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Written Submission to Deadline 10

On behalf of Justin and Emma Dowley

On behalf of our clients, Justin and Emma Dowley of Theberton House Estate, we are making this submission at Deadline 10 to summarise ongoing concerns of the applicants lack of significant engagement, in particular their limited attempts to mitigate the substantive effects on our clients property, of the various aspects of the applicants overall proposal.

Our concerns about the delay in engagement continue given that the applicant and their advisors having had only their second site meeting on 3rd September, have taken more than a month to return to us with certain proposals which were discussed at that meeting. We question how much this delay is potentially tactical in relation to our ability to respond within the examination period and thus, we make this submission to Deadline 10 effectively being the last opportunity.

The proposals relating to the landscape mitigation are quite limited and constitute basically an email to our clients with photographs and brief annotations. It is hardly a substantive effort. Indeed the accuracy or rather lack of it might be indicated by certain spelling errors in some of its basic wording.

We appreciate it is going to be extremely difficult to completely mitigate the schemes detrimental effects particularly given the scale of the activity on the main development site. Thus, we accept there will be some residual and notable effects, even after appropriate mitigating proposals are implemented.

We acknowledge, that insofar as additional woodland planting can help mitigate the effect of the proposed roundabout on the B1122 at the new site entrance, the proposals which see additional planting between the roundabout and the edge of our clients parkland, are helpful.

In relation to the roundabout although the extent of the planting proposed is significant it seems to be a lack of creative thought in relation to the lack of any other structures which could help mitigate the effects of that location including bunding and acoustic fencing.

They have applied in our opinion more limited focus to mitigate the effects of the view from Theberton House itself eastwards across the parkland towards Green House Plantation.

We refer to our submission at Deadline 7 in relation to other concerns including the borrow pit. Historically we raised the need for this particular element of development to be considered on a similar basis to a mineral proposal given its nature and particularly its extent.

We have had no satisfactory response from the applicant to that effect, indeed we remain concerned that the activity in the vicinity of the borrow pits will be a substantive nuisance, and cause detrimental impacts on our client's ongoing activities.

A recent email from the applicants agents seeking to explain the hours of work in relation to the borrow pits seem contradictory and referred to standard hours without defining what standard was. We would urge you to consider limiting the hours of work on the borrow pits, excluding Sundays in particular and limiting weekdays to daylight hours only, whilst only allowing work on Saturday mornings until 1pm. This just might give some respite from the incessant disturbance of reversing traffic to our clients and their property occupiers together with the community of Eastbridge itself.

Our clients consultants Create Consulting have been engaged with the applicants consultants in relation to noise and lighting issues. We do not intend to duplicate that activity.

That said, we would reiterate our long standing view that the roundabout affecting our clients property is unnecessarily large and that the applicant has not applied the duty that they are subject to, in relation to mitigating the effect of their proposals in particular reducing the size of their roundabout by one exit, ensuring that the overall roundabout size is reduced by what we believe to be up to 25%.

The applicants agents have sought to arrange an opinion from a consultant in relation to the overall Estate impact that the applicants proposals will have on our clients property. We are entirely conversant with what impacts are likely given the experience we have of large infrastructure schemes elsewhere including road proposals, mineral proposals and key infrastructure projects. We have agreed that this can take place, although it is yet to be completed. We have made clear previously that this proposal will have a substantive impact on both the enjoyment and value of our clients property and to a large degree, many of its effects are difficult to adequately mitigate.

We therefore continue to encourage the applicant to engage with us positively in relation to what the ongoing strategy might be. Our clients have put forward options in relation to a potential purchase of their property in good faith. Our clients have suffered years of anxiety, uncertainty and been unable to plan their lives accordingly and unless a sensible solution is reached, these affects will only continue given the timescales which exist.

E/C/EDF/Justin and Emma Dowley/Deadline 10
11th October 2021