who are actually going to be working on the site, and how far away they will be from the generators,

1:30:43

I think it's going to be difficult for the applicant to respond without having sight of that detailed information that you're referencing.

1:30:52

Well, I could just say very briefly, that I'm referring to a report written in 2015, written by missions at an app analytics. And basically, they say that an eight kilowatt generator that is smaller than many used on construction sites, admit six times more nitrogen oxide than an average London bus, and 15 times more particulate matter per unit. So you know, that gives you a rough baseline, but it would depend on the size of the generators that are going to be used in on the construction site. So I am concerned for the health of people who will be working around those generators.

1:31:58

All right, thank you. Before I just go back to the applicant, can I just check with the Suffolk Council, there is nothing additional that they would wish to raise at this point about this topic.

1:32:18

So address at cyber cancel, no. So we have considered rep 730, which is the fourth addendum and also rep 926. And we don't dispute the methodologies or the outputs that and we will be looking to the controls and the cicp and CMS to regulate this matter.

1:32:38

Thank you. Thank you very much. We'll come back to Mr. Philpott.

1:32:44

Thank you, sir. I'll try and deal with this briefly. I do now have Dr. Lowe back and available if we need him, just to deal with a couple of matters that arose from that exchange, we I think would also probably find it easier to deal with the distinction between the two directives in writing, and how to and how that does or doesn't affect your decision. What I would say is that it's helpful to have confirmation that our understanding of what was said by the Environment Agency and rep 8158 was, as the text suggests about permitting, so these were suggestions as to what we should be doing in the context of permitting. Not a suggestion that we have not done enough for the purposes of the DCA. And one of the points which we'll cover in our note about the law is what's known as the Gateshead principle, which has to do with reliance as a material consideration on the effective operation of other permitting regimes and what was said by Mr. Justice calm with as he then was in a later case, commenting on that principle, the later case is krenim bolta Metropolitan Borough Council will provide a reference in a copy. With the note, he said to summarise the impact of air discharges from such a plant is a material planning consideration. But in considering that issue, the council is entitled to take into account the system of controls available under IPC. Furthermore, unless it appears on the material before the planning authority, the discharges will probably or will probably be unacceptable to the Environment Agency. It is a proper course to leave that must be dealt with under the IPC system. Now, we're not here as I understand what's being said in a situation where the Environment Agency is saying to the examining authority, the discharges will or probably will be unacceptable to them that they're not prejudging their position but they're not making that submission. And so that As I say comfortably into that territory. I then will just see if Dr. Lu wants to add anything more in relation to what Miss Pilkington has just said about concerns of the regarding the health of workers who are working around the generators.

1:35:23

Thank you, Dr. Lowe representing the applicant and thank you for accommodating my brief departure. So yes, in response to that, we obviously, likewise, I need to make sure that the human health of workers is protected. And that would absolutely be the case, the the diesel generators that will be installed have to meet the emissions requirements specified in the aforementioned permitting, it's likely that these desalination generators are probably going to be regulated a remedial combustion plant directive permit, but that will be appointed as Mr. Phil both is outlined, we will clarify. But that then sets specific emission limits that must be met for those generators. And that's limits set by the development agency, which replicate limits set out to the European and the national level. So those limits are set to protect human health, and to safeguard people working in around them, as well as people at a wider distance from those generators where they're operating. So we're confident that the human health this perspective will be safeguarded. I think, just to reiterate the point we've made around why we've presented the inflammation against looking at the habitats for these diesel generators that was in response to the national natural England representation. Obviously, the data we have from that model, we can also output at other receptors. So if it would be of benefit, we could provide some additional clarity that the human health impacts are equally safeguarded. And insignificant defects will arise from these desalination generators, because of the distance from those receptors. But if that would help, we can certainly set that in writing fitted line 10. Thank you.

1:37:16

So that that's our response to the matters that have been raised by interested parties just now and and to your question, sir,

1:37:24

thank you very much. I think it's probably an appropriate time to take a break. It's 1537. So if we can resume at 10 to four. Thank you. So this hearing is adjourned for the time being