



The Sizewell C Project

9.125 Comments on Responses to the ExA's Third Written Questions (ExQ3)

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Forms and Procedure) Regulations 2009



1 INTRODUCTION

- 1.1.1 This report provides SZC Co.'s comments on the responses submitted by Interested Parties (IP) at Deadline 8 (24 September 2021) and Deadline 9 (30 September 2021) to the Examining Authority's Third Written Questions (ExQ3) issued on 9 September 2021 [PD-043 to PD-049].
- 1.1.2 SZC Co.'s response to the ExQ3s was submitted to the Examining Authority at Deadline 8 [[REP8-116](#) to [REP8-117](#)].
- 1.1.3 This document only provides SZC Co.'s comments on ExQ3s where a response has been provided by an IP. For the ease of reading, SZC Co.'s response at Deadline 8 is provided, as well as the response submitted by IP.
- 1.1.4 It follows the same structure as the SZC Co.'s Responses to the Third Written Questions issued at Deadline 8 [[REP8-116](#)], and is arranged as follows:
- Part 1:
 - General and cross-topic questions;
 - Agriculture and Soils;
 - Air Quality;
 - Alternatives;
 - Amenity and Recreation;
 - Part 2:
 - Biodiversity and Ecology, Terrestrial and Marine;
 - Habitats Regulation Assessment;
 - Part 3:
 - Climate Change;
 - Compulsory Acquisition;
 - Cumulative and Transboundary;

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- Coastal Geomorphology;
 - Community Issues;
 - Part 4:
 - Draft Development Consent Order (DCO);
 - Health and Wellbeing;
 - Historic Environment;
 - Landscape Impact, Visual Effects and Design;
 - Part 5:
 - Noise and Vibration; and
 - Policy and Need.
 - Part 6:
 - Radiological Consideration;
 - Transport;
 - Waste (Conventional) and Material Resources.

1.1.5 This report contains Examination Library References in square brackets (e.g. [[APP-001](#)]).

Navigation guide to the Examining Authority's Third Written Questions:

ExQ3 Part 1 Link to Part 1	ExQ3 Part 2 Link to Part 2	ExQ3 Part 3 Link to Part 3	ExQ3 Part 4 Link to Part 4	ExQ3 Part 5 Link to Part 5	ExQ3 Part 6 Link to Part 6
<ul style="list-style-type: none"> • General and Cross topic Questions • Agriculture and soils • Air Quality • Alternatives • Amenity and recreation 	<ul style="list-style-type: none"> • Biodiversity and ecology • Habitats Regulations Assessment 	<ul style="list-style-type: none"> • Climate change and resilience • Coastal Geomorphology • Compulsory Acquisition • Community issues • Cumulative impact 	<ul style="list-style-type: none"> • Draft Development Consent Order (DCO) • Flood risk, ground water, surface water • Health and wellbeing • Historic environment (terrestrial and marine) • Landscape impact, visual effects and design 	<ul style="list-style-type: none"> • Noise and Vibration • Policy and need 	<ul style="list-style-type: none"> • Radiological considerations • Section 106 • Socio-economic • Traffic and Transport • Waste (conventional) and material resource

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

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

Issued on 09 September 2021

Responses are due by Deadline 8: 24 September 2021

PART 1 OF 6

G.3 [General and Cross-topic Questions](#)

Ag.3 Agriculture and Soils (no further comments received from Interested Parties at Deadlines 8 and 9)

AQ.3 [Air Quality](#)

AI.3 Alternatives (no further comments received from Interested Parties at Deadlines 8 and 9)

AR.3 [Amenity and recreation](#)

ExQ3	Question to:	Question:
G.3	General and Cross-topic Questions	
G.3.1	The Applicant, ESC, SCC	<p>Policy approach:</p> <p>Please confirm your view as to the correct policy approach in this case to development within the AONB in the light of relevant NPS, NPPF and Local Plan policies relating to major development in such locations?</p>
	SZC Co. Response at Deadline 8	<p>The Planning Statement [APP-590] sets out the legislative and policy context including the role of NPSs (see paragraphs 3.2.1 – 3.2.6), the NPPF (see paragraph 3.4.3) and local plan policies (see paragraph 3.4.4). In summary, as most recently submitted at ISH9 [REP7-102] the NPSs are intended to set development control tests to be used in decision making for NSIPs. They are prepared, assessed and consulted upon for that purpose. The NPPF does not contain policies for NSIPs (that is confirmed at paragraph 5 of the NPPF). It must follow that local plans do not do that either and it is notable that the local plan Inspector recommended modifications to the local plan to make it clear that the local plan is not setting policy tests for NSIPs (Planning Statement Update, Annex B [REP2-043]).</p> <p>NPS EN-1 provides policy relating to development proposed within nationally designated landscapes (including AONB) at paragraphs 5.9.9 – 5.9.11. SZC Co. (at paragraph 1.2.5 of REP5-110 and Appendix A of REP7-072) has previously drawn attention to the important and deliberate differences between the wording of this and the equivalent NPPF policy (paragraph 177). Policy SCLP10.4 of the local plan provides policy for the consideration of applications for planning permission for major developments in the AONB with reference to the considerations set out in the NPPF. That policy does not apply to NSIPs, and was neither formulated nor assessed for its soundness on the basis that it would set the test for determining the acceptability of such developments.</p> <p>For the reasons set out in response to the Examining Authority's Third Written Questions (ExQ3) G.3.0 that position has not changed. The new draft NPS EN-1 is only draft and cannot yet have effect but, even if it did (and even if it was to apply to this DCO application, which it states it would not), it contains precisely the same wording for</p>

ExQ3	Question to:	Question:
		<p>decision making on energy NSIPs within nationally designated landscapes, as the current EN-1. It also helps to explain why that is the case. In particular:</p> <ul style="list-style-type: none"> - electricity demand is expected to double and the country may need a fourfold increase in low carbon generation to achieve the Government's objectives, including its commitment to net zero (paragraph 3.3.5); - to meet that need, it will be necessary to develop large scale energy infrastructure (paragraph 3.3.13); - the need is urgent, including the need for large scale nuclear generation (paragraph 3.3.44); and - due to the nature and size of potential schemes (as well as likely locations in areas such as coastal areas), opportunities for landscape mitigation will be limited and short medium and long term significant adverse effects on landscape, townscape and seascapes are likely to remain (paragraph 1.7.40). <p>The terms of the policy test set out in NPS EN-1 and confirmed in its emerging replacement, therefore, have been framed against this very particular and nationally important background and in the knowledge that one of the limited number of potentially suitable sites for large scale new nuclear generation is at Sizewell in an AONB. This is a purposeful and deliberate policy formulation, which has recently been revisited and confirmed. It is not the intention of government policy that any different test should apply.</p>
	ESC Response at Deadline 8	<p>As set out in section 7 of the LIR [REP1-045], the NPS EN-6 and Appendix EN-6 Volume II highlight the effects of a nuclear power station in general, and at Sizewell specifically, on landscape character and visual impacts on the AONB. ESC considers that the development would have a significant adverse impact on the statutory purpose of the designation, both during construction and operation.</p> <p>The Applicant's Planning Statement updated at Deadline 2 [REP2-043] provided a review of relevant changes and developments in policy and law since the application was</p>

ExQ3	Question to:	Question:
		<p>originally submitted in May 2020. ESC agrees with the Planning Statement update that the adopted version of policy SCLP3.4 of the Suffolk Coastal Local Plan does not contain any new matters to those already identified and addressed in the originally submitted Planning Statement [APP-590].</p> <p>The updated Planning Statement also refers to Policy SCLP10.4 which sets out policy in relation to landscape character and is therefore relevant to development that may impact on the AONB. The final policy reflects and is in accordance with the NPPF and NPS. ESC concurs with the Applicant's assertion that the alterations to the policy following examination do not have a significant impact on the DCO application.</p> <p>The original Planning Statement refers to EN-1 which provides that consent may be granted for development in the AONB in exceptional circumstances, where the development is demonstrated to be in the public interest and having regard to a) the need for the development, including in terms of national considerations, and the impact of consenting or not consenting it upon the local authority; b) the costs of, and scope for, developing elsewhere outside the designated area or meeting the need for it in some other way, taking account of the policy on alternatives and c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated. That policy is reflected in paragraph 177 of the NPPF (2021). Paragraph 176 of the NPPF provides that great weight should be given to conserving and enhancing landscape and scenic beauty in AONBs. ESC accepts that the Applicant has used the correct policy approach to the assessment of development within the AONB.</p> <p>ESC submitted at D7 as part of our written summary of case for ISH9 [REP7-113]:</p> <p>'(a) The relative weight to be afforded to Local Plan and NPS policies.</p> <p>Section 105 obliges the Secretary of State to take any Local Impact Report into account, any prescribed matters and any other matters he considers important and relevant. Both the relevant NPSs and the Local Plan are considered to be important and relevant to the determination of this Application.</p> <p>In ESC's response to ExA first written question G.1.16 we stated that</p>



ExQ3	Question to:	Question:
		<p><i>"Policy SP13 referred to at paragraph 3.10.8 of the Planning Statement is from the now replaced Suffolk Coastal Local Plan 2013 and is not emerging policy [APP-590]. Policy SCLP3.4 relating to Proposals for Major Energy Infrastructure Proposals is now adopted policy and does set out matters against which the Council considers major infrastructure proposals should be considered. ESC agrees that these matters are included within the NPSs. Both the Local Plan and NPSs have a role in this process but ESC considers that the NPS, in particular EN-6, has been written solely for nuclear power station proposals whereas SCLP3.4 refers to all major energy infrastructure. ESC therefore agrees that one should look first to the NPSs which should prevail in the event of any conflict with the Local Plan."</i></p> <p>We continue to be of the opinion that the NPSs should prevail in the event of any conflict with the Local Plan, albeit the Local Plan will remain an important and relevant consideration.</p>
	SCC Response at Deadline 8	<p>Our most detailed expression of the correct policy approach to development within the AONB can be found in the Local Impact Report (LIR) [REP1-045] under the 'Policy context' subheading of Section 6: Landscape and Visual Impact Assessment. In particular, the ExA's attention is drawn to LIR paras 6.6- 6.10 which deal with NPS content relating to the AONB, paras 6.12-6.14 dealing with local plan content relating to the AONB and paras 6.15-6.16 dealing with other relevant local policy relating to the AONB. SCC's general position is that the different levels of policy do not conflict per se, rather they provide different levels of detail and specificity in relation to this development and are all matters to which the decision-maker must have regard for the purposes of s105(2) of the Planning Act 2008.</p>
	SZC Co. Response at Deadline 10	<p>SZC Co. (at paragraph 1.2.5 of Written Summaries of Oral Submissions made at ISH5: Landscape and Visual Impact and Design (13 July 2021) [REP5-110] and Appendix A of Written Submissions Responding to Actions Arising from Issue Specific Hearing 9: Policy and Need [REP7-072]) has previously drawn attention to the important and deliberate differences between the wording of the NPS and the equivalent NPPF or local plan policy. SCC has not engaged with SZC Co.'s response to the LIR or its assessment of the differences in the policy approach applied to Energy NSIPs or the reasons for that approach. Its response above should be seen in that context.</p>



ExQ3	Question to:	Question:
		SZC Co. is grateful to ESC for its recognition, however, that " <i>the Applicant has used the correct policy approach to the assessment of development within the AONB</i> " and understands that SCC will confirm in its Deadline 10 submission that the totality of the scope and scale of measures secured, including the funds, will adequately address the impacts on the natural environment.
AQ.3	Air Quality	
AQ.3.1	The Applicant, ESC	<p>Monitoring and Reporting of Results</p> <p>Concern was expressed throughout the ISH on Air Quality on future monitoring of air quality in respect of PM₁₀, PM_{2.5}, and NO_x.</p> <p>(i) Has a monitoring and reporting regime now been agreed?</p> <p>(ii) Please confirm where this is secured within the DCO documentation.</p> <p>(iii) Please advise how, the public will be kept apprised of the findings of the ongoing monitoring.</p>
	SZC Co. Response at Deadline 8	<p>(i) The scope and extent of deposited dust monitoring, and real-time NO_x, PM₁₀ and PM_{2.5} monitoring is to be agreed with the Councils through the main development site Dust Monitoring and Management Plan (DMMP), to demonstrate compliance with annual average national Air Quality Strategy objectives and standards using accredited and calibrated techniques and reference methods; additionally, real-time PM₁₀ monitoring will be used to provide real-time feedback to the contractors on the effectiveness of dust control measures. This position has been agreed between the Applicant and the Councils.</p> <p>(ii) The CoCP Part B and C (Doc Ref. 8.11(E)) includes the commitment to the DMMP which is secured by Requirement 2 of the DCO.</p> <p>(iii) SZC Co. will gather PM_{2.5} and PM₁₀ monitoring data with the results shared with the Councils through the Environment Review Group for publication as they consider appropriate. This is set out and secured through the DMMP.</p>
	ESC Response at Deadline 8	(i) Has a monitoring and reporting regime now been agreed?



ExQ3	Question to:	Question:
		<p>A monitoring and reporting regime for PM_{2.5}, PM₁₀ and NO₂ has now been agreed between the Applicant and ESC.</p> <p>The Applicant has committed to identify and install NO₂ diffusion tubes and to identify appropriate monitoring locations and fund PM₁₀ and PM_{2.5} monitoring as part of the DoO / DMMP, this is a commitment within the CoCP [REP7-037] at paragraph 4.2.1 and Table 4.2.</p> <p>The air quality monitoring results will be reported to ESC on a monthly basis. Contractors will be notified when alert levels are triggered. Alert levels are when air pollutants exceed a threshold indicative of potential air quality objective exceedances. ESC agrees with the PM₁₀ alert levels in the CoCP [REP7-037]. However, ESC is not in agreement with the proposed dust deposition alert level and has requested that it is amended to 0.2g/m²/per day, as per the Institute for Air Quality Management's Guidance on Monitoring in the Vicinity of Demolition and Construction sites. The Applicant responded positively to this request during ISH7, and ESC awaits this amendment in the next iteration of the CoCP.</p> <p>Each month ESC will review monthly NO₂, PM₁₀, PM_{2.5} and dust deposition monitoring undertaken by the Applicant to establish if there have been any exceedances and whether corrective actions agreed in the CoCP , oDMP and DMMP have been implemented to mitigate impacts.</p> <p>(ii) Confirm where this is secured within the DCO documentation?</p> <p>The commitment to air quality reporting and monitoring, and to the production of the DMMP are contained in the CoCP [REP7-037]. The CoCP is secured through requirement 2 in the DCO [REP7-007]. However, ESC considers that it is necessary to amend paragraph 4.1.3 of the CoCP to make it clear that the DMMP must be approved before works commence, in line with the equivalent wording for the Noise Monitoring and Management Plan at paragraph 3.1.3 of the CoCP. The Applicant has indicated that this revision will be made in the next iteration of the CoCP.</p>

ExQ3	Question to:	Question:
		<p>(iii) How will the public be kept apprised of the findings of ongoing monitoring?</p> <p>The impact of the proposed development as identified in diffusion tube measurements carried out by ESC will continue to be reported in ESC's annual status reports.</p> <p>ESC is satisfied with the proposed monthly reporting of air quality monitoring results by the Applicant to ESC. Discussions have not yet started between ESC and the Applicant regarding how this information will be communicated more widely. ESC suggests that the Applicant should produce a publicly available monthly report detailing air quality monitoring with a comparison against air quality objectives and targets. This should use the same data shared as part of the monthly reporting to ESC and should be produced within a specified timetable following monthly reports to ESC, for example, within 1 week of the monthly reports to ESC. This could be secured as part of the DMMP.</p>
	SZC Co. Response at Deadline 10	<p>(i) The CoCP (Doc Ref. 10.2) has been amended to reflect the IAQM 0.2m/m²/day alert level, and the position in the DMMP has been agreed through the SoCG with ESC and SCC (Doc Ref. 9.10.12(B)).</p> <p>(ii) The wording in the CoCP, for approval of the DMMP prior to commencement of works, has been agreed between the Applicant and ESC through consultation and the CoCP (Doc Ref. 10.2) has been updated at Deadline 10.</p> <p>(iii) SZC Co. is in agreement with ESC proposals for publishing of monthly monitoring data against air quality objectives and targets, and that this will be undertaken through the DMMP.</p>
AQ.3.2	Applicant, ESC, EA	<p>Medium Combustion Plant Directive and Non Mobile Machinery - Clarification</p> <p>There are a series of generators that would be used through construction and operation which are covered by different regimes of control.</p> <p>(i) Can each party confirm the position in respect of how the different elements are controlled so that there is a clear understanding of who controls what (EA – Medium combustion Plant?) (ESC- Non Mobile Machinery up to 560Kw) and if agreed how the in combination effects of the different plant is controlled to an appropriate level.</p> <p>(ii) If it is not agreed, please explain what the differences are.</p>



ExQ3	Question to:	Question:
		<p>(iii) Will plant above 560Kw be covered by controls under the Medium Combustion Plant Directive? Or through an EA permit?</p> <p>(iv) Please clarify what is the EA permitting threshold.</p>
	SZC Co. Response at Deadline 8	<p>The plant defined as Non-Road Mobile Machinery (NRMM) within the kW thresholds of 37kW-560kW can include a range of plant from hand-held cutting tools to small excavators; these are subject to the emissions controls as described within the revised CoCP submitted at Deadline 7 [REP7-037]. The stationary generators and other non-mobile power plant (temporary diesel generators) (as defined under the Environmental Permitting Regulations) are subject to emission controls regulated by the Environment Agency, depending on the size of plant. Stationary generators (such as construction phase generators, campus energy plant, operation phase emergency diesel generators) that in isolation or aggregated are >50MW will require an Environmental Permit under the EP Regulations. Other temporary diesel generators will require an Environmental Permit under the Medium Combustion Plant Directive with no minimum threshold for plant size where these are in place for more than 6 months, also regulated by the Environment Agency; where temporary diesel generators are in use for less than 6 months these would not be covered by the MCPD. SZC Co. has set out commitments to minimise the use of temporary diesel generators through use of the construction electrical supply in the CoCP (Doc Ref. 8.11(E), Part B, Table 4.1).</p>
	ESC Response at Deadline 8	<p>(i) Can each party confirm the position in respect of how the different elements are controlled? How in combination effects of the plant is controlled?</p> <p>ESC considers that the authoritative response to this question should be provided by the EA.</p> <p>ESC's understanding is that plant individually or aggregated with a thermal input >1MWth will be regulated and controlled by the Environment Agency. If the plant is below this threshold, it should meet minimum NRMM standards agreed between the Applicant and ESC in the CoCP [REP7-037] (in summary, a minimum of Stage-IV plant with 15% annual permitted exemptions). Should the NRMM standards set out in the CoCP apply, in-combination impacts will be mitigated through the controls agreed between ESC and the</p>

ExQ3	Question to:	Question:
		<p>Applicant in the CoCP. These controls include the use of electrically powered plant at the earliest possible stage, the minimum emission standards referred to above, avoiding locations close to sensitive receptors, and ongoing monitoring during construction operations. For plant regulated by the EA, control of in-combination impacts will be a matter for the EA. ESC expects that regulated plant will need to demonstrate no significant air quality impact in an air emissions risk assessment which takes account of in combination effects of different plant.</p> <p>(ii) If it isn't agreed how in combination effects will be controlled, please explain what the differences are?</p> <p>ESC does not expect any disagreement on the control of in-combination effects. This is reflected in the Statement of Common Ground between the Applicant and ESC.</p> <p>(iii) Will plant above 560Kw be covered by controls under the MCPD? Or through an EA permit?</p> <p>ESC considers that the authoritative response to this question should be provided by the EA.</p> <p>ESC expects that plant at or above 560kw electrical output will be greater than the EA's 1 MWth minimum permitting requirements and would be regulated by the EA as Medium Combustion Plant.</p> <p>(iv) Please clarify what is the EA permitting threshold?</p> <p>ESC considers that the authoritative response to this question should be provided by the EA.</p> <p>ESC understands that plant either individually or aggregated that exceed a rated thermal input of 1 MWth will be regulated by the Environment Agency.</p>

ExQ3	Question to:	Question:
	EA Response at Deadline 8	<p>The Environment Agency is responsible for regulating the sources of air pollution under the Environmental Permitting Regulation 2016 (as amended). There are two aspects to this legal framework which requires us to look at power plant from an individual appliance perspective as well as an aggregated one.</p> <ul style="list-style-type: none"> • Individual units are captured by the requirements of the medium combustion plant directive (MCPD). The thresholds for this is 1MWth. By that we mean the maximum net thermal fuel input that an individual appliance is designed for. This is different to 'design plates' which will generally list the electrical or thermal output from an appliance. In the UK we have also introduced the legal term 'specified generators'. These are plant, with no de minimus net thermal input, which are put in place to provide electricity to support the national grid or to provide electricity where a grid connection is unavailable. Although there are exclusions for mobile plant we do not consider that these should apply where a generator is in place for more than 6 months as it is deemed to be acting as a static generator. • There should be no overlap of Non-Mobile Machinery up to 560Kw (electrical/mechanical output). Plant will be either a specified generator or a medium combustion plant, or both. Where they are excluded then they may well be a NMMR.
	SZC Co. Response at Deadline 10	<p>SZC Co. welcomes the clarification by the Environment Agency on the definitions for MCPD and specified generators, and the inclusion of mobile generation plant (for example small diesel-powered generation plant that serve pumps or lighting towers) where these are in place for more than 6 months.</p> <p>SZC Co. understands and is satisfied that the Environment Agency will regulate the sources of air pollution from both construction and operation phases where these relate to diesel-powered generating plant irrespective of thermal input, and subject to the application for an environmental permit by SZC Co including proposals for control of emissions and an appropriate assessment of impact.</p> <p>SZC Co. understands and is satisfied that the control of other diesel-powered plant, which may include mobile and temporary non-mobile plant, classified as NRMM will be subject to the controls and standards agreed between SZC Co and ESC in the CoCP (Doc Ref. 10.2).</p>



ExQ3	Question to:	Question:
AQ.3.3	Applicant, ESC,	<p>Ozone</p> <p>In the event that the latest change request were to be accepted would this have any implications for ozone?</p> <p>At the ISH8 on Air Quality, it was indicated that raised ozone levels in the vicinity of the site were largely related to activities from elsewhere although this is not agreed by all parties. Are their implications for raised ozone downwind of the application site irrespective of the change request?</p>
	SZC Co. Response at Deadline 8	<p>The change request would not have any implications for ozone levels in the vicinity of the site, because the change is not material to the overall air pollutant loading from the assessed activities, and ozone creation takes place over several days. Therefore, the aged plume will be of the order of 100km from the site and not local.</p>
	ESC Response at Deadline 8	<p>Are their implications for raised ozone downwind of the application site irrespective of the change request?</p> <p>ESC considers that ozone is a matter for national and international control. Local-scale controls or measurements would not be effective or appropriate. This is why ozone is not specified for control under the Local Air Quality Management (LAQM) regime, whereas pollutants such as nitrogen dioxide and PM₁₀ are controlled by local authorities under LAQM. This view is also supported by Defra's Air Quality Expert Group 2012 report which stated: "<i>The Royal Society has also reported recently on ground level ozone (Royal Society, 2008). This report draws attention to relevant policy issues and especially the necessary geographical scale for effective control of ground level ozone, which has been shown to be a hemispheric scale environmental issue. Thus, regional or country-scale control measures have limited ability to regulate ground level ozone exposures within the control regions.</i>"</p> <p>Ozone is an important air pollutant which is formed from interactions between oxides of nitrogen and volatile organic compounds in the presence of sunlight. Because of this, the proposed activities at the application site would have no more than a negligible effect on</p>

ExQ3	Question to:	Question:
		<p>ozone levels in areas downwind of the application site. Because of the complex photochemical interactions, the overall effect of the proposed activities at the application site could be to slightly increase or slightly decrease ozone levels. However, ESC considers that there is no potentially significant or material increased risk to health due to ozone resulting from the proposed development, either in isolation or in combination with other pollutants</p> <p>ESC therefore considers that the proposed development could have a slight beneficial, slight adverse, or mixed effect on ozone levels in regions downwind of the application site. This conclusion would be irrespective of the change request, although the actual effects would be slightly different. In any case, ESC considers that the effects of the proposed development on ozone levels is not relevant to the ExA's decision.</p> <p>ESC has worked alongside the Applicant to implement emission controls to ensure that a high proportion of the cleanest emission standards are being adopted for all HDVs and NRMM to achieve the lowest practicable NO_x and VOC emissions.</p>
	SZC Co. Response at Deadline 10	SZC Co. and ESC are in agreement and no further response is required.
AQ.3.4	PHE, ESC	<p>Ozone</p> <p>Concerns continue to be expressed by Interested Parties (Frances Crowe D7) REP7-187 as to the likely adverse health effects as a consequence of a combination of increased ozone and increased particulate matter and NO_x linked to the construction of and transport for the proposed development.</p> <p>Can ESC and PHE confirm their position in respect of any effects of ozone either in itself or in combination with other pollutants and any risks to human health that may arise.</p>
	SZC Co. Response at Deadline 8	No response from SZC Co. is required.



ExQ3	Question to:	Question:
	ESC Response at Deadline 8	<p>As set out in response to AQ3.3, ESC considers that ozone is a matter for national and international control. Local-scale controls or measurements would not be effective or appropriate.</p> <p>Ozone is an important air pollutant which is formed from interactions between oxides of nitrogen and volatile organic compounds in the presence of sunlight. Because of this, the proposed activities at the application site would have no more than a negligible effect on ozone levels in areas downwind of the application site. Because of the complex photochemical interactions, the overall effect of the proposed activities at the application site could be to slightly increase or slightly decrease ozone levels. However, ESC considers that there is no potentially significant or material increased risk to health due to ozone resulting from the proposed development, either in isolation or in combination with other pollutants.</p> <p>Ozone remains an important air quality pollutant for residents of East Suffolk. The closest ozone monitoring location to the application site is in Sibton, Suffolk. In 2020, 29 exceedances of the 8-hour objective of 100 µg/m³ were reported at this site. The UK Air Quality Strategy has an objective of no more than 10 exceedances a year. Reducing emissions of the chemicals responsible for ozone formation at a national level is a key part of Defra's Clean Air Strategy 2019. [1]</p> <p>As regards the potential for impacts resulting from increased NO₂, PM₁₀ and PM_{2.5} levels due to the proposed development in combination with existing levels of ozone, these pollutants are always present in ground level air quality concentrations. There are not currently any air quality standards which should be used to evaluate the combined effect of these pollutants. The use of individual pollutant thresholds as carried out in the assessments submitted by the applicant and ESC is the metric used to establish whether air quality poses a risk to human health, and this approach is considered by ESC to be robust.</p>



ExQ3	Question to:	Question:
		[1] https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/770715/clean-air-strategy-2019.pdf
	SZC Co. Response at Deadline 10	SZC Co. and ESC are in agreement and no further response is required.
AQ.3.5		<p>Monitoring of PM_{2.5}</p> <p>It would appear higher levels of PM_{2.5} are linked to poorer health outcomes for residents/people subject to exposure at higher levels and that this increase in risk, increases over time.</p> <p>(v) Is this considered to be a reasonable assumption?</p> <p>(vi) If so would it not be appropriate to monitor levels of PM_{2.5} now to understand the baseline position in advance of the commencement of work in the event the DCO were to be granted, and to have a requirement/obligation to monitor future levels both on the main freight routes but also at and around the main construction site?</p> <p>(vii) If this were not undertaken can the SoS be assured that the test to protect human health during construction and subsequent operation are being met?</p>
	SZC Co. Response at Deadline 8	<p>(i) The risk to human health from exposure to PM_{2.5} is known to increase with the duration of exposure and this has been recognised by the UK in setting long term air quality objective values for PM_{2.5}, for the protection of human health.</p> <p>(ii) SZC Co. has demonstrated that PM_{2.5} resulting from the Project would not contribute to any exceedance of the national Air Quality Strategy levels and it is agreed by SZC Co. and the Councils that there is no project need for PM_{2.5} monitoring. However, to provide additional reassurance to members of the public on this point, SZC Co. has agreed to include the gathering of PM_{2.5} concentration data prior to and during construction works, as secured through the DMMP and in turn by the CoCP, and the DCO. The scope and detailed monitor locations for the monitoring is to be agreed with the Councils through the DMMP, and monitoring would include a period of baseline data gathering prior to commencement of construction as well as monitoring during the Project construction phase. This proposed approach and indicative PM_{2.5} monitoring locations are agreed with the Councils.</p>

ExQ3	Question to:	Question:
		(iii) The tests to protect human health during construction and subsequent operation are considered to be met as demonstrated by the predictive modelling work undertaken to support the DCO application but this will be further demonstrated by the above commitments and by the large margin that the assessment, presented in the ES, has demonstrated the air quality objective value for PM _{2.5} would continue to be achieved by.
	ESC Response at Deadline 8	<p>(i) Is this [higher levels of PM_{2.5} linked to poorer health outcomes] considered to be a reasonable assumption?</p> <p>Yes. There is no evidence for any threshold of effect of PM_{2.5}. For example, a March 2021 report from Defra's Committee on the Medical Effects of Air Pollutants entitled "<i>Advice on health evidence relevant to setting PM_{2.5} targets</i>"[1] stated: "<i>The newer evidence indicates associations of adverse effects with lower concentrations than were previously studied. The studies have not indicated a threshold of effect below which there is no harm nor a threshold below which there are decreases in relative risk.</i>"</p> <p>Consequently, any increase in PM_{2.5} exposure would result in an increase in risk of health impacts. The smaller the increase in PM_{2.5} levels, the smaller the risk of increased impacts. ESC considers that this risk has been adequately assessed by the applicant, and the mitigation measures proposed are expected to ensure that the proposed development will not have significant or material adverse effects on health due to increases in PM_{2.5} levels.</p> <p>(ii) Would it not be appropriate to monitor levels of PM_{2.5} now to understand the baseline position in advance of the commencement of work in the event the DCO were to be granted, and to have a requirement/obligation to monitor future levels both on the main freight routes but also at and around the main construction site?</p> <p>Yes, in respect of the Main Development Site and the Applicant has undertaken to carry out PM₁₀ and PM_{2.5} monitoring both in advance of and during construction works at the</p>

ExQ3	Question to:	Question:
		<p>Main Development Site, as suggested by ExA (Code of Construction Practice Section 4.2.1 and Table 4.2) [REP7-037].</p> <p>As regards monitoring on the main freight routes, ESC understands that this will be limited to measurement of oxides of nitrogen and nitrogen dioxide. ESC considers that this is appropriate, in view of the expected lower impact of HDV emissions on levels of PM₁₀ and PM_{2.5} compared to the impact on levels of NO₂. As discussed at ISH7, construction is not typically a significant contributor to PM_{2.5}. Guidance produced by the Institute for Air Quality Management³ states: "Monitoring of PM_{2.5} concentrations should not normally be required (but should be reported where available) unless measurements for comparison with the air quality objectives are required. Emissions of PM_{2.5} will be principally related to NRMM exhausts. It is recommended that PM_{2.5} should not be the primary metric."</p> <p>(iii) If this were not undertaken can the SoS be assured that the test to protect human health during construction and subsequent operation are being met?</p> <p>ESC considers that the controls on emissions secured through the CoCP would be sufficient to provide sufficient protection of human health. An appropriate monitoring campaign will be useful and important to provide assurance that the controls as implemented are minimising and mitigating impacts in accordance with the Applicant's assessment.</p> <p>[2] https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1002468/COMEAP_Env_Bill_PM2.5_targets_health_evidence_questions_responses.pdf</p> <p>³ https://iaqm.co.uk/text/guidance/guidance_monitoring_dust_2018.pdf</p>



ExQ3	Question to:	Question:
	SZC Co. Response at Deadline 10	SZC Co. and ESC are in agreement and no further response is required.
AR.3	Amenity and recreation	
	The Applicant, SCC, Local Access Forum	<p>Suffolk Coastal Path</p> <p>It is expected that equestrians will have to dismount to ensure safe crossing underneath the permanent BLF, via the use of mounting blocks.</p> <p>(i) Do SCC regard this as a suitable solution for equestrians?</p> <p>(ii) How has the safety of elderly and disabled riders using such a facility been assessed?</p> <p>(iii) Are there details setting out the dimensions, type of block and suitability of surface both of the block and surrounding ground set out anywhere? If not how are these details to be agreed?</p> <p>(iv) What provision would there be for maintenance going forwards.</p>
	SZC Co. Response at Deadline 8	<p>(i) No response required from SZC Co.</p> <p>SZC Co. would, however, like to make one point for clarification. Riders will be able to ride along the coast and pass the permanent BLF when the deck is in place, without dismounting by following the Coast Path which will pass across the access road to the BLF, and not under the deck. The Rights of Way and Access Strategy submitted at Deadline 8 (Doc Ref. 6.3 15 (D)) has been revised to make this clearer.</p> <p>(ii) As noted above, riders will not need to dismount if they follow the Coast Path across the access road to the BLF. During delivery of AILs riders will be able to either wait for a short period until the delivery has been made, or use the alternative route on the beach and under the BLF deck where they would need to dismount.</p> <p>(iii) The specification of the mounting blocks will be agreed with the Highways Authority through the Public Rights of Way Implementation Plan.</p> <p>(iv) Any maintenance measures would be captured in the Public Rights of Way Implementation Plan should this be considered necessary by Suffolk County Council.</p>
	SCC Response at Deadline 8	(i) The latest ROW & Access Strategy states: "When the [permanent] BLF is out of season, the deck is removed, meaning that the clearance of 2.5m only applies during the BLF



ExQ3	Question to:	Question:
		<p>working season. It is expected that equestrians will have to dismount to ensure safe crossing underneath the permanent BLF, via the use of mounting blocks." SCC considers this acceptable only on the condition the levels are incapable of being designed to allow mounted access under the BLF.</p> <p>(ii) This is a question for the Applicant.</p> <p>(iii) This is a question for the Applicant.</p> <p>(iv) Once the new route is completed to the satisfaction of the highway authority it will take on responsibility for maintenance. Where considered necessary the authority may require payment of commuted sums to offset the cost of any additional maintenance.</p>
	SZC Co. Response at Deadline 10	<p>The Coast Path (and PRow E-363/021/0) is not proposed to pass under the BLF deck (when in use) as noted in SZC Co.'s response at Deadline 8 above. It is, therefore, not anticipated that SCC would be responsible for maintenance of any informal route that may be used by equestrians or pedestrians under the BLF deck. The Deed of Obligation (Doc Ref. 10.4) also secures the PRow Fund, which the Rights of Way Working Group can use to mitigate potential impacts from the project. The sea defences, BLF and Coast Path, including final clearance height beneath the BLF deck, will be designed in detail post-DCO consent. Requirement 6A of the draft DCO (Doc Ref. 3.1(J)) requires a Public Rights of Way Implementation Plan be submitted and approved by SCC before any new or diverted public right of way listed in Schedule 11 may be commenced. The route of PRow E-363/021/0 in relation to the sea defences and BLF will be fixed at that stage.</p>

ExQ3: 09 September 2021

Responses due by Deadline 8: 24 September 2021



The Planning Inspectorate
Yr Arolygiaeth Gynllunio

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

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

Issued on 09 September 2021

Responses are due by Deadline 8: 24 September 2021

PART 2 OF 6

Bio.3 [Biodiversity and ecology, terrestrial and marine](#)

HRA.3 [Habitats Regulations Assessment](#)



ExQ3	Question to:	Question:
Bio.3	Biodiversity and ecology, terrestrial and marine	
Part 1 - General		
Bio.3.0	The Applicant, ESC, SCC, Suffolk Wildlife Trust	Protected species licensing, non-licensable method statements and the CoCP (Associated development, terrestrial ecology, section 6 epage 178 and following) - Code of Construction Practice. Doc 8.11 revision 5 submitted at Deadline 7-. Are ESC, SCC and SWT content with the amended CoCP and various non-licensable method statements? If not, what do they require? Do Natural England have any views in relation to these. .
	SZC Co. Response at Deadline 8	It should be noted that the CoCP, the Reptile Mitigation Strategy and the various non-licensable method statements (Doc Ref. 8.11(E)) have all been re-submitted at Deadline 8. They have been updated for technical matters as required and to address the ExA's requirement to use imperative language. All draft licenses that are likely to be required have been submitted to Natural England and also submitted to the examination.
	RSPB/SWT Trust Response at Deadline 8	1.2 We defer to East Suffolk Council and Natural England in this respect. 1.3 With regard the ADS, section 6 (epage 178) explains the draft protected species licences and supporting documents have been submitted to the examination <u>for information only</u> <div>6.1.4 A number of ecological draft licences for protected species at the associated development sites are appended to Volumes 3 to 9 Chapter 7 of the ES [APP-363, APP-394, APP-425, APP-461, APP-494, APP-523 and APP-555]. These draft protected species licences and supporting documents form the applications to Natural England for protected species licences and have been submitted to the examination for information only.</div> <div>And notes the CoCP commits SZC Co. to compliance with non-licensable method statements and mitigation strategies</div> <div>6.1.6 This CoCP commits SZC Co. to compliance with non-licensable method statements and mitigation strategies. The DoO establishes an Ecology Working Group and any updates to these documents must be approved by the EWG.</div> <div>And goes on to list the documents. The documents listed were submitted with the Application in May 2020 and do not contain or reference the additional mitigation</div>



ExQ3	Question to:	Question:
		<p>measures submitted to the Examination for protected species since then. Therefore these will need to be updated in order to do so.</p> <p>1.4 In addition, it is our view that All protected species mitigation measures submitted to the Examination and contained within the protected species licence applications must be secured in the TEMMP and the CoCP and therefore also secured within the DCO via Schedule 2 Requirements 2 and 4.</p> <p>1.5. For the Sizewell Link Road, little has still been done to understand the combined impacts of light, noise and fragmentation together on barbastelle. We are also still concerned the Applicant has not acknowledged impacts on barbastelle populations using the MDS and Sizewell Link Road and the concerns in our Written Representations remain. We request the Applicant provides evidence to support the statement made at ISH10.</p> <p>The issue between the potential for cumulative ('project-wide') effects between the main development site and the SLR has been raised by ESC- Dr Davidson-Watts stated that we have treated the population as a whole throughout the scheme because we know it has pockets of use within the main development site. With barbastelle being wide-ranging bats, the evidence shows that these small single lane roads such as the SLR do not really create a barrier from a fragmentation point of view.</p>
	ESC Response at Deadline 8	<p>As set out in our Deadline 8 response to the Construction Code of Practice (CoCP) [REP7-037], the CoCP still does not include any measures to control noise above the identified thresholds where impacts on bats are considered likely to occur. Sensitive areas include the proposed dark corridors and the boundaries of the site (particularly the southern site boundary alongside Kenton Hills and the boundaries adjacent to Ash Wood). As discussed at ISH10 the Applicant recognises the significant impacts which noise could have on bats and has committed to control this through measures in the construction plans (paragraph 1.4.35 of REP7-069). These controls must therefore be included in the CoCP. ESC understands that the Applicant intends to submit an updated CoCP at Deadline 8 to address this.</p> <p>With regard to the various non-licensable method statements, ESC has the following comments:</p> <p>MDS - Bats (Chapter 14 Appendix 14C.1B [APP-252])</p>



ExQ3	Question to:	Question:
		<p>Paragraph 1.3.36 of the non-licensable method statement in Appendix 14C.1B states that <i>"A detailed Noise and Bat Monitoring Plan will be produced prior to work with the potential to disturb bats commencing."</i> As set out above in relation to the CoCP, ESC requests that the control measures required to prevent noise levels exceeding thresholds at which adverse impacts on bats are considered likely to occur are secured in the CoCP.</p> <p><u>MDS - Reptiles (Chapter 14 Appendix 14C2A [APP-252] and Appendix A of the Estate Wide Management Plan [REP7-076])</u></p> <p>ESC understands that the Reptile Mitigation Strategy submitted to the Examination will be updated prior to construction and prior to any reptile translocation and the updated strategy will be agreed with the Ecology Working Group (EWG) (as per paragraph 1.13 of [REP7-076]).</p> <p>ESC has made comments on the Reptile Mitigation Strategy in Appendix A of the EWMP [REP7-076] in our Deadline 8 submission. We are broadly satisfied with the principle of the reptile mitigation measures proposed; however, we note that many of the translocation receptor sites have already been colonised by small populations of reptiles. It must therefore be ensured that this is accounted for during the translocation exercise to ensure that sufficient capacity is available at the receptor sites.</p> <p><u>MDS - Great Crested Newts [Appendix 2.9.C2 of AS-209]</u></p> <p>No comment.</p> <p><u>MDS - Fish and Aquatic Invertebrates (Part B, Appendix A of the CoCP [REP7-037])</u></p> <p>No comment, detailed comments on mitigation for these receptors is deferred to Natural England and the Environment Agency.</p> <p><u>Northern Park and Ride - Bats [Annex 7A.6A of APP-364]</u></p> <p>No comment.</p>



ExQ3	Question to:	Question:
		<p><u>Nothorn Park and Ride - Reptiles [Annex 7A.6B of APP-364]</u> No comment.</p> <p><u>Southern Park and Ride - Bats [Annex 7A.5A of APP-395]</u> No comment.</p> <p><u>Southern Park and Ride - Reptiles [Annex 7A.5B of APP-395]</u> The final bullet point of paragraph 1.3.10 includes reference to potentially moving any reptiles which are encountered to receptor areas on the Main Development Site. Given the distance between the Southern Park and Ride and the MDS it is not considered that translocating animals to the MDS would be appropriate, they must be retained within the vicinity of the Southern Park and Ride, as close as possible to where they were found.</p> <p><u>Two Village Bypass - Bats [Annex 7A.6A of APP-426]</u> No comment.</p> <p><u>Two Village Bypass - Great Crested Newts [Annex 7A.6B of APP-426]</u> No comment.</p> <p><u>Two Village Bypass - Otters [Annex 7A.6C of APP-426]</u> No comment.</p> <p><u>Two Village Bypass – Reptiles [Annex 7A.6D of APP-426]</u> The final bullet point of paragraph 1.3.10 includes reference to potentially moving any reptiles which are encountered to receptor areas on the Main Development Site. Given the distance between the Two Village Bypass and the MDS it is not considered that translocating animals to the MDS would be appropriate, they must be retained within the vicinity of the Two Village Bypass, as close as possible to where they were found.</p>



ExQ3	Question to:	Question:
		<p><u>Sizewell Link Road - Bats [Annex 7A.6A of APP-462]</u></p> <p>No comment.</p> <p><u>Sizewell Link Road - Reptiles [Annex 7A.6B of APP-462]</u></p> <p>The final bullet point of paragraph 1.3.10 includes reference to potentially moving any reptiles which are encountered to receptor areas on the Main Development Site. Given the distance between parts of the Sizewell Link Road and the MDS it is not considered that translocating animals to the MDS would be appropriate, they must be retained within the vicinity of the Sizewell Link Road, as close as possible to where they were found. The exception to this is potentially at the eastern end of the Link Road where it enters the MDS.</p> <p><u>Freight Management Facility - Bats [Annex 7A.4A of APP-524]</u></p> <p>No comment.</p> <p><u>Freight Management Facility - Reptiles [Annex 7A.4B of APP-524]</u></p> <p>The final bullet point of paragraph 1.3.10 includes reference to potentially moving any reptiles which are encountered to receptor areas on the Main Development Site. Given the distance between the Freight Management Facility and the MDS it is not considered that translocating animals to the MDS would be appropriate, they must be retained within the vicinity of the Freight Management Facility, as close as possible to where they were found.</p> <p><u>Green Rail Route - Reptiles [Annex 7A.6B of APP-556]</u></p> <p>The final bullet point of paragraph 1.3.10 includes reference to potentially moving any reptiles which are encountered to receptor areas on the Main Development Site. Given that there is some separation between the Green Rail Route and the MDS it may not be appropriate to translocate animals to the MDS. Preferably they should be retained within the vicinity of the Green Rail Route, as close as possible to where they were found. Although dependent on the number of animals encountered translocation to an MDS receptor area may be appropriate.</p>



ExQ3	Question to:	Question:
	SCC Response at Deadline 8	Regarding the Code of Construction Practice, we note that at present this is an over-arching document that doesn't contain a huge amount of detail on Terrestrial Ecology. We note that approval for specific mitigations will rest with ESC or the Environmental Review Group and that there will need to be the "necessary protected species licences issued by Natural England". With that in mind, we note that Species Specific Strategies are set out in various separate and supporting documents and those that are agreed (or otherwise) are set out in the Statement of Common Ground. We welcome the commitment to appointment of an Ecological Clerk of Works whose work will be supported by tool-box talks and briefings as well as the broad-brush approach to, e.g. on Invasive Non-Native Species. One area that doesn't appear to be referenced is Terrestrial Invertebrates, although these species are so habitat reliant that specific mention may not be required. It might be helpful for them to be added to the Table 6.1. If it is accepted that Terrestrial Invertebrates should be an additional Ecological Receptor Group, mitigation will need to refer to, e.g., the lighting, dust, noise and other related strategies as well as certain habitat management practices.
	SZC Co. Response at Deadline 10	<p>In response to the RSPB and SWT's concerns that the draft licences have been submitted to the examination for information only, SZC Co. reiterates that the draft licences are submitted to Natural England under a different legal regime and therefore should not be given legal effect under the DCO. The draft licenses have all been submitted in parallel directly to Natural England for their consideration in granting licences. They were submitted to the Examination to give visibility to the types of conditions and controls which will be placed on SZC Co. through the licensing regime to give the Examining Authority and other stakeholders a complete picture of the control framework for protected species. SZC Co. must comply with the details of any issued licences and therefore they act as a binding form of control in addition to the CoCP (Doc Ref. 10.2) with their own legislative securing mechanism.</p> <p>In addition, the TEMMP (Doc Ref. 10.28), in Paragraph 1.4.8 states "<i>In the event that the final versions of the protected species licenses as issued by Natural England vary the monitoring requirements in relation to any given protected species at any particular site, then the monitoring requirements in that licence would supersede the monitoring requirements in this plan, for the relevant period defined in the licence.</i>"</p> <p>It is also relevant that the CoCP (Doc Ref. 10.2) commits SZC Co. to comply with the appended non-licensable method statements and mitigation strategies. This is the most</p>



ExQ3	Question to:	Question:
		<p>appropriate securing mechanism for ecological mitigation documents (e.g. Reptile Mitigation Strategy (included in Part B, Appendix C of the CoCP)), which cannot be otherwise secured through a protected species licence.</p> <p>In response to the potential cumulative impacts on bat populations of the main development site and Sizewell link road, the examining authority is directed to Appendix Q of [REP5-120]. No further comment on this matter is provided here.</p> <p>SZC Co. can confirm that the CoCP (Doc Ref. 10.2) includes the details in relation to noise monitoring including the ECoW role in supervising the use of noisy plant in the vicinity of retained corridors and bat roosts..</p> <p>SZC Co. has updated the relevant reptile non-licensable method statements in response to comments provided by East Suffolk Council with text that has been agreed prior to submission at Deadline 10. SZC Co. has responded to comments made on the Reptile Mitigation Strategy within SZC Co.'s Comments on Earlier Deadlines and Subsequent Written Submissions to ISH11-14 and Comments on Responses to Change Request 19 (Doc Ref. 9.120).</p>
Bio.3.1	Natural England, MMO	A number of questions were raised seeking information and input from Natural England and MMO during ISH10. Those at agenda item 5 were published by the ExA on 31 August 2021 following ISH10 and a note of the times at which other questions relevant to them were raised was sent to them later. For ease of reference, the ExA sets out those points below. Please will Natural England and the MMO respond at Deadline 8. In the event that their D7 responses or submissions in lieu of attendance have covered these points to their satisfaction, please will they state where, with EL references, paragraph and electronic page numbers.
	SZC Co. Response at Deadline 8	No response from SZC Co. is required.
	Natural England Response at Deadline 8	Noted, no response required.



ExQ3	Question to:	Question:
	MMO Response at Deadline 8	Please see the MMO responses to this below.
	SZC Co. Response at Deadline 10	No response from SZC Co. is required.
Bio.3.2	Natural England MMO	<p>Agenda item 3.a</p> <p>Sabellaria spinulosa, in general and progress with a Sabellaria mitigation and monitoring plan which is awaited from the Applicant - see also Natural England's position set out in their post-ISH7 submission [REP5-160] (page 21 of 21) what DML conditions are proposed for mitigation and comments on likelihood of presence and need for compensation (see also MMO's REP6-039] paras 1.3.6.6 and 1.3.7.9).</p> <p>Q(a) Where is the mitigation and monitoring plan, is Natural England content with it, likewise MMO</p> <p>Q(b) Natural England say three locations for intakes; Are there not two intakes of which the northernmost avoids SS as it is not on reef. Southernmost has to be on reef, does it not? What is the third? Was it a candidate rejected? (The Applicant clarified there are two heads per intake and three potential locations.)</p> <p>Q(c) Will there be a condition in the DML requiring mitigation of any effects on SS? And also will an in principle monitoring and mitigation plan be submitted to the examination as suggested by MMO at para 1.3.6.6? When?</p>
	SZC Co. Response at Deadline 8	No response from SZC Co. is required.
	Natural England Response at Deadline 8	<p>A) Natural England advise that the Applicant submitted a Sabellaria Management and Monitoring Plan at Deadline 7 [REP7-078]. We have previously engaged with the Applicant to inform this plan; however, this is the first time we have seen the plan. We are currently reviewing it and will make best endeavours to provide our comment at Deadline 8.</p> <p>B) The Applicant's clarification is correct, we intended to refer to the three potential intake head locations.</p> <p>C) This question lies within the MMO's remit.</p>
	MMO Response at Deadline 8	The MMO has reviewed the Draft Sabellaria Reef Management and Monitoring Plan [REP7-078], and provides our comments within section 3.7 of this submission. The MMO aims to



ExQ3	Question to:	Question:
		review comments on Natural England's latest position, and will update our position where applicable by Deadline 9.
	SZC Co. Response at Deadline 10	SZC Co. has received comments from Natural England and the MMO on the draft <i>Sabellaria</i> reef Mitigation and Monitoring Plan at Deadline 8. Their comments have been incorporated into an amended version of the <i>Sabellaria</i> Reef Mitigation and Monitoring Plan , which is submitted at Deadline 10 (Doc. Ref. 10.10).
Bio.3.3	Natural England MMO	Agenda item 3.b To understand which issues considered at the Hinkley Point C water discharge permit acoustic fish deterrent appeal and in dispute are common to the Sizewell DCO application; and who was involved? (Please will the MMO and Natural England take into account the Applicant's response at ISH10 and its post-ISH10 submissions in replying.
	SZC Co. Response at Deadline 8	No response from SZC Co. is required.
	Natural England Response at Deadline 8	Natural England refers the Examining Authority to the Environment Agency's Post Hearing submissions including written submissions of oral case [REP7-131], where in table ref 3.b. they have answered this question and we believe represents an accurate assessment of the issues, and we align with their opinions.
	MMO Response at Deadline 8	The MMO has provided its updated comments and position on acoustic fish deterrents for this application within section 3.1.1 of this submission, the MMO concludes that we are satisfied that our previous comments in relation to AFD can be considered closed.
	SZC Co. Response at Deadline 10	SZC Co. confirms that the elements of the fish assessments that are in dispute at HPC which are also disputed at SZC are: <ol style="list-style-type: none"> 1) the means by which impingement and entrainment predictions are scaled from juvenile to adults. SZC Co maintains that the EAV method is correct as this is a single year assessment and can therefore be compared with a single year baseline comparator. The Environment Agency (and therefore Natural England) maintain that the Spawning Production Foregone should be used to account for repeat spawners over several years; 2) the scale if the baseline assessment. SZC Co maintains that the ICES stock data are the only scientifically robust assessments for fish stocks/populations but the



ExQ3	Question to:	Question:
		<p>Environment Agency and Natural England maintain those stock areas are too large. The applicant has provided further information to demonstrate the lack of effect on any local population [REP6-016 and REP8-131]</p> <p>3) SZC Co maintains that the LVSE intake head could provide some mitigation of fish entrapment but has agreed not to consider any such mitigation in its assessments (as agreed also at HPC).</p> <p>Further information on the Applicant's position on these issues was provided at Deadline 8 (see Appendix I in REP8-119). An updated version of the Quantifying uncertainty in entrapment predictions for Sizewell C report (Doc Ref. 9.67(A)) has also been submitted at Deadline 10.</p> <p>The Applicant notes the MMO position concurs with that of the Applicant on the assessment items at (1) and (2) above and the Applicant's position on AFD.</p>
Bio.3.4	Natural England	<p>Agenda item 4.a</p> <p>Fen meadow proposals, including Pakenham – to understand in particular Natural England's position on need, quantum and the likelihood of success</p> <p>ExA As Natural England are not able to be here today, the ExA is going to put this question to the Applicant to ask for their understanding of Natural England's position and their reply, and also so that Natural England can speak for themselves in writing at Deadline 7. The ExA has their note in lieu of attendance.</p> <p>The policy in EN1 para 5.3.11 is not normally to grant where there is a likely adverse effect on an SSSI, and that where after mitigation there is an AE on a site's notified special interest features an exception can be made where benefits outweigh impacts on the site as a SSSI and on the national network of SSSIs. You are taking 0.4something ha of fen meadow, call it 0.5 ha. (a) That, it seems to me, is the Natural England position on need. Q (b) Please will you explain to me fairly, putting it in the best light, how Natural England justify the total land take at Halesworth, Benhall and Pakenham put together. Q (c) What made the Applicant think at the time of the Application in May 2020 that Halesworth and Benhall alone would be sufficient? And Q(d) why at Deadline 5, 23 July, would Natural England describe the possibility of success thus: "To summarise, our advice is that creating compensatory habitat of the same quality to that which will be destroyed will be extremely difficult, if not impossible". It was said by Mr Lewis for the Applicant at</p>



ExQ3	Question to:	Question:
		<p>CAH1 Part 1 that this was a hangover from an earlier stage in the Examination. Is that it right. It was their clearly stated view at D5, 23 July.</p> <p>Q(e) Will the Applicant explain to its position but only in so far as it needs to add to anything it said at CAH1 Part 1. The ExA notes that the AoS of EN6, at para 5.13 says: There is potential for habitat creation within the wider area in order to replace lost 'wet meadows' habitats of the Sizewell Marshes SSSI but it may not be possible to fully compensate for losses to this habitat ... develop and ecological mitigation and management plan to minimise the impacts". Does the Applicant draw an comfort from this or rely it? There is a question there also for Natural England – does this para allow for some failure of fen meadow recreation, and how in the light of it is the fen meadow at Pakenham justified?</p> <p>Q(f) Is the money for the Fen Meadow Contingency Fund yet agreed?</p>
	SZC Co. Response at Deadline 8	<p>No response from SZC Co. is required.</p> <p>SZC Co.'s position on these matters was dealt with during ISH 10 [REP7-069] and where required in subsequent submissions at Deadline 7 (Appendix F to the Written Submissions Arising from CAH1 Part 1 [REP7-064]).</p>
	Natural England Response at Deadline 8	<p>Impacts on Sizewell Marshes SSSI</p> <p>We would draw attention to the sentence in the same paragraph of the AoS for EN6 which states "The applicant will need to develop an ecological mitigation and management plan to minimise the impacts."</p> <p>Firstly, we do not consider that this 'minimisation' of SSSI impacts has been demonstrated sufficiently at this stage, with the Applicant proceeding with a hybrid culvert- bridge SSSI crossing design despite less ecologically damaging alternatives being presented at earlier stages in the consultation which involved less direct SSSI land take.</p> <p>Need for Compensation Outlined in EN6</p> <p>Secondly, where direct SSSI loss has been minimised and cannot be further avoided or mitigated, this paragraph clearly outlines the potential impacts on "wet meadows", acknowledging the need for habitat creation in the form of compensatory habitat. We consider that the reference to a potential inability to fully compensate for losses of this habitat type acknowledges the inherent difficulty in creating and establishing habitat of</p>



ExQ3	Question to:	Question:
		<p>this quality and scarcity and by no means implies a lack of obligation to fully and exhaustively attempt to do so.</p> <p>Pakenham Site Selection</p> <p>It is not within Natural England's remit to justify compensation site selection, only to offer advice on the likelihood of success for habitat creation to compensate for impacts arising from the proposed development (in this case to a nationally important SSSI).</p> <p>Advice on Fen Meadow</p> <p>We reiterate our advice on this issue as provided within our Relevant Representations [RR-0878] and Written Representations [REP2-153].</p> <p>Due to the high degree of uncertainty in establishment, a multiplier offers the best chance of successful delivery. This habitat is nationally scarce and only occurs under specific hydrological regimes. While it is extremely difficult to replicate, our advice is the best chance of successfully delivering fen meadow (and wet woodland) is by providing a natural ecohydrological regime within a site. This has implications for the amount of land necessary to instate such a regime. The information provided to the examination so far goes some way towards considering the feasibility of each site and outlining how habitat creation would be achieved. However, the Fen Meadow Plan as submitted at Deadline 6 still relies on a range of artificial hydrological management techniques limiting the chances of successful delivery. We suggest that further revisions of the Fen Meadow Plan are undertaken with these comments in mind. We also provide detailed comments on the Fen Meadow Plan at this deadline. This provides our opinion on the likelihood of successful habitat creation across the Halesworth, Benhall and Pakenham sites in terms of Sizewell Marshes SSSI fen meadow compensation.</p> <p>Fen Meadow Contingency Fund</p> <p>We have noted the provision for £3,000,000 contingency fund for Fen Meadow and welcome its inclusion within the deed of obligation. While the amount proposed seems reasonable, we have limited experience in assessing the costing for establishing this kind of habitat and therefore defer to East Suffolk Council on its sufficiency.</p> <p>Given the difficulty of finding potentially suitable sites to date throughout Suffolk, in addition to the national level of importance of this habitat, we advise that compensation options should be explored nationally if a suitable site cannot be found more widely within East Anglia and that this should be acknowledged within the Deed of Obligation.</p>



ExQ3	Question to:	Question:
	SZC Co. Response at Deadline 10	<p>Landtake updates</p> <p>SZC Co. has carried out an audit of permanent and temporary landtake to inform our position statement at Deadline 8. Permanent landtake is driven mainly with the need to assimilate enough land to develop the proposed twin EPR reactors at Sizewell. There is also some permanent land-take associated with the SSSI crossing. An anomaly was identified in the audit. Permanent landtake is now determined to be approximately 5.74ha which is 0.78ha less than the previous figure. Section 2.13, Table 2-2 of [REP8-120] provides the breakdown between different habitat types. There would be no permanent land-take outside of the sheet pile barrier running along the edge of the platform.</p> <p>The difference in permanent landtake between the proposed single span bridge and the triple span alternative preferred by RSPB/SWT is <0.02ha. SZC Co's position as explained in [REP2-100] at G.1.34, is that there is a 6-12 month programme saving with the single span bridge compared to the triple span, which means the construction impacts of the project are 6-12 months shorter and the public benefits of the project would be realised 6-12 months sooner. SZC Co. maintains that this programme benefit is very significant because Paragraph 3.3.15 of EN-1 is clear that there is an urgent need for new (and particularly low carbon) energy NSIPs to be brought forward 'as soon as possible'.</p> <p>Pakenham Site Selection</p> <p>As set out within the Fen Meadow Strategy (Doc Ref. 10.16), the Pakenham site (site 54) was initially excluded as it was further away from Sizewell C and the area of fen meadow loss and the Benhall sites (sites 10 and 11) and the Halesworth site (site 28) were initially considered by SZC Co. as likely to be sufficient to deliver an acceptable quantum of compensatory habitat. However the Pakenham site (site 54) was subsequently introduced to increase the quantum of fen meadow delivered in response to Natural England's requirement for a 9x multiplier on the 0.46ha of habitat lost from the SSSI. SZC Co. confidence that the habitats will be successfully created, are provided in the answer to Question Bio.1.86 [REP5-119] and supporting Appendix 7H [REP2-110]. This point was also covered within ISH10 under Agenda item 4, which is summarised in SZC Co.'s Written Summaries of Oral Submissions made at Issue Specific Hearing 10: Biodiversity, Ecology and HRA (27 August 2021) [REP7-069] which draws upon Natural England's position detailed at Deadline 6, where they note that the creation appears to be feasible.</p>



ExQ3	Question to:	Question:
		<p><i>Advice on Fen Meadow</i></p> <p>The approaches proposed in the Fen Meadow Plan Draft 1 are designed to reduce the drainage effects in the habitat creation areas and deliver habitats that are groundwater influenced, exposed to the annual natural rise and fall of groundwater levels, which SZC Co is confident will result in development of fen meadow habitat. These measures do therefore re-naturalise the hydrological regime as far as possible within each site whilst ensuring that hydrological impacts on third party land and structures are avoided. A wider re-naturalisation of the valley at each site, such as Natural England is suggesting, might be achieved by raising levels in rivers/streams and infilling ditch networks but would result in unacceptable off-site impacts. Raising levels in rivers/streams would have consequences for flood risk but could also lead to reduced flow downstream, whilst infilling drains would likely increase the wetness of land both inside and outside the order limits affecting the use of these areas by the landowners, for example by reducing the availability of the land for grazing, or affecting other sites. For example the wider impacts could include also impacts on nearby designated areas, such as Pakenham Fen SSSI and SZC Co. cannot propose more extensive works which would might have unforeseen impacts on such sites. The approaches proposed in the Fen Meadow Plan Draft 1 are therefore designed to ensure impacts are contained within each site. It is not possible, with the constraints of landowners and avoiding wider impacts, to consider wider re-naturalisation.</p> <p>A further response is submitted at Deadline 10 by SZC Co to the comments on the Fen Meadow Plan submitted by Natural England at Deadline 8 (see Comments on Earlier Deadlines and Subsequent Written Submissions to ISH11-14 and Comments on Responses to Change Request 19 (Doc Ref. 9.120)).</p> <p><i>Fen Meadow Contingency Fund</i></p> <p>The scale of the fen meadow contingency fund is based on the estimated cost of managing the sites for 10 years which was then doubled to provide a visible incentive for SZC Co. to deliver the promised works. The scale of the fund has now been agreed with ESC and SCC.</p>



ExQ3	Question to:	Question:
		In relation to a national search, the Fen Meadow Strategy (Doc Ref. 10.16) has been updated at Deadline 10, to state at paragraph 7.1.2: <i>"In the event that no suitable sites can be found in East Anglia, the search for sites and the funding of works will then be extended nationally, subject to the agreement of the Ecology Working Group"</i>
Bio.3.5	Natural England	Agenda item 4.e District licensing – changes and effects Q(a) The ExA's understanding is that it is only for newts and has no separate statutory basis. But in the absence of Natural England, please can ESC tell us if we are right or not and explain what difference it makes? (See also Natural England Blog post of 11 Dec 2020.)
	SZC Co. Response at Deadline 8	No response from SZC Co. is required.
	Natural England Response at Deadline 8	We can confirm that District Level Licensing (DLL) currently only applies to Great Crested Newts. As we understand it the Applicant will be going through the normal licensing procedure while simultaneously entering into discussions with the DLL team at Natural England in order to minimise further delays. General advice and information on district licensing can be found on the government website
	SZC Co. Response at Deadline 10	No response from SZC Co. is required.
Bio.3.6	Natural England	Agenda item 4.g Biodiversity net gain – the effect of the new metric and assessment of SSSIs Q(a) To the Applicant – (i) what are you intending to do in relation to Metric 3.0? (ii) If you are putting something in, when will we get it? (iii) The ExA notes that at the Natural England website it is stated that "Users of the previous Biodiversity Metric 2.0 should continue to use that metric (unless requested to do otherwise by their client or consenting body) for the duration of the project it is being used for as they may find that the biodiversity unit values metric 2.0 generates will differ from those generated by

ExQ3	Question to:	Question:
		Biodiversity Metric 3.0". Does the Applicant wish to say in relation to that? Please will Natural England comment.
	SZC Co. Response at Deadline 8	No response from SZC Co. is required. However, SZC Co. reiterates the position set out in response to the ExA at ExQ2 Bio.2.31 [REP7-051].
	Natural England Response at Deadline 8	The statement quoted on our website remains valid, we advise that the Applicant continue to use Biodiversity Metric 2.0 unless they wish to do otherwise.
	SZC Co. Response at Deadline 10	SZC Co. notes the position of Natural England on the use of Biodiversity Metric 2.0, which aligns with the approach taken in the application.
Please answer the following questions in the event that the change request for the desalination plant is accepted		
Bio.3.7	Natural England, MMO	The ExA understands that Natural England and the MMO did not respond to the consultation. Please will they both set out their responses to the proposed changes?
	SZC Co. Response at Deadline 8	No response from SZC Co. is required.
	Natural England Response at Deadline 8	Natural England wish to correct that we did respond to the Applicant's consultation on the 25th August 2021. Having contacted the Applicant directly on this matter they appear to have omitted our response in error and will notify and provide the Examining Authority with our response at Deadline 8.
	MMO Response at Deadline 8	The MMO defer to Deadline 9 to provide comments on Change 19 in order to provide the most robust advice. However, the MMO has supplied our comments on Change 19, with regards to impacts on Fisheries and Marine Ecology within section 4 of this submission.
	SZC Co. Response at Deadline 10	<p>SZC Co. submitted the Consultation Report Fifth Addendum [REP8-045] at Deadline 8, which included Natural England's response to the consultation that had been omitted in error and an explanation of how SZC Co. has had regard to those comments.</p> <p>SZC Co. response to comments received from the MMO is provided within the Comments on Earlier Deadlines, Subsequent Written Submissions to ISH11-14 and Comments on Responses to Change Request 19 document (Doc Ref. 9.120) submitted at Deadline 10.</p>



ExQ3	Question to:	Question:
HRA.3	Habitats Regulations Assessment	
HRA.3.6	Natural England	Re. Question CG.2.6 of ExQ2 [PD-034] In NE's response to Question CG.2.6 of ExQ2 at Deadline 7, NE requested "...that the ExA defer our input to Part 3 of Examiner's questions, when we will aim to provide a response by Deadline 8". Can NE please provide its response to Question CG.2.6 of ExQ2 [PD-034].
	SZC Co. Response at Deadline 8	No response from SZC Co. is required.
	Natural England Response at Deadline 8	i) Natural England advise that we support the EA's position as outlined in their response [REP7-124]. ii) Natural England have no comment to provide on the funding of the monitoring and mitigation process. iii) Natural England advise that the Marine Management Organisation (MMO) and East Suffolk Council are the competent authorities concerned with securing and enforcing provisions. We defer to both organisations. iv) We believe these satisfactorily addresses this point. v) Natural England support the extension of monitoring to include the Coralline Crag at Thorpness, to allow changes to be identified and raised with the MTF.
	SZC Co. Response at Deadline 10	No response from SZC Co. is required.
HRA.3.7	Natural England	Southern North Sea (SNS) SAC (Marine mammals) (Physical interaction with project infrastructure – collision) NE's RR [RR-0878] highlighted the risk of collision to mobile species including from marine vessel activity, capital dredging, piling and drilling works. Subsequently, NE [REP2-153] confirmed it had no further concerns regarding physical interaction between project infrastructure and marine mammals. Can NE please confirm what information resolved their concerns?
	SZC Co. Response at Deadline 8	No response from SZC Co. is required.



ExQ3	Question to:	Question:
	Natural England Response at Deadline 8	<p>Natural England advises that further information provided by the Applicant between submission of our Relevant Representations [RR-0878] and Written Representations [REP2-153] resolved our concerns on this matter.</p> <p>This included a more refined idea of construction plans, alongside updates to the Applicant's Marine Mammal Monitoring and Mitigation Plan which resolved many of our concerns between our RR [RR-0878] and WR [REP2-153].</p> <p>Additionally, we joined a meeting with the Applicant on 18th January 2021 to discuss outstanding marine ecology issues, which enabled us to resolve this issue for marine mammals.</p>
	SZC Co. Response at Deadline 10	SZC Co. is grateful to Natural England and has no further comments on this issue.

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

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

Issued on 09 September 2021

Responses are due by Deadline 8: 24 September 2021

PART 3 OF 6

CC.3 [Climate change and resilience](#)

CA.3 [Compulsory acquisition](#)

Cu.3 [Cumulative impact](#)

Cg.3 [Coastal Geomorphology](#)

CI.3 [Community Issues](#)

ExQ3	Question to:	Question:
CC.3	Climate change and resilience	
CC.3.2	The Applicant	<p>General climate change and policy issues:</p> <p>The Deadline 5 submission of Bill Parker [REP5-191], states that the Applicant has not clarified how the coastline will develop in the long-term and the expected consequences for SZC and the adjacent coastline. Please provide further details to explain how the resilience of the Project would be maintained, taking account of climate change, in response to shoreline evolution and change scenarios over the anticipated site life, including the prospect of the creation of a headland on which the development would sit.</p>
	SZC Co. Response at Deadline 8	<p>It is not possible to clarify long-term coastal change beyond 3-5 decades after development so the Expert Geomorphological Assessment (EGA) of future scenarios only projects as far as 2087 (see Section 7 of Volume 2, Appendix 20A [APP-312]). After this point, the direction and scale of environmental changes become increasingly uncertain (as per the EGA [APP-312]) regarding whether natural coastal change would expose the HCDF in the station's lifetime). However, in the broadest sense there are only two outcome 'types' – either no shoreline retreat at Sizewell (in which case no new marine impacts could develop and the SCDF would not need to be maintained) or recession of adjacent shoreline(s).</p> <p>The latter (recession) is expected and hence the SCDF has been designed and its viability tested and proven across the station life. BEEMS Technical Reports TR544 and TR545 [REP7-101 & REP7-045] clearly demonstrate that persistence and maintenance (see also the Coastal Processes Monitoring and Mitigation Plan (CPMMP) [REP5-059]) of the SCDF is viable through to the end of the Decommissioning Phase (2140), even for the adaptive design at 2140 which, to be implemented would require the RCP8.5 climate change scenario to be realised. With the SCDF in place and providing mitigation for exposure of the HCDF formation of a headland is not predicted.</p> <p>Based on the above scenario, the resilience of the site to coastal erosion would be maintained by appropriate actions set out in the CPMMP. As such, it is concluded that the level of flood risk to the site throughout its life time would be in accordance with the risk identified and summarised in the MDS FRA [AS-018] and subsequent MDS FRA Addendum [AS-157] and managed through appropriate mitigation measures and actions as set out in Appendix F of the MDS FRA Addendum, i.e. MDS Flood Risk Emergency Plan [AS-170] (epage 43).</p>

ExQ3	Question to:	Question:
	ESC Response at Deadline 8	<p>SZC Co. has prepared forecasts of potential broad scale future shoreline change over the Sizewell Bay in [APP-312] (6.3 Volume 2 Main Development Site Chapter 20 Coastal Geomorphology and Hydrodynamics Appendix 20A Coastal Geomorphology and Hydrodynamics: Synthesis for Environmental Impact Assessment) submitted in May 2020. They have also applied some worst-case scenario shoreline retreat rates, specific to potential headland creation, in [REP7-045] (Deadline 7 Submission - 9.31 Storm Erosion Modelling of the Sizewell C Soft Coastal Defence Feature using XBeach-2D and XBeach-G - Revision 2.0).</p> <p>SZC Co. argue it is not possible to provide detailed predictions so far into the future owing to uncertainty and variability in natural forces and human intervention that may influence future change.</p> <p>ESC accepts this but has pressed SZC Co. to take a precautionary approach on assumptions used in the assessment of structure (H and SCDF) resilience and impacts on adjacent shorelines.</p>
	SZC Co. Response at Deadline 10	<p>SZC Co. has taken a precautionary approach in its conception, design and testing of the HCDF and SCDF for the life of the station:</p> <ul style="list-style-type: none"> • The SCDF was conceived and developed (as mitigation) in response to the EGA that demonstrated likely HCDF exposure and impacts to longshore shingle transport in the absence of mitigation. • The design features a large volume of beach grade sediment and an option for a deeply buried layer of fine cobbles to avoid exposure of the HCDF, which is designed to avoid disruption to longshore sediment transport and the need to construct the Adapted HCDF (if a beach cannot be maintained or the HCDF toe is undermined). • As the SCDF would be maintained, its ability to prevent HCDF exposure (including as a foreland flanked by naturally recessed shorelines) has been successfully tested with storm erosion models, including severe design storms that apply the instantaneous 1:20 year wave height across a full tidal cycle and the Beast from the East storm sequence which as an energy packet moving sediment on the coast has a 1:107 year return interval (BEEMS Technical Report TR545 [REP9-020]). The

ExQ3	Question to:	Question:
		<p>models envelope the likely levels of erosion and the more conservative, and erosion-overpredicting, sand model is used as the basis for SCDF viability. The calculations indicate how often the SCDF would be recharged also feature several layers of conservatism (see Section 3 of Preliminary Design and Maintenance of the SCDF Report (BEEMS Technical Report TR544) (Doc. Ref. 9.12(C)), underlying the precautionary approach.</p> <p>All impact assessments have taken a precautionary approach. Furthermore, the monitoring extents set out in the CPMMP (Doc. Ref. 10.5) are substantially larger than predicted impacts (and will be enlarged if they prove insufficient) and each activity is monitored at a suitably high frequency and for a sufficient period to capture impacts early and until the reach equilibrium (in the case of scour)). The adaptive nature and obligations within the CPMMP will mitigate any uncertainty in predictions of shoreline evolution over the longer term.</p>
CA.3 Compulsory acquisition		
CA.3.4	The Applicant, SCC	<p>Protective Provisions:</p> <p>The Applicant's Deadline 7 Written Submissions Responding to Actions Arising from Compulsory Acquisition Hearing 1 Part 1, Section 1.13 considers Part 1 claims under the Land Compensation Act 1973 and at Section 1.15 considers the need for protective provisions for SCC. It concludes that there is no need for further protections. (i) Please indicate whether that this is now an agreed position, including in relation to any drafting changes to Article 21 (ii) Does SCC have any outstanding concerns in relation to the Land Compensation Act 1973 or Protective Provisions sought to safeguard its interests?</p>
	SZC Co. Response at Deadline 8	<p>SZC Co. understands that SCC is close to being comfortable that article 21 safeguards its concerns sufficiently. It is understood that SCC accepts that any Part 1 claims would (by virtue of the provisions of the Planning Act 2008) be payable directly by SZC Co rather than by the local highway authority. SZC Co. understands that SCC's only remaining concern is to agree a suitable level of highway design and supervision fees under Schedule 16 (para 14) of the Deed of Obligation. Negotiations in this regard are ongoing. But once settled it is understood that SCC intends to drop its request for protective provisions.</p>



ExQ3	Question to:	Question:
	SCC Response at Deadline 8	SCC accepts the alterations made by the applicant to article 21. Subject to this and satisfactory resolution of some minor issues relating to highway maintenance contained within the Deed of Obligation the authority SCC is prepared to withdraw its proposal for protective powers as the highway authority.
	SZC Co. Response at Deadline 10	No further comments from SZC Co. required. The final position is reflected within the Deed of Obligation (Doc Ref. 10.4) and dDCO (Doc Ref. 3.1(J)).
Cu.3	Cumulative impact	
	The Applicant, EA	<p>Cumulative impacts of coastal processes:</p> <p>The EA's post hearing submission of oral case at ISH6 [REP5-149] states that with regard to the BLF, HCDF and SCDF it cannot scrutinise cumulative impacts at this stage because of outstanding modelling – adapted HCDF design and morphodynamics of SCDF beyond 2099 – required to inform their position. The same applies to in-combination impacts with other projects such as EA1 and 2. (i) In the light of information provided by the Applicant at DL7 can a response on cumulative impacts now be provided? (ii) If not, what further information is required? (iii) The Applicant is requested to summarise and update its position in relation to cumulative impacts in the light of the latest information that has been submitted.</p>
	SZC Co. Response at Deadline 8	<p>(iii) The updated modelling of the SCDF (which itself is mitigation) included in BEEMS Technical Reports TR544 and TR545 [REP7-101 and REP7-045] has not caused SZC Co to revise its position in relation to cumulative impacts and so the assessment of cumulative impacts provided in the First ES Addendum, Volume 1, Chapter 10 [AS-189] remain SZC Co's position.</p> <p>SZC Co's position remains that, having assessed the likely significance of cumulative effects, these are assessed as minor (Not Significant) but in recognition of uncertainty with regard to longshore bar dynamics, provision for monitoring of these features (and mitigation if required) is made within the CPMMP [REP5-059].</p>
	ESC Response at Deadline 8	ESC has reviewed [REP7-045] and provided detailed comments separately. On the matter of understanding the cumulative influence of the SCDF on the adjacent shorelines, ESC welcomes the extension to the modellers work (p.69), together with examining a broader range of design case parameters (from design basis).



ExQ3	Question to:	Question:
	EA Response at Deadline 8	<p>(i) The information provided at DL7 extends some elements of the coastal processes and geomorphology assessment to 2140, but further work is anticipated to complete the assessment for the full range of plausible scenarios.</p> <p>(ii) We require additional work to consider the following in order to fully assess the risk of cumulative impacts to coastal processes:</p> <ul style="list-style-type: none"> • Modelling of the Beast from the East sequence to 2140 (including for the adapted HCDF design and receded shoreline scenario) • Modelling the 1 in 10,000 year safety case event to 2140 (for the full range of scenarios) • Detailed final design information for the SCDF and HCDF
	SZC Co. Response at Deadline one	<p>SZC Co provided further modelling work to look at potential impacts to 2140 including the more extreme climate change scenarios (RCP8.5) at Deadline 9 in Storm Erosion Modelling of the Sizewell C Soft Coastal Defence Feature using XBeach-2D and XBeach-G - Revision 3.0 [REP9-020]. All scenarios tested continue to demonstrate the viability of the SCDF.</p> <p>SZC Co maintain that it has provided all necessary information for a full assessment of cumulative impacts from the BLF, HCDF and SCDF.</p> <p>We note that the safety case is of relevance to the ONR and NSL but not a requirement of the planning process.</p>
CG.3	Coastal Geomorphology	
CG.3.0	The Applicant	<p>Impacts on coastal processes:</p> <p>The Minsmere Sluice Operation and Impacts Review, at paragraph 1.5.26, [Appendix M to REP6-024], sets out the reasons why the Applicant does not consider that the potential accretion on the Minsmere frontage arising from the deposition of SCDF sediments would not extend to the sluice and hence would not affect the sluice's ability to discharge. Paragraph 1.5.27, refers to the provision of further information and detail on the modelling and assessment of coastal processes and sediment transport in the application documents. However, please provide a summary of the evidence (with specific document and paragraph references) to support and explain further the assertions made in paragraph 1.5.6 (a) to (c) of the Review.</p>

ExQ3	Question to:	Question:
	SZC Co. Response at Deadline 8	<p>The following answer is based on the assumption that the ExA is referring to paragraph 1.5.26 and not 1.5.6.</p> <p>The evidence for each point (a) to (c) of the Minsmere Sluice Operation and Impacts Review paragraph 1.5.26 [Appendix M, REP6-024] is contained in Section 2.3.4.2 of Volume 2, Appendix 20A of the ES [APP-312].</p> <p>Paragraph 1.5.26 (a) reads: “SCDF beach shingle (proposed mitigation) would, in net terms, drift slowly to the south, not to the north. Some shingle may accumulate immediately to the north of Sizewell C, but not as far as the sluice (longshore transport calculations and tracer studies indicate that detectable volumes of SCDF shingle are not likely to be encountered more than a few hundred metres north of Sizewell C). Therefore, there would be no impact at the Minsmere Sluice outfall.”:</p> <ol style="list-style-type: none"> The existing coastal processes and the relatively small volumes of sediment added by the SCDF do not support transport to, nor cause deposition at, the sluice that could interfere with its operation. The evidence for this derives from: <ul style="list-style-type: none"> the literature on longshore transport (all studies indicate net southward transport – that is away from the sluice, not toward it; Volume 2, Appendix 20A of the ES [APP-312]) and SZC Co’s shingle transport study synthesised in Section 2.3.4.2 of Volume 2, Appendix 20A of the ES [APP-312], which showed: <ul style="list-style-type: none"> Beach shingle in the sub-bay between Minsmere Sluice and Thorpeness is transported by waves only (and no other driver) that the waves move shingle slowly south away from the sluice and with a point of divergence between Sizewell C and the sluice –meaning that the potential for net northward transport falls to almost zero before the sluice. Furthermore, <ul style="list-style-type: none"> The sediment available for transport during storms is effectively the same with and without the SCDF as waves can only mobilise sediment from the exposed beach face. This means that during SE storms the same amount of sediment would move toward the sluice regardless of the presence of the SCDF.

ExQ3	Question to:	Question:
		<ul style="list-style-type: none"> • The pebbly component of beach/SCDF shingle (and the SCDF) cannot easily disrupt the outfall pipe as beach pebbles are largely confined above low-tide, whereas the outfall head is around 30 m seaward of low-tide; • The sandy component of beach/SCDF shingle is highly mobile and when mobilised from the SCDF during storms would be dispersed widely and depositing as a very thin layer with no measurable effect at the sluice (due to the very wide area of which sands would be deposited); • The SCDF does not affect the waves nor their ability to transport sediment, thus the sediment transport rate at the sluice will remain unchanged from the present and there would be no detectable impact. <p>Paragraph 1.5.26 (b) reads: "Any SCDF sediments that are transported north of Sizewell C would most likely be deposited and retained in areas where the shoreline has already receded to a more westerly position than the SCDF (tens to a few hundred metres north of Sizewell C). This would tend to trap shingle and prevent further northward transport for as long as the more westerly shoreline position persisted."</p> <ol style="list-style-type: none"> 1. Paragraph 1.5.26 (b) refers to the likely future case of natural erosion north of Sizewell C shifting the shorelines to a more landward or westerly position than the maintained SCDF shoreline. 2. The backdrop is that any sediment transported to the north will be returned to the south, under the net southerly transport. 3. Natural shoreline recession is higher just north of Sizewell C than it is toward the sluice. If shoreline recession continued, it would lead to a gradual clockwise rotation of the shore toward a more ESE facing aspect and a reduction in the angle between waves and the shoreline and, therefore, a reduction in the potential for northward transport (during SE storms). 4. At its juncture with Sizewell C the shoreline would curve seaward to join the SCDF's more ENE facing frontage, which itself would be prone to erosion during SE storms (as shown in TR545 [REP7-045]). Eroded northbound sediments would deposit when they reach the ESE shoreline (< 100 m), hence a localised sediment trap. 5. It is important to note that the pressures of sea level rise would lead to a gradual erosion pressure which would be superimposed on all areas.

ExQ3	Question to:	Question:
		<p>For the reasons given in the previous paragraphs, there is no evidence to suggest that the natural function of the sediment transport around the sluice outfall could be affected by Sizewell C, because it does not affect the wave and tidal flows that determine the quantity of sediment which reaches this location.</p> <p>Paragraph 1.5.26 (c) reads: <i>"The sluice's outfall pipe will continue to disrupt natural shingle transport for as long as it is present, which can be seen as an alternating accumulation of sediment on either side of the sluice determined by storm direction. Sizewell C's activities will have no bearing on that process."</i></p> <p>1. As explained in Section 2.1 and the photographs shown in Figure 2 of BEEMS Technical Report TR544 [REP7-101], the sluice's outfall pipe cuts directly through the beach and runs to about 30 m seaward of the shoreline. As a result, it is a barrier to longshore sediment transport and acts like a groyne, causing a build-up on the updrift side and erosion downdrift (which reverses with storm direction). Although some beach shingle can pass over the outfall pipe (above the high tide mark) and subtidal sands pass around its 30 m protrusion into the sea, subaerial beach sediment will continue to be locally trapped until the barrier – the outfall pipe – is removed or naturally decays.</p> <p>Furthermore, at the Issue Specific Hearing 11, Mr Gary Watson for the Environment Agency agreed that Sizewell C's activities, and specifically the SCDF, would not affect the sluice's ability to discharge. East Suffolk Council deferred to the Environment Agency's opinion on the matter.</p>
	ESC Response at Deadline 8	ESC defers to EA on this matter.
	SZC Co. Response at Deadline 10	<p>In their written submission of the oral case presented at Issue Specific Hearing 11 [REP8-156] regarding the Minsmere Sluice Operation Technical Note the Environment Agency stated " No Environment Agency comments".</p> <p>No further comment from SZC Co.</p>

ExQ3	Question to:	Question:
CG.3.1	The Applicant	Impacts on coastal processes: The Environment Agency (EA) [REP5-149] – indicates that it would welcome a provision in the draft DCO for the removal of the HCDF after decommissioning. The Applicant's position is that it is inappropriate to make provision at this point is noted. Nevertheless, please indicate if it is known at this stage whether there are likely to be any technical reasons to prevent the HCDF removal after decommissioning?
	SZC Co. Response at Deadline 8	SZC Co does not consider there to be any technical reason which would prevent removal of the HCDF after decommissioning; however, as previously submitted, such decision will be subject to assessment at the time (to be set out in a monitoring and mitigation cessation report in accordance with the CPMMP [REP5-059]. The CPMMP also records the default position to be removal of the HCDF, but confirms that such decision must be subject to, and only confirmed after, assessment at that later point in time."
	ESC Response at Deadline 8	ESC sought a commitment from the Applicant for a default position to be for HCDF removal unless / until future studies demonstrate that its retention will have no significant residual impacts on Coastal Processes. The Applicant has added text to this effect in the CPMMP which is welcomed by ESC. In light of that amendment to the CPMMP, ESC is satisfied that a requirement in the DCO is not necessary. However, while the CPMMP requires the production of a Monitoring and Mitigation Cessation Report to be approved by ESC and the MMO which will include evidence to underpin subsequent decommissioning activities, there does not appear to be any requirement, either within the CPMMP or the DCO, which secures adherence to the recommendations of the Cessation Report. ESC considers that there should be an explicit requirement in the CPMMP for the Cessation Report to be presented to the Marine Technical Forum prior to submission to ESC / the MMO for approval and for the undertaker to comply with the approved Cessation Report.
	SZC Co. Response at Deadline 10	As stated at ISH11, the CPMMP has been updated to make implantation of the agreed Cessation Report a formal part of the CPMMP which itself must be implemented under DCO Requirement 7A and DML Condition 17. The updated CPMMP has been submitted at Deadline 10 (Doc Ref. 10.5) and has been shared informally with ESC, NE, EA MMO and RSPB prior to submission.
CG.3.2	ESC, EA	Impacts on coastal processes:

ExQ3	Question to:	Question:
		The Applicant accepts [REP5-118] that recent modelling shows during and beyond decommissioning the SCDF maintained coast could become a foreland and even though it is releasing sediment, the SCDF may begin to disrupt longshore sediment transport. It states that this matter is in hand as it has the right monitoring to detect whether there has been a blockage and three mitigation methods for beach maintenance are planned to correct that. A section in the CPMMP [REP5-059] has been added to more explicitly reflect this point. Please confirm that it is agreed that the CPMMP revision achieves that objective and that the monitoring, mitigation methods and triggers set out in section 7 are satisfactory and agreed?
	SZC Co. Response at Deadline 8	No response required by SZC Co.
	ESC Response at Deadline 8	The CPMMP text on this matter is not yet finalised. ESC is therefore unable to confirm that the current CPMMP information is adequate. However, ESC is confident with the progress in discussion with the Applicant and we expect to reach full agreement with the Applicant prior to the end of the Examination.
	EA Response at Deadline 8	<p>We are satisfied that the mitigation measures outlined in the CPMMP should be sufficient to address this risk, providing planned additional modelling work continues to show that coastal change risk remains at a manageable level.</p> <p>We retain some minor concerns relating to the potential preferential use of coarser particle sizes when designing the SCDF and beach recharge compositions (as outlined in section 7.5.3 of the CPMMP), as this could have adverse environmental impacts and alter the geomorphology of the Sizewell frontage, even if by simply skewing the mean size towards the coarser end of the natural distribution. However, we note from recent discussions with the applicant that this concern has been recognised, and that use of a particle size distribution which mimics the native conditions is expected to be viable from an engineering perspective, which is welcome. We anticipate further discussion around this point as work to develop the CPMMP (particularly mitigation options) and SCDF design continues.</p> <p>We also note that discussions remain ongoing regarding the governance and enforcement arrangements for the CPMMP. We consider it critical that all parties agree a robust approach to these matters in order to avoid future uncertainty or conflict, and ensure the CPMMP provides a viable and deliverable adaptive management plan.</p>

ExQ3	Question to:	Question:
	SZC Co. Response at Deadline 10	<p>Whilst a protruded or foreland SCDF has the potential to reduce longshore sediment transport across the SCDF frontage, it is important to note that the modelling of this scenario shows a clear (and expected) rise in SCDF erosion (BEEMS Technical Report TR545 [REP9-020]), which would counterbalance any deficit of transport onto the frontage. As that balance cannot be known with confidence in advance, the CPMMP acknowledges that monitoring to detect this balance is required (see Section 7.3.2.3 of the Coastal Processes Monitoring and Mitigation Plan (Doc. Ref. 10.5)). If a deficit arises, one of the three additional mitigation measures (bypassing, recycling or recharge) would be applied as appropriate.</p> <p>At Issue Specific Hearing 11, SZC Co. agreed that there was good evidence for SCDF viability using the native particle size distribution without intentional coarsening [REP8-121]. Although further fine-tuning design work is intended, the default position is to reflect the native particle size distribution. Any evidenced changes to this would require approval of the CPMMP discharging authorities (the Marine Management Organisation and East Suffolk Council).</p> <p>Further MTF meetings are planned on the SCDF. The first meeting will set out plans for any further fine-tuning work and the second will report back the results and recommendations of that work.</p> <p>Although considerable progress has been made in the development of the CPMMP, it remains draft at this stage pursuant to further consultation and submission to ESC (DCO Requirement 7A) and the MMO (DML Condition 17) for approval. Once approved the CPMMP must be implanted and is fully enforceable under the DCO and DML.</p>
CG.3.5	The Applicant, ESC	<p>Impacts on coastal processes:</p> <p>ESC in its written summary of oral case at ISH6 [REP5-144] sets out under item 2(b) a list of information and details that it states are required. In addition, ESC in its 'Comments on Temporary and Permanent Coastal Defence Feature Plans [REP5-015]' [REP6-032] seeks further information, profile drawings and sections in relation to the temporary and permanent coastal defence features. ESC in its written summary of oral case at ISH6 [REP5-144] sets out under item 2(b) a list of information and details that it states are required. It is noted that the Applicant has provided some further information and plans at Deadline 7. (i) Please specify what, if any additional information sought by ESC remains</p>

ExQ3	Question to:	Question:
		outstanding and when this information will be provided. (ii) If it is not intended to provide all the information sought, please explain why?
	SZC Co. Response at Deadline 8	<p>[REP5-144] item 2b requests the following items, listed alongside the locations where the Applicant considers the information has been provided. The Applicant considers that all the information sought has been provided, or will have been provided at Deadline 8.</p> <ul style="list-style-type: none"> - evidence that the Hard Coastal Defence Feature (HCDF) is located as landward as possible; this is described in Section 3.9 of [REP2-116], an update of which will be provided at Deadline 8 (Doc. Ref. 9.13(A)). The Deadline 8 update will explain how a further 5m of landward movement of the main run of HCDF, and of 15m at the BLF/ Northern Mound area have been achieved. The HCDF alignment with these reductions, placing the HDCF toe at Eastings 647615, is shown in [REP5-015]. - evidence that the HCDF foundation is resilient to coastal change over the life of the Project; Resilience of the HCDF to coastal change is assured by the provision and through-life maintenance of the Soft Coastal Defence Feature (SCDF), described in Section 3.7 of [REP2-116] and also in [REP7-101] which has been updated to 2140 timeframe. Viability of maintenance is also addressed in [REP7-101]. An update of [REP2-116] will be provided at Deadline 8 to reference [REP7-101]. - evidence that the profile and makeup of the Soft Coastal Defence Feature (SCDF) will not obstruct native sediment transport along the frontage; refer to [REP7-101] "Preliminary Design and Maintenance Requirements for the Sizewell C Coastal Defence Feature - Revision 3.0." - evidence that maintenance of the SCDF is viable over the lifetime; Maintenance of the SCDF during the required lifetime is described in Section 3.7.d of [REP2-116] and [REP7-101]. Conventional maintenance activities of recharge with imported material are proposed, and are considered feasible and viable: refer to [REP5-059], Coastal Processes Monitoring and Mitigation Plan. - an assessment of the impact of an Adapted HCDF (that advances circa 17m seaward) will not impede sediment transport; [REP7-101] now includes the adaptive design. We note that most of the 17m advance is buried by the SCDF and will therefore not impede sediment transport under most conditions. - further detail on the proposed profile of the HCDF and SCDF at most vulnerable: The Applicant has provided details of the HCDF and SCDF at typical locations in [REP2-



ExQ3	Question to:	Question:
		<p>116], an update of which will be provided at Deadline 8, with updates and additional details at the Northern Mound in [REP5-015]. Further details will be developed at the detailed design stage.</p> <p>- evidence that the May 2020 DCO / ES conclusions regarding HCDF impact and methods of mitigation [APP-311, APP-312] have not changed in light of the seaward advance of the HCDF since then (currently 8m over the central majority and further at the overlap with the Sizewell B defence, albeit ESC understands that this position may change with the submission of further detail from the Applicant); [REP7-101] now includes the 5m setback, the pared back alignment at the BLF and the SZB overlap alignment. No change to impact and mitigation are foreseen as a result.</p> <p>- clarification of the forecast date (2140) when the HCDF is no longer needed to protect the nuclear site. This date is the date by which all nuclear materials and safety functions will have been removed from the SZC site, following decommissioning of the SZC Plant and removal of spent fuel from the site.</p>
	ESC Response at Deadline 8	<p>ESC has reviewed the two referenced documents and can confirm that most of the queries raised within them have not yet been responded to.</p> <p>Some relevant information was included in [REP7-045] (9.31 Storm Erosion Modelling of the Sizewell C Soft Coastal Defence Feature using XBeach-2D and XBeach-G - Revision 2.0) and [REP7-101] (9.12 Preliminary Design and Maintenance Requirements for the Sizewell C Coastal Defence Feature - Revision 3.0) at Deadline 7.</p> <p>On 10/9/21 the Applicant advised that a report is being drafted for submission at Deadline 8 which will provide further information. ESC awaits this further information to which we will respond at Deadline 10.</p>
	SZC Co. Response at Deadline 10	<p>The Applicant notes that the Storm Erosion Modelling of the Sizewell C Soft Coastal Defence Feature using XBeach-2D and XBeach-G report [REP9-020] and the Preliminary Design and Maintenance Requirements for the Sizewell C Coastal Defence Feature report (Doc. Ref. 9.12(C)) have been updated and completed at Deadlines 9 and 10 respectively.</p>

ExQ3	Question to:	Question:
		<p>Further information on the design of the HCDF (and its justification) was submitted at Deadline 8 in the [REP8-096]</p> <p>Detailed design of the HCDF will continue and ESC will be consulted prior to the submission of the information required to discharge DCO Requirement 12B, for which ESC is the discharging authority.</p>
CG.3.6	ESC	<p>Impacts on coastal processes:</p> <p>ESC in its 'Comments on the CPMMP Revision 2 [REP5-059]', [REP6-032] indicates that it is still considering whether provision relating to the removal of the HCDF after decommissioning should be included in a Draft DCO Requirement as well as the CPMMP. Has ESC reached a conclusion on this and, if so, what does it seek and why?</p>
	SZC Co. Response at Deadline 8	Please refer to the response provided at ExQ3 CG.3.1.
	ESC Response at Deadline 8	At the ISH 11, the Applicant indicated that it did not intend to include HCDF removal as a DCO Requirement in addition to the reference recently added to the CPMMP. ESC accepts this position.
	SZC Co. Response at Deadline 10	Please refer to the response provided at ExQ3 CG.3.1.
CG.3.14	The Applicant, ESC, EA	<p>Impacts on coastal processes:</p> <p>In the event that Change Request 19 is accepted by the ExA, please explain how the primary mitigation proposed to minimise impacts on coastal geomorphology and hydrodynamics from the proposed temporary desalination plant would be secured by the draft DCO? Is it agreed that Requirement 8 would be sufficient to serve that purpose and are any further drafting changes or additional Requirements or safeguards sought?</p>
	SZC Co. Response at Deadline 8	<p>Change Request 19 has been accepted. Draft DCO Requirement 8 would also include the desalination plant, however, the main safeguarding mechanism is the CPMMP which must be adhered to during construction and operation.</p> <p>Any potential impacts on coastal geomorphology receptors from the desalination plant would automatically be picked up by the CPMMP [REP5-059]. An updated draft of the CPMMP is to be submitted at Deadline 10 in any case to address comments from IPs since Revision 2 was submitted, and the update will include amendments to specify the</p>

ExQ3	Question to:	Question:
		desalination plant in the plan where necessary (for example, scour monitoring at the intake and outfall locations). Mitigation within the CPMMP would be equally applicable for any identified impacts from the desalination plant so no additional mitigation is envisaged.
	ESC Response at Deadline 8	<p>ESC request a requirement that the pipelines are removed should they become exposed.</p> <p>ESC requests that the CPMMP is amended to include an obligation on the Applicant to monitor the pipelines and to remove them if they become exposed. ESC is satisfied that this can be addressed through the CPMMP rather than a DCO Requirement.</p> <p>DCO Requirement 8 appears to be unconnected with the above objective. It is assumed, the ExA meant to refer to Requirement 7A: Main Development Site: Coastal processes Monitoring and Mitigation Plan. This Requirement would need to be adjusted to incorporate reference to Works no. associated with any desalination plant consented as part of the DCO. ESC has also requested that we be notified when the desalination plant is moved during the construction phase. Furthermore, ESC considers that provision should be made to ensure that the content of the CPMMP is regularly reviewed, updated and approved by ESC, as appropriate. The Applicant has proposed that the review mechanisms should be included in the CPMMP rather than through a DCO requirement, and suggested that Requirement 7A could be updated to ensure that the CPMMP must contain "details concerning its proposed review". ESC understands that these word will be included in the next iteration of the DCO.</p>
	EA Response at Deadline 8	Procedural questions regarding coastal geomorphology such as these are best answered by the Applicant and ESC.
	SZC Co. Response at Deadline 10	<p>Upon acceptance of Change 19, a new Condition (Condition 52) was added to the DML that requires the detailed construction method statement to be provided to the MMO for approval prior to works commencing.</p> <p>In its letter in lieu of attendance at ISH15, the MMO highlighted that removal of the desalination plant had not been included in the DML and that this would be required as it is a licensable activity under the MCAA 2009.</p> <p>The Applicant agrees that this was an oversight and removal of the desalination plant has now been added to the DML. To reflect the concerns of ESC in relation to legacy impacts</p>

ExQ3	Question to:	Question:
		<p>on coastal processes from pipes (which we have taken to mean tunnels) becoming exposed, Condition 52 has been updated to consider this when decommissioning the desalination plant:</p> <p><i>"(e) removal methodology and detailed method statement, to include depth to which the tunnels must be removed to avoid legacy impacts on coastal processes;"</i></p> <p>ESC concerns are therefore reflected and secured by way of the DML</p> <p>The Fourth ES Addendum [REP7-030] does not specifically assess the impact of the tunnels, only the headworks, however the tunnels would only be removed to sufficient depth to avoid future exposure and this would be achieved within the footprint of the dredge pocket where works have been assessed.</p> <p>Furthermore, the CPMMP (Doc Ref. 10.5) includes the desalination plant intake and outfall heads as part of Section 4 Monitoring: Nearshore intake and outfalls (formerly "Nearshore outfalls").</p>
CI.3	Community Issues	
	The Applicant	<p>Accommodation provision</p> <p>It is understood from the D7 submissions that there is now agreement as to financial provisions in the event that either the accommodation campus or the caravan park at the LEEIE are not delivered in time.</p> <p>(i) Are ESC now confident this would avoid adverse effects in the event that there was a shortage of accommodation and this shortage coincided with large numbers of workers at the site.</p> <p>(ii) Will the agreed financial remedy ensure that additional bed spaces are in place in advance of when they were required, or at least in a timely manner?</p> <p>(iii) In light of the recognised adverse effects of not having sufficient accommodation in a timely manner adversely affecting the more vulnerable groups in society. What reassurances can the ExA have that their interests would be properly safeguarded?</p> <p>(iv) If there remains disagreement or the ExA consider that this financial remedy were not sufficiently robust, do ESC have a preferred mechanism for delivery of the</p>

ExQ3	Question to:	Question:
		accommodation and a suggested wording for a requirement or other from of mechanism for securing provision of the accommodation.
	SZC Co. Response at Deadline 8	<p>Part (i), (ii) and (iv)</p> <p>To aid ExA, SZC Co has collated a document for submission at Deadline 8 at Appendix 2 to SZC Co's Response to Request for Additional Information a Deadline 8 (Doc Ref. 9.109) in order to respond to the issues raised in parts (i), (ii) and (iv) in the above question together with additional requests for information on similar issues.</p> <p>That document sets out, inter alia, the justification that, should the Project Accommodation be delayed, the Housing Fund and the Housing Contingency Fund have the ability to mitigate for additional short-term demand on the housing market arising from the delay of Project Accommodation.</p> <p>SZC Co and ESC agree that the Housing Fund and Housing Contingency Funds are capable of doing this, and welcome the opportunity to set out in full the context to the assessment of demand and impacts and development of mitigation.</p> <p>However - it is important to consider not just the ability of contingency funding to respond to potential additional demand should Project Accommodation be delayed, but also to consider that the likelihood of the additional effects arising is very small due to inherent conservatism in the assessment and the approach to non-contingent mitigation (which already is comprehensive).</p> <p>On that basis, the following key points should be taken into account, and are explained more fully throughout Appendix 2 to SZC Co's Response to Request for Additional Information a Deadline 8 (Doc Ref. 9.109):</p> <ol style="list-style-type: none"> 1) The approach to the assessment of effects on the housing market is highly conservative based on assumptions of available supply of accommodation, location of uptake, sectors used and number of NHB workers – this means that the 'assessment case' represents a worst case scenario, and as this impact is fully mitigated by the Housing Fund (3), it is likely that there is a very precautionary level of mitigation secured in the Deed of Obligation. 2) Related to this, the assessment in Volume 2, Chapter 9 of the ES [APP-195] and the Accommodation Strategy [APP-613] on which the approach to mitigation via the Housing Fund is based, assumes a later delivery of Project Accommodation than set out in the Implementation Plan – so delay in Project Accommodation does not

ExQ3	Question to:	Question:
		<p>represent a deviation from the scale of impact assessed in the ES. Delay to Project Accommodation may give rise to additional demand for accommodation, however it will not necessarily lead to additional effects, especially once committed (non-contingent) mitigation is taken into account.</p> <p>3) The assumptions for delivery of bed spaces through the Housing Fund is both precautionary (in that it mitigates for at least 100% of identified demand in the private rented sector), conservative (in terms of the estimated number of bedspaces it could produce) and flexible with the ability for front-loading – this means that the peak effects will be mitigated as a minimum, and that the provision of bedspaces can be expanded and front-loaded to deal with any delay in Project Accommodation, meaning that any delay in Project Accommodation that results in the release of contingency funding plays into a very benign environment.</p> <p>4) Late delivery of Project Accommodation is highly unlikely - the Project is committed to providing it (and it is very much in its interests to) – this means that the non-delivery of accommodation is not a likely eventuality, and as set out in (3), delay can be mitigated.</p> <p>5) The Housing Fund is both responsive and pro-active, and can deliver additional accommodation quickly through strong and forward looking governance, monitoring and planning.</p> <p>6) The role of unconventional supply is likely to be important. Volume 2, Chapter 9 of the ES [APP-195] and the Accommodation Strategy [APP-613] take no account of so-called “latent” accommodation. This is likely to be popular with both landlords and workers. Evidence from both Sizewell B and Hinkley Point C show that significant numbers of workers rented spare rooms in people’s houses with around 20% choosing this option. Landlords benefit from a tax break and the rents they charge tend to relate to the workers’ allowances rather than the prevailing private sector rents. Minor grants to bring forward this type of accommodation have been very popular at HPC and delivered 1,500 bedspaces in the first 3 years.</p> <p>The Draft Deed of Obligation (Schedule 3) now includes a long-stop linking the completion of the LEEIE Caravan Site and each Phase of the Accommodation Campus to reporting of NHB workforce numbers, with any default on that position resulting in release of Housing Contingency Funds. The longstop date for Phase 1 of the Accommodation Campus (when the workforce is expected to be 3,000) is Q1 of Year 4, so is aligned with the assessment</p>

ExQ3	Question to:	Question:
		<p>in Volume 2, Chapter 9 (Socio-economics) of the ES [APP-195] and the Accommodation Strategy [APP-613].</p> <p>Part (iii) – Vulnerable People</p> <p>As set out in Appendix 2 to SZC Co’s Response to Request for Additional Information a Deadline 8 (Doc Ref. 9.109), delivery of the Project Accommodation after the dates set out in the Implementation Plan would not lead to adverse effects.</p> <p>SZC Co’s whole approach to accommodation has been based deliberately on conservative assumptions so as to avoid adverse effects on existing community, including more vulnerable groups in society.</p> <p>As demonstrated in Appendix 2 to SZC Co’s Response to Request for Additional Information a Deadline 8 (Doc Ref. 9.109), the contingency funded bedspaces are deliverable, in the unlikely situation that the Project Accommodation is delayed, and the Housing Fund would deliver these in such a way that allows proactive and responsive approaches as need, with decisions being at the discretion of ESC as experts in statutory housing provision and knowledgeable of particular vulnerabilities.</p> <p>It is noted, however, that late delivery of the campus compared to the Implementation Plan would not automatically give rise to additional impacts requiring immediate mitigation, and there are safeguards in terms of monitoring, governance and delivery of the Housing Fund to pre-empt the need to rely on the effectiveness of contingency payments.</p> <p>Again, it should be noted that the assessment already considers the effects and mitigation for a worse scenario than the Project is committed to mitigate. In effect, delay to delivery of the Project Accommodation would result in a deviation from the Implementation Plan, but not a change in the impacts assessed by the ES.</p> <p>SZC Co has set out in response to ExQ2 CI.2.3 [REP7-056] how the Housing Fund and complementary measures will avoid significant effects on vulnerable people, and this applies equally to the bedspaces brought forward by the contingency payments.</p> <p>A non-contingent element of the Housing and Homelessness Service Resilience element of the Housing Fund will be provided to ESC on or before the first anniversary of the Commencement Date – agreed to be £500,000 to support the precautionary and proactive delivery of measures to support the East Suffolk Council’s statutory housing advice and homelessness prevention service including staff resourcing, training and projects, landlord</p>

ExQ3	Question to:	Question:
		<p>engagement and support, management of HMOs and temporary/emergency accommodation.</p> <p>This is precautionary – SZC Co. does not expect adverse effects (none have been experienced at HPC in terms of demand on services or housing market stress, or what might be considered an indirect effect of housing need), but they will be closely monitored and additional funding released if there are any indicators of housing market stress, regardless of the delivery of the Project Accommodation. This is summarised in Joint Local Impact Report- Appendix 2.1 Study on the impacts of the early-stage construction of the Hinkley Point C Nuclear Power Stage: Monitoring and Auditing Study Final Report [REP1-089] and Chapter 31 of SZC Co's Response to the Councils' Local Impact Report [REP3-044].</p> <p>This element of the fund will be considered for release on an annual basis on receipt of evidence of information provided by East Suffolk Council that the Accommodation Working Group agrees shows housing market stress relative to pre-Commencement levels which may reasonably be related to the effects of the NHB Workforce (and any HB Workers moving their permanent address explicitly to work on the Project).</p> <p>The Housing Fund is also developed with vulnerable people in-mind, and is adaptable, proactive and reactive to reduce the risks of housing need and homelessness for those particularly vulnerable to change. The AWG can target monitoring of housing market stress on key vulnerable groups.</p> <p>The contingency element would work in the same way as the non-contingent element in that regard.</p> <p>Additionally, funding can move between pots in order to provide additional flexibility - If agreed by the Accommodation Working Group – funds can be moved between different elements of the Housing Fund based on monitoring of the effectiveness of measures.</p> <p>It should also be noted that the Housing Fund and Accommodation Working Group will work with other, complementary mitigation measures to ensure safety of potentially vulnerable residents – for example via the Community Safety Resilience Measures and Local Community Safety Measures in the Public Services Resilience Fund (Schedule 5 of the Draft Deed of Obligation (Doc Ref. 8.17(G)) which include funding for the SAFE accommodation scheme for victims of domestic abuse, and the Domestic Abuse Outreach Service.</p>

ExQ3	Question to:	Question:
	ESC Response at Deadline 8	<p>This question appears to be directed to ESC although this is not specified.</p> <p>As explained at ISH12 (and set out in the written summary of that hearing), the current delivery strategy for the caravan park and accommodation campus is governed by Schedule 3 of the Deed of Obligation, with the provision for reasonable endeavours to comply with the indicative timetable in the Implementation Plan [REP2-044]. There is also provision for the payment of a contingency fund to ESC in the event that the caravan park and/or accommodation campus are not provided by certain agreed trigger points.</p> <p>In addition to the reasonable endeavours and contingency fund, the Applicant has committed to a requirement in the Deed of Obligation to have completed the caravan park within 3 months of the Workforce Survey reporting more than 850 non-home based workers [REP7-057 at paragraph 1.5.18]. That requirement should be included in the Deed or Obligation or the DCO. An equivalent requirement should be included in the Deed or the DCO, obliging the undertaker to deliver the accommodation campus by certain trigger points.</p> <p>In the event that the caravan park and/or campus are not completed by the specified triggers, the undertaker will be obliged to make the agreed financial contributions through the contingency fund, but it should be clear that the payment of that fund will not release the undertaker from the continuing obligation to deliver the caravan site and accommodation campus.</p> <p>Furthermore, the Deed should include an appropriate mechanism and strategy for dealing with any likely delay in the delivery of the accommodation to allow for advance planning for temporary alternative measures until such time as the accommodation is provided by the undertaker.</p> <p>(i) As identified at ISH12, ESC has agreed a Housing Contingency Fund payment should there be any delays to delivery of the caravan site at the LEEIE or the accommodation campus. However, we would still expect that caravan site and accommodation campus to be delivered. In the exceptional circumstances of any delay to their delivery beyond agreed trigger points, ESC would use the additional funding to continue the outcomes we expect to have been achieving through expenditure of the Housing Fund.</p> <p>(ii) ESC is not in a position to confirm that the agreed financial remedy will ensure that additional bed spaces are in place in advance of the time they are required, or at least in a timely manner. This is why ESC considers that the Applicant should be required to deliver</p>

ExQ3	Question to:	Question:
		<p>that accommodation and that the need for contingency fund will only be triggered in the exceptional circumstances of a delay to the delivery of the accommodation. In the event of a delay, ESC will have an existing team in place working on boosting supply in the local area who would use the extended funds to further their work in this area as quickly as they can.</p> <p>(iii) ESC will have measures in place following commencement of the project through the Housing Fund to support the more vulnerable groups in society. Additional funding through a Housing Contingency Fund would enable this work to continue.</p> <p>(iv) As identified at ISH12, ESC is content with the proposals for triggering the Housing Contingency Fund but expect these to be clearly expressed in the Deed of Obligation, the wording of which must make clear that the payment of any part of the Contingency Fund will not excuse the undertaker from its obligation to use reasonable endeavours to deliver the caravan park and accommodation campus even after the Contingency Fund has been triggered.</p>
	SZC Co. Response at Deadline 10	<p>The Deed of Obligation (Schedule 3) (Doc Ref. 10.4) includes drafting at Paragraph 4.1.1 and 4.2.1 that obliges SZC Co. to complete the Project Accommodation, unless otherwise agreed with the Accommodation Working Group, within three months of specified dates that will be determined by the Workforce Survey exceeding certain thresholds of non-home-based (NHB) workers.</p> <p>The 'reasonable endeavours' clause now refers to the delivery of Project Accommodation in accordance with the Implementation Plan, which is identified as the Phasing Schedule in the Construction Method Statement (Doc Ref. 10.3). That clause operates additionally to the commitment in the Deed of Obligation.</p> <p>As such, there is now a requirement to deliver the Project Accommodation, which has force regardless of the release of any related contingency funding. Contingency payments will provide for any period of delay (if there is one) but they do not release the undertaker from the continuing obligation to deliver the LEEIE Caravan Park and Accommodation Campus.</p> <p>The governance and monitoring set out at Paragraph 7.1 and Paragraph 8.1 of Schedule 3 of the Deed of Obligation provide a positive framework for dealing with any likely delay in the delivery of the accommodation to allow for advance planning for temporary alternative measures until such time as the accommodation is provided.</p>

ExQ3	Question to:	Question:
		<p>As suggested by East Suffolk Council, the Sizewell C Project will be able to readily report on how construction is progressing, including construction of Project Accommodation, to aid the Council in timing of delivery of bedspaces through the Housing Fund. This is in addition to the reporting requirements set out in Schedule 9 of the Deed of Obligation.</p> <p>The Accommodation Working Group will meet at least every six months – and in all likelihood more regularly in a situation such as this in order to provide as much information and notice as possible of delays relative to the Implementation Plan. This has now been included formally within Schedule 3 of the Deed of Obligation.</p> <p>New drafting has been added to Schedule 3 (Paragraph 7.2.4) which specifies that SZC Co. shall report to the Accommodation Working Group every 6 months (or more regularly as necessary) on information that may be relevant to East Suffolk Council in planning its delivery of bedspaces through the Private Housing Supply Plan, including information relating to Sizewell C Construction Workforce on-boarding and recruitment and progress in delivery of the Key Environmental Mitigation, including Project Accommodation.</p> <p>SZC Co has submitted further information regarding its position on the delivery of Project Accommodation and the purpose, function and governance of Housing Fund and Housing Fund Contingency payments within the submission at Deadline 8 in SZC Co. Response to Request for Further Information at Deadline 8, Appendix B, Section 2 [REP8-130]. This sets out the reasons that SZC Co. considers that the Housing Fund contingency will be able to provide for the mitigation of any temporary effects related to any delay of Project Accommodation, and critically that the conservatism built into the Housing Fund and accommodation assessment, and the approach to governance and mitigation, means that Housing Fund monies can be relied upon to provide for timely and effective mitigation of any Project Accommodation delay (refer to the Statement of Common Ground with ESC and SCC (Doc Ref. 9.10.12(B))).</p>

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

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

Issued on 09 September 2021

Responses are due by Deadline 8: 24 September 2021

PART 4 OF 6

- DCO.3** [Draft Development Consent Order \(DCO\)](#)
- HW.3** [Health and wellbeing](#)
- HE.3** [Historic environment \(terrestrial and marine\)](#)
- LI.3** [Landscape impact, visual effects and design](#)



ExQ3	Question to:	Question:
DCO.3	Draft Development Consent Order (DCO)	
DCO.3.1	Applicant	<p>(a) At para 1(4) of Sch 2 (reqts) of the dDCO Revision 8 the Applicant has deleted the word "substantively" from "substantively consistent" and also deleted the words "and in a manner that does not give rise to any materially new or materially different environmental effects to those assessed in the environmental information". Please will the Applicant explain the reason for the latter deletion. Is it inevitable that works to be carried out in general accordance with details etc will, if they are simply consistent with those details etc not give rise to materially new / different effects?</p> <p>(b) However, the ExA is finding it more difficult to understand the Applicant's reluctance to abandon the use of "in general accordance" and to replace it with the straightforward "in accordance". Please will the Applicant reconsider.</p>
	SZC Co. Response at Deadline 8	The DCO Requirements have been revised to ensure that where works are to be carried out pursuant to submitted details only 'in accordance' is now used. 'General accordance' is only used where there is a subsequent approval by a relevant body, such as ESC or SCC. The inclusion of 'general accordance' in these instances is considered beneficial to ESC and SCC as it allows acceptable discretion on the part of the decision maker. Limiting such instances to 'in accordance' might limit the ability of final details to be improved from those initially drafted.
	Rule 17 Letter 06 October 2021	The Applicant has not answered the second part of ExQ. DCO.3.1 "Is it inevitable that works to be carried out in general accordance with details etc will, if they are simply consistent with those details etc not give rise to materially new / different effects?" Please will the Applicant remedy this.
	SZC Co. Response at Deadline 10	<p>SZC Co. response is provided within the Response to Request for Further Information at Deadline 10 (dated 6 October 2021) (Doc Ref. 9.126).</p> <p>The Schedule 2 requirements have been updated so that there are no instances where works would be carried out 'in general accordance' with submitted details. All references have now been amended so that they state 'in accordance' with. The term 'general</p>

ExQ3	Question to:	Question:
		accordance' is now only used in respect of requirements that relate to subsequent approvals.
DCO.3.3	MMO and Applicant	<p>Please see MMO's REP6-039, paras 1.1.7 -22</p> <p>(a) Please will the Applicant explain why it must have Sch 23 for DML conditions refusals / deemed refusals? Why is this case different from Hornsea 3 and Norfolk Vanguard?</p> <p>(b) MMO – are the considerations which apply to wind farms really the same for a single phase, time critical project with little flexibility over siting?</p>
	SZC Co. Response at Deadline 8	<p>SZC Co. understands the MMO's position to be that the marine elements of the SZC project are not exceptional and no different to other NSIP marine licences. SZC Co. does not disagree with that insofar as it goes, however, that does not in itself mean that there is no justification for applying an appeal procedure to the discharge of marine licence conditions as we have suggested via the drafting we have proposed in Schedule 20A of the draft DCO (note Schedule 23 is not relevant – it applies to appeals of requirements only). The whole project relies on a very well-defined programme and construction schedule. Whilst a delay to an offshore element of the SZC project in isolation is not necessarily more significant than for any other large offshore project, the potential knock-on delays to other elements of the SZC project would be very significant. For example, the whole transport strategy is based on the availability of the BLF and MBIF so delays to the discharge of conditions relating to those works would have significant impacts on the overall construction programme. Similarly, offshore works rely entirely on dredging and disposal works and delays to those works can also have significant impacts on programme as well as logistical issues with leasing vessels. Aside from potential delays to the construction and delivery of an operational Sizewell C, the costs associated with such delays could be very significant given the need to pre-book very large vessels of limited availability or progress other inter-related elements on the MDS (10s to 100s millions of pounds).</p> <p>Government policy also identifies the need for new low carbon energy capacity as urgent; its delivery should not be delayed for want of an effective consenting process. Schedule 20A is considered to be necessary and proportionate to the scale of the Project and we do not consider the absence of such a provision from offshore wind projects to justify its disapplication in the context of this Project. The SZC Co. team are not expert on the</p>

ExQ3	Question to:	Question:
		nature and complexity involved in discharging deemed marine licence conditions relating to offshore wind and how this compares with the types of condition to be discharged on the Sizewell C project. It is therefore difficult for us to give a comparison between the two types of project. Rather, our view is that each project should be considered on its own merits, and we would ask the ExA and the Secretary of State to weigh the real risk of delay and impediment to the Sizewell C Project in circumstances where the MMO delays or refuses to discharge a condition, against the provision of a perfectly equitable appeal mechanism which might be used in those rare but important circumstances.
	MMO Response at Deadline 8	The MMO answers this question within section 1.2.1 of this submission. This was also contained with our submission in lieu of our attendance at ISH 14 [EV-142i].
	SZC Co. Response at Deadline 10	No further response from SZC Co. required.
Please answer the following questions in the event the change request for the desalination plant is accepted		
DCO.3.5	MMO, Natural England, Environment Agency	Are the MMO, Natural England and Environment Agency satisfied that the co-ordinates for the location of the works and their construction are given correctly in the ninth revision of the dDCO?
	SZC Co. Response at Deadline 8	No response from SZC Co is required
	Natural England Response at Deadline 8	Natural England defer to the MMO on this point, as they are the competent authority for the DML.
	MMO Response at Deadline 8	The MMO have reviewed and plotted the marine works coordinates and the overall authorised development onto a Geographic Information System. It appears from the plotted coordinates that the temporary disposal site's boundaries (contained within Table 10 of the DML, Rev. 9) fall outside of the overall authorised development (Table 1 of the DML). The MMO advise that the applicant reviews these, as we would expect the coordinates of all marine works to fall within the extent of the overall authorised development. Further, condition 7 of the DML states all licensed activities must be undertaken within the coordinates set out in Table 1, therefore we would expect the coordinates of all other licensable activities to fall within these boundaries. The MMO are



ExQ3	Question to:	Question:
		satisfied that the rest of the marine works appear to fall within these limits, and they are in the correct geographical location.
	EA Response at Deadline 8	The Environment Agency has no concerns however, the MMO may be better placed to answer this question.
	Rule 17 Letter 06 October 2021	The MMO in their reply to DCO.3.5 (in their Full Submission at Deadline 8) have questioned the coordinates for the desalination headworks which they state lie partly outside the "overall development". Please will the Applicant comment.
	SZC Co. Response at Deadline 10	<p>SZC Co. response is provided within the Response to Request for Further Information at Deadline 10 (dated 6 October 2021) (Doc Ref. 9.126).</p> <p>In summary, the MMO only referred to the Disposal Site Coordinates lying partly outside of the overall development. The Applicant concurs this is the case.</p> <p>On the DML, coordinates are provided within which the licensed activities must take place and, for the purposes of the Sizewell C project, the overall development boundary (the "redline boundary") was used to define this area. However, the overall development boundary tends to follow the outline of the works themselves and this cannot be followed easily by a vessel when navigating. Therefore, the coordinates for the disposal site enclose a simple square with boundaries following lines of latitude and longitude such that the vessel master can navigate within the boundary more easily. To enable these coordinates to form a simple square, some parts lie partly outside the overall development boundary. Although it is acceptable for the disposal site to lay partly outside of the overall development boundary, it was at conflict with the drafting of Condition 7 on the DML which stated that ALL licensed activities must take place within the coordinates of Table 1 (the overall development boundary coordinates). Condition 7 has been redrafted to allow for disposal activities to take place with the disposal coordinates as provided in Table 10 of the DML:</p> <p><i>"The licensed activities must be carried in either the area bounded by the coordinates set out in Part 4 (Table 1) or, in relation to the disposal of capital dredge material and drill arisings (pursuant to condition 4(2)(p)) only, in the area bounded by the coordinates set out in Part 4 (Table 10), each defined in accordance with reference system World Geodetic System 1984 (WGS84)."</i></p>



ExQ3	Question to:	Question:
HW.3	Health and wellbeing	
HW.3.0	The Applicant, ESC, SCC, CCG	<p>Health Impact Assessment</p> <p>Should a Health Impact Assessment have been carried out to fully understand the implications of impacts on human health of the proposed development both during construction and subsequent operation?</p> <p>Can the Exa be assured that all potential health impacts have been properly understood, assessed and mitigated where appropriate</p>
	SZC Co. Response at Deadline 8	<p>As set out in SZC Co.'s response to HW.1.21 [REP2-100], "A <i>Health Impact Assessment has been carried out and this is set out in Volume 2, Chapter 28 (Health and Wellbeing) of the ES [APP-346]</i>. As set out in section 28.2, the transposition of the amended EU EIA Directive into UK legislation resulted in the voluntary process of Health Impact Assessment (HIA) being integrated within the EIA assessment process in 2017. The scope, focus, process, approach and methods remain the same regardless of whether the assessment sits in a stand-alone HIA or is integrated into the ES. The core difference is that the health and wellbeing assessment must now meet the requirements of the EIA Regulations, and the dedicated health and wellbeing chapter within the ES [APP-346] affords greater weight within the planning and decision-making process than its voluntary counterpart."</p> <p>This approach is best practice, whereby it is unnecessary to provide two separate documents which would provide the same information (i.e. a health and wellbeing ES chapter and a standalone HIA) – one with significance criteria applied and one without.</p> <p>The authors of the health and wellbeing chapter have a substantial amount of experience undertaking standalone HIA (prior to the transposition of the amended EU EIA Directive into UK legislation in 2017) and assessing health within EIA for some of the most complex major infrastructure projects across a range of sectors within the UK, Ireland and Australia. Furthermore, both are technical advisors to the World Health Organisation on assessing the health impacts of waste management in the context of circular economy and have been heavily involved in the integration of HIA within EIA through their involvement with the IEMA "Health in EIA Working Group". Therefore, it is their expert opinion that all potential health impacts have been properly understood, assessed and impacts mitigated where appropriate.</p>



ExQ3	Question to:	Question:
	ESC Response at Deadline 8	The Applicant has carried out a Health Impact Assessment for the construction and operation phase of the Sizewell C project [APP-346]. It is included in the Health and Wellbeing chapter of the ES and not as a stand-alone document. ESC is not the competent authority to advise the ExA as to whether all the potential health impacts have been properly understood, assessed and mitigated. We defer to the CCG to advise on that.
	SCC Response at Deadline 8	<p>The Applicant's assessments of health impacts is covered in the ES Chapter 28 [APP-346] and its Appendices [APP-347]. SCC notes that our health is shaped by a range of factors and it is hard to be precise about how much each of these factors contributes to our health; this is particularly when considering the wide-ranging impacts of the construction of Sizewell C. While a Health Impact Assessment may have been helpful, SCC is not convinced that it would have provided substantial additional information.</p> <p>Based on the evidence provided in [App-346] and [APP-347], SCC has highlighted key areas they believe will be impacted by the development and subsequent operation and made sought mitigation measures based on these assumptions.</p> <p>SCC and the CCG, working closely together as an integrated system, recognise the interfaces and overlaps between the issues that may affect health and well-being. Our particular concerns are that the impact of the construction and the incoming workforce:</p> <ul style="list-style-type: none"> • Do not exacerbate existing inequalities in our areas of deprivation and among our vulnerable groups – for example Suffolk's increasing ageing population with subsequent increasing vulnerabilities and complexities, young people and vulnerable adults at risk of exploitation • Do not put additional stress on our Suffolk workforce and services • Do not adversely impact on the ability of our communities to be a source of benefit to health and wellbeing <p>There is an imperative therefore to ensure that robust plans are in place to:</p> <ul style="list-style-type: none"> • Deliver proactive mitigation so that members of our population are not put at risk • Identify where timely, reactive mitigation is required through diligent monitoring of impact. <p>SCC accepts that the proposed on-site health service provision provided by the Applicant for the workforce will significantly reduce demand from the workforce on the wider health system, and will result in potentially improved healthcare for the workforce.</p>



ExQ3	Question to:	Question:
		<p>SCC has reached in principle agreement with the Applicant on appropriate mitigations for public health, as well as for social care with its close interlinkages with health, but still need to work through some of the detailed wording within the Deed of Obligation. We understand that the CCG is also making generally good progress towards agreeing a package of mitigation for the health services within its remit, although we understand that disagreement remains with regard to a request for a contribution to dental services given the additional impact from the non-home based workforce anticipated by the CCG.</p> <p>We welcome that the Applicant has agreed to a request by the CCG in partnership with SCC to fund the provision of a post that will support monitoring the health impacts on the population throughout the development to ensure any adverse impacts can be proactively mitigated.</p>
	CCG Response at Deadline 8	<p>The CCG concur with the response provided by SCC as detailed below;</p> <p><i>"The Applicant's assessments of health impacts is covered through the ES Chapter 28 [APP-346] and its Appendices [APP-347]. SCC notes that our health is shaped by a range of factors and it is hard to be precise about how much each of these factors contributes to our health; this is particularly when considering the wide-ranging impacts of the construction of Sizewell C. While a Health Impact Assessment may have been helpful, SCC is not convinced that it would have provided substantial additional information.</i></p> <p><i>Based on the evidence provided in [App-346] and [APP-347], SCC has highlighted key areas they believe will be impacted by the development and subsequent operation and made sought mitigation measures based on these assumptions. SCC and the CCG, working closely together as an integrated system, recognise the interfaces and overlaps between the issues that may affect health and well-being. Our particular concerns are that the impact of the construction and the incoming workforce:</i></p> <ul style="list-style-type: none"> <i>• Do not exacerbate existing inequalities in our areas of deprivation and among our vulnerable groups – for example Suffolk's increasing ageing population with subsequent increasing vulnerabilities and complexities, young people and vulnerable adults at risk of exploitation</i> <i>• Do not put additional stress on our Suffolk workforce and services</i> <i>• Do not adversely impact on the ability of our communities to be a source of benefit to health and wellbeing</i> <p><i>There is an imperative therefore to ensure that robust plans are in place to:</i></p>



ExQ3	Question to:	Question:
		<ul style="list-style-type: none"> • Deliver proactive mitigation so that members of our population are not put at risk • Identify where timely, reactive mitigation is required through diligent monitoring of impact. <p>SCC accepts that the proposed on-site health service provision provided by the Applicant for the workforce is expected to significantly reduce demand from the workforce on the wider health system, and is expected to result in potentially improved healthcare for the workforce. SCC has reached in principle agreement with the Applicant on appropriate mitigations for public health, as well as for social care with its close interlinkages with health, but still need to work through some of the detailed wording within the Deed of Obligation. We understand that the CCG is also making good progress towards agreeing a package of mitigation for the health services within its remit. We welcome that the Applicant has agreed to a request by the CCG in partnership with SCC to fund the provision of a post that will support monitoring the health impacts on the population throughout the development to ensure any adverse impacts can be proactively mitigated."</p> <p>In addition, the CCG can confirm it has made significant progress in reaching substantive agreement with the Applicant to mitigate most identified health and wellbeing implications. This position is reflected in the Deed of Obligation and supporting Deed of Covenant. The CCG is grateful to the Applicant for providing a technical note to further substantiate the rationale and logic for the mitigations which have been agreed.</p> <p>It should be noted the Applicant's assessments of health impacts covered through the ES Chapter 28 [APP-346] and its Appendices [APP-347] did not consider dentistry or optometry to any depth. This has been discussed at length with the Applicant and whilst the CCG accepts the position on optometry, dentistry remains an unresolved area that the CCG has escalated to the ExA.</p>
	SZC Co. Response at Deadline 10	SZC Co. is pleased to confirm that the Residual Healthcare contribution is agreed, with the exception of dentistry. SZC Co. set out the reasons why it does not consider a contribution to dentistry is required to the CCG on 22-9-21 and this paper is included as Appendix 4A of this document.
HW.3.1	Applicant, NE, RSPB/SWT, ESC, SCC, AONB Partnership, National Trust	<p>Displacement of Visitors</p> <p>Doc 9.94 submitted at D7 is a helpful summary of the different positions in respect of the potential for the displacement of visitors during the construction period.</p>

ExQ3	Question to:	Question:
		<p>NE are continuing to recommend that SANG would be necessary and appropriate and this appears to be endorsed by RSPB/SWT.</p> <p>(i) In light of the continuing difference of view, please advise how you consider the effects on recreational amenity and whether the difference in figures which appears to remain, would lead to a different conclusion of effects on amenity and recreation issues.</p> <p>(ii) What do you consider would be necessary to overcome the possible adverse effects (if there are any) and how could this mitigation be secured?</p>
	SZC Co. Response at Deadline 8	<p>Visitor displacement does not mean an impact on physical activity and recreation sufficient to impact upon physical or mental health. It is temporary reduced amenity value and or use of alternative amenities and facilities. No health impact is identified, and no mitigation is required.</p> <p>SZC Co. also considers that the assessments undertaken to consider the effect of potential displacement on European sites can help to inform this assessment.</p> <p>SZC Co. is very grateful to the Examining Authority for posing this question. Whilst there has been substantial debate about the numeric calculation, it is SZC Co.'s position that the dispute regarding the numbers does not affect the principal conclusions from the sHRA and that concerns raised by stakeholders will be mitigated by the measures set out in the application. This has implications for recreation and amenity as well as ecology.</p> <p>SZC Co. observes from the appendices to [REP7-087] that stakeholders tend to prefer the higher estimates of visitor displacement because they are higher and, therefore, presumably more precautionary. However, there is limited engagement with the reasons which SZC Co. has put forward to explain why either set of figures is considered to be highly precautionary. With respect to the stakeholders, there has been little engagement with the Applicant's case that any approach which allocates all displacement and construction worker visits exclusively to designated European sites even when the named locations were to nearby coastal settlements or other locations near but outside European sites (or where no location was given), and when significant percentages of people surveyed at two locations within European sites (Dunwich Heath and Aldringham Walks)</p>



ExQ3	Question to:	Question:
		<p>said that they would displace from these areas (and which was not factored into the calculations) must be at least very precautionary.</p> <p>Notwithstanding the scale of that precaution, the calculated increase in visitor numbers on European sites is relatively small – please see Appendix A of [REP7-087], except in the case of Minsmere and Sandlings North where the sHRA suggests that it would be precautionary to introduce monitoring and management measures.</p> <p>Those measures are set out in the draft Monitoring and Management Plans (MMPs) which have been updated for Deadline 8 (included in the Deed of Obligation; Doc. Ref. 8.17(G)) to reflect the comments received from stakeholders. The MMPs have been well received and SZC Co. was grateful to Natural England for its recognition at Deadline 6 that the proposed approach <i>"has the potential to be highly effective"</i> (Written Representations (WR's) - Comments on Terrestrial Ecology Documents [REP6-042] paragraph 6.6).</p> <p>The proposals of course not only add wardens, monitoring and management which either enhance existing provision or introduce wardening where there currently is none, they also put in place a reactive monitoring and management approach. In practice, the applicants expect the net effect to be greater protection of the designated sites than currently exists.</p> <p>SZC. Co has reacted positively to all suggestions for enhancements to these measures, which complement the additional measures to which SZC Co. has also committed including:</p> <ul style="list-style-type: none"> - payment into ESC's RAMS (Recreational Disturbance Avoidance Mitigation Strategy) (Draft Deed of Obligation Schedule 11); - commitments to a gym and trim trail facilities around the accommodation campus; - the provision of active sports provision for construction workers at the Alde Valley Academy in Leiston;



ExQ3	Question to:	Question:
		<ul style="list-style-type: none"> - the prior provision and subsequent enhancement of alternative open access recreational space at Aldhurst Farm; - an investment of £2.5 million in the enhancement of public rights of way within the PRow Fund in the vicinity of Sizewell C which would add a step change in the quality of routes available for a recreation, amenity and exercise. <p>As set out in paragraphs 3.3.4 and 3.4.5 of SZC Co.'s response to the Natural England, the RSPB and the Suffolk Wildlife Trust at Deadline 7 [REP7-060], the scale of provision at Aldhurst Farm exceeds that which would be required using Natural England's SANG Guidance. It is important to note that, in addition to this exceeding the area that would be required for the peak 3,000 construction workers calculated using Natural England's area standard for residents in new residential development, the construction workers will not have dogs unlike residents of residential development, and they would undertake much less frequent walks at sites like Aldhurst Farm than residents with dogs. Construction workers are also not permanent residents – they are present for the temporary construction period and, during that period might be expected to return home when not working.</p> <p>Against this background, it is not clear to the applicant what additional provisions may be either necessary or appropriate.</p> <p>Natural England's response contained within [REP7-087] is helpful in recognising a number of these matters and advising:</p> <p><i>"1.4.13 We consider that the size and design of the alternative green space is open for debate in terms of SANGs guidelines, but that it would need to be specifically designed to mitigate impacts from workers, targeted at the types of recreation they are likely to undertake."</i></p> <p>SZC Co. believes that the facilities proposed are designed to meet the recreational requirements of construction workers. Attached at Appendix 4A is a note prepared on</p>



ExQ3	Question to:	Question:
		<p>this subject which draws on the assessment of the recreational requirements of construction workers carried out in the Environmental Statement (at Appendix 9E to Volume 2, Chapter 9 of the ES [APP-196]), together with available published data which identifies that surveys have established that recreational visits by construction workers are more likely to be focussed on open spaces in a town or city or a seaside resort than sensitive natural environments. In combination with the gym, trim trail, sports pitches, bike and footpaths provided and improved, together with the alternative open space provision at Aldhurst Farm, SZC Co. considers it has provided generous provision for the requirements of construction workers and that no further mitigation is necessary.</p>
	RSPB/SWT Trust Response at Deadline 8	<p>1.7 Please note that our detailed comments are explained in REP7-087. We note that we did not consider it possible to exclude adverse effects on the integrity of the Minsmere-Walberswick SPA or the Sandlings SPA on the basis of the Applicant's original figures, noting both the significant uplift in visits predicted and our concerns about potential underestimation of visits. We do not support the Applicant's revised figures and therefore these do not affect our position and concerns regarding potential effects.</p> <p>1.8. We consider that the key outstanding mitigation measures required to exclude adverse effects on integrity of the Minsmere-Walberswick and Sandlings European sites are the following:</p> <p>1.9. <i>Monitoring and Mitigation Plan for Minsmere-Walberswick and Sandlings North European sites</i> – we have welcomed the development of this Plan and the inclusion of many of our recommendations regarding potential monitoring locations and mitigation, however, the level of initial wardening resource requires further consideration. We note our support for Natural England's point advocating provision of a further seasonal warden from the outset given the scope of the roles as described in the Plans. Some further development of the process for implementation of additional mitigation measures is also needed to ensure timely mitigation is possible.</p> <p>1.10. <i>Additional greenspace for construction workers</i> – required to provide active recreation/outdoor sport and social opportunities for construction workers outside designated sites. Given the attractiveness of the area, the proximity of the construction campus to designated sites and the recreational activities possible at those sites, we consider additional greenspace is needed to reduce potential impacts.</p>



ExQ3	Question to:	Question:
		1.11. Please note that detailed comments on the mitigation package can be found in our comments and recommendations on the Monitoring and Mitigation Plans for Minsmere-Walberswick and Sandlings North European Sites and the Sandlings South and the Alde-Ore Estuary European Sites and on the recreational provision at Aldhurst Farm submitted at Deadline 6. We note that we also welcome the proposal for a payment to the Suffolk Councils' RAMS scheme as part of the mitigation package.
	ESC Response at Deadline 8	<p>(i) It is ESC's understanding that the Natural England recommendation for provision of SANG relates to the need to provide additional mitigation for recreational disturbance impacts on European designated sites. So, the SANG mitigates impacts on particular designated habitats and species, rather than mitigating any outstanding impacts on recreational amenity. ESC defers detailed comment on the differences between the presented recreational displacement figures to Natural England and the other Interested Parties who have previously raised this concern.</p> <p>(ii) ESC defers comment on any additional required mitigation to Natural England and the other Interested Parties who have previously raised this concern.</p>
	SCC Response at Deadline 8	SCC defer to Natural England and East Suffolk Council on this matter.
	AONB Response at Deadline 8	<p>In respect of question i) the AONB considers that a precautionary approach be taken similar to that described as the Sandford principle. Given the credibility of organisations providing the figures the Sandford Principle that can be summarised as: <i>Where irreconcilable conflicts exist between conservation and public enjoyment in National Parks, then conservation interest should take priority.</i> Although the AONB recognises that the Sandford principle relates to National Parks, given that AONBs have the same statutory purpose to National Parks, to conserve and enhance natural beauty, it is prudent to apply it to this situation.</p> <p>In respect of part ii) of the question the AONB considers it is the responsibility of the applicant to identify the necessary means to overcome adverse effects and for stakeholders to comment on the appropriateness or otherwise of the proposed measures. The guiding principle should reflect the mitigation hierarchy: avoidance, mitigate, minimise, compensate.</p>

ExQ3	Question to:	Question:
	National Trust Response at Deadline 8	<p>(i) The NT consider that the approach taken to the assessment of impacts arising from visitor displacement are underestimated and not precautionary. We are currently not agreed on the degree of recreational displacement as assessed by the applicant. As such this does not change our position regarding impacts on ecology and designated sites. Please note our detailed comments are set out in Appendix E of REP7-087, PDF page 27 submitted at D7.</p> <p>With regards to the impacts arising from recreational displacement and visits by the construction workforce on our visitor capacity, enjoyment and infrastructure at Dunwich Heath and Beach we have held further discussions with the applicant. We are now satisfied that the proposed Resilience Fund for Dunwich Heath and Coastguard Cottages would reduce residual impacts on NT land and assets at this site to manageable levels. This is subject to the agreed quantum appearing in a revised Deed of Obligation as well as appropriate mechanisms for enforcing the terms of the DoO, timescales for payment and any issues of conditionality being resolved.</p> <p>(ii) The Trust considers some mitigation measures are still required to exclude adverse effects on the integrity of the Minsmere-Walberswick and Sandlings European sites. These are set out below;</p> <p>The National Trust welcomes the development of the Monitoring and Mitigation Plan for Minsmere-Walberswick and Sandlings North European sites. We note the inclusion of a number of monitoring and mitigation provisions that we have previously sought. However as set out in our submission at D7 we remain concerned about the level of wardening provision currently proposed by the applicant in the MMP. We would wish to see this level increased and as such are seeking further discussions with the applicant regarding the adequacy of this provision and how it will be delivered across multiple landholdings in different ownership. We are also seeking further detail on triggers and the timeliness of delivery of mitigation measures included within the plan.</p> <p>Whilst the National Trust acknowledges the provision and enhancement of Kenton Hills and Aldhurst Farm we remain of the view that we have not seen any evidence of the assessment of the capacity and adequacy of these sites in mitigating recreational visits to European sites. We have set out our position regarding these sites in the updated Statement of Common Ground to be submitted by the applicant at D8. By way of summary, we remain of the view that should the assessment or monitoring of the Kenton Hills and Aldhurst Farm sites show that further mitigation is required to protect the</p>

ExQ3	Question to:	Question:
		ecological robustness and integrity of protected habitats and species, provision of additional destination greenspace should be provided on undesignated land in close proximity to Sizewell. In the absence of any assessment of capacity we believe additional greenspace is needed to reduce any potential impacts. Our detailed comments are set out in REP7-137.
	SZC Co. Response at Deadline 10	<p>The RSPB, Suffolk Wildlife Trust and the National Trust raise the following two points which, at Deadline 8, they considered remain outstanding regarding the effectiveness of mitigation to alleviate their concerns on the potential for recreational disturbance caused by the Sizewell C Project to have Adverse Effects on the Integrity (AEoI) of European sites:</p> <ul style="list-style-type: none"> • The level of wardening as an Initial Mitigation Measure set out in the MMP for Minsmere – Walberswick and Sandlings (North); and • The provision of additional greenspace is needed to reduce potential impacts. <p>These issues were also raised by Natural England and responded to by SZC Co. at Deadline 9 (Response by SZC Co. to Natural England's Comments at Deadline 8 [REP9-023] (Note: Natural England sent their comments to SZC Co. on 23 September advising that they would be submitted to the Examination at Deadline 8, but these could not be found within the Deadline 8 or Deadline 9 submissions. Their comments are appended to REP9-023 at Appendix A). Please see Response by SZC Co. to Natural England's Comments at Deadline 8 [REP9-023] for detail on the above two points which, in summary, are:</p> <ul style="list-style-type: none"> • Wardening – <i>"SZC Co. has now committed to providing four wardens in the MMP for Minsmere – Walberswick and Sandlings (North) as part of the Initial Mitigation Measures at the commencement of construction (two were previously proposed), and this has been included in paragraph 5.3.1 [REP8-087]."</i> (Response by SZC Co. to Natural England's Comments at Deadline 8 [REP9-023] paragraph 1.3.3 second bullet (pdf pages 4 and 5).) At meetings with the RSPB and Suffolk Wildlife Trust on 1st October and Natural England on 6th October 2021 all three stakeholders welcomed this additional warden resource and confirmed that this removes their concerns on wardening levels. At these meetings it was discussed that the level of funding allows for four full time wardens for the 12 year construction phase but that it would be more appropriate if the actual number in place at any time was more flexible, so that wardening levels could be adapted to suit need during the



ExQ3	Question to:	Question:
		<p>construction phase, and that there would be further discussions between the parties to agree this.</p> <ul style="list-style-type: none"> The provision of additional greenspace – <i>"SZC Co.'s position ... is that the proposed diverse package of mitigation measures already proposed will avoid Adverse Effects on the Integrity (AEoI) of European sites, and that additional SANG, or further green space provision following the SANG principles, is not necessary. ... However, SZC Co. has committed additionally to further enhance recreational green space and access improvements as submitted at Deadline 8 (Informal Recreation and Green Space Proposals [REP8-135]), the terms of which will be added to the Deed of Obligation. ... The proposals in total provide exceptional permanent legacy benefits, as well as immediate impact mitigation, if it is necessary."</i> (Response by SZC Co. to Natural England's Comments at Deadline 8 [REP9-023] paragraphs 1.3.1 and 1.3.2 (pdf page 4).) At a meeting on 6th October 2021 Natural England welcomed the additional recreational and green space measures and advised that they now consider that the mitigation package proposed by SZC Co. is sufficient to remove their concerns on the effects of recreational disturbance on European sites. <p>SZC Co. looks forward to seeing written responses by the RSPB, Suffolk Wildlife Trust and Natural England on the above points, and expect that this will remove the three parties' previously expressed concerns that recreational disturbance due to the Sizewell C Project would have the potential to have AEoI of European site(s).</p> <p>SZC Co.'s position is that its assessment of potential recreational disturbance at European sites in the Shadow HRA is based on precautionary estimated numbers of additional people and, even if higher estimates advocated by some stakeholders are used, the conclusions of the sHRA and proposed mitigation measures remain the same. The MMPs are now agreed as being highly effective and all of the final reservations by Natural England, the RSPB, Suffolk Wildlife Trust and the National Trust have been addressed and included in the MMPs in accordance with their requests. The last concern that had remained, the need for additional greenspace, has also been addressed and further space, routes and improvements will be provided, as set out within the Informal Recreation and Green Space Proposals [REP8-135] submitted at Deadline 8, and secured through, and appended to, the Deed of Obligation submitted at Deadline 10 (Doc. Ref. 10.4). Natural England has confirmed that they now accept that the monitoring and mitigation measures that will be implemented by the Sizewell C Project has alleviated their previous</p>



ExQ3	Question to:	Question:
		<p>concern that the Project has the potential to cause AEOI on European sites. This is included in the Statement of Common Ground submitted at Deadline 10 (Doc Ref. 9.10.7(B)).</p> <p>The final versions of the Monitoring and Mitigation Plans can be found at Annexes U and V of the Deed of Obligation (Doc Ref. 10.4).</p>
HW.3.2	Applicant, CCG	<p>Health and Wellbeing Working Group</p> <p>Has there now been resolution in respect of the governance, scope and funding for the Health and Wellbeing Working Group?</p>
	SZC Co. Response at Deadline 8	<p>SZC Co. and the CCG have shared further drafting changes on the governance and scope of Schedule 6 since Deadline 7 and this is now agreed; the updated position is set out in the draft Deed of Obligation (Doc Ref. 8.17(G)).</p> <p>The Residual Healthcare Contribution is agreed, as is funding for a full-time health and wellbeing officer for the first 7 years of the project, reducing to 0.5 of a role thereafter. Since Deadline 7, the CCG has requested funding for a GP to attend the health and wellbeing group and this has also been agreed.</p> <p>The only matter not agreed is whether SZC Co. should provide a dentistry contribution. SZC Co. does not consider this is needed for the reasons set out in HW.3.3 below.</p>
	CCG Response at Deadline 8	<p>The CCG and Applicant have reached a shared and agreed understanding in respect of the governance, scope and funding for the Health and Wellbeing Working Group. This is reflected in the Deed of Obligation.</p>
	SZC Co. Response at Deadline 10	<p>SZC Co. is pleased to confirm that the governance, scope and funding for the Health and Wellbeing working group is now agreed, as reflected in the Deed of Obligation, Schedule 6 (Doc Ref. 10.4).</p>
HW.3.3	Applicant, CCG	<p>First Written Questions -</p> <p>Please provide an update in respect of the review of the approach identified in FWQ HW.1.0</p> <p>(iii) Has the data now been shared, and reviewed?</p>



ExQ3	Question to:	Question:
		(iv) What is the outcome and is there now an agreed position?
	SZC Co. Response at Deadline 8	<p>Some data relating to health care costs has been shared by the CCG and this has informed the calculation of the residual healthcare contribution which is now agreed.</p> <p>The only outstanding matter relates to a dentistry contribution that was requested by the CCG on 1-9-21 - SZC Co. has set out to the CCG why it does not consider this is required and is awaiting a further response on this matter.</p> <p>In brief, SZC Co. has explained that this is because the Project is not predicting an impact on NHS dentistry. Most non-home-based workers would retain their dentist at their permanent home address and will only access dental care in Suffolk should they need urgent treatment (and not be able to wait until they return home). Given the lack of any NHS dentistry spaces in Suffolk, workers would need to pay privately for this service so the CCG would not incur additional costs.</p> <p>Non-home-based workers who move permanently to the area with their families (dependants) would typically take owner-occupied or private rented accommodation so would take the place of other residents moving out, and not comprise net additional population. Furthermore, the health and wellbeing assessment in Volume 2, Chapter 28 of the ES [APP-346] has taken a conservative approach, assuming some net additionality, and this has formed the basis for the voluntary residual healthcare contribution. An equivalent contribution is not proposed for dentistry as the lack of local NHS dentistry capacity means that the chances of non-home-based workers or their families being able to access local NHS dental services is almost zero, noting that many members of the existing local community are already having to pay privately or - if they cannot afford to pay privately - are not able to access dental services.</p> <p>This is a problem in Leiston where two dental surgeries have closed recently due to an inability to recruit dentists (BUPA in March 2020 and MyDentist in April 2021) and Suffolk-wide where there is no spare NHS dental capacity currently (see for example Why you probably can't find a local NHS dentist - A system in crisis? - Healthwatch Suffolk). This is also catalogued in the GP Patient Survey Dental Statistics, where in the last 2 years, the success rate for those trying to get a dentist appointment in NHS Ipswich and East Suffolk was 73% Statistics » GP Patient Survey Dental Statistics; January to March 2021, England.</p>



ExQ3	Question to:	Question:
		<p>SZC Co. has explained to the CCG that it cannot provide a Deed of Obligation contribution for a service that it is not impacting and its non-home-based workforce and their families will not be able to access.</p> <p>The CCG has set out that new dental capacity is being tendered for in Leiston with the aim to open this in July 2022. SZC Co. considers that it is not credible that sufficient new capacity will come forward even to provide for the needs of the many members of the local community waiting for an NHS dentist. Furthermore, it would not be appropriate to provide any contribution that would incentivise the CCG / local NHS dentists to take on Sizewell C non-home-based workers and families over and above members of the local community due to a Deed of Obligation payment.</p>
	CCG Response at Deadline 8	Following several detailed conversations with the Applicant, the CCG has concurred that it is not feasible to use a Population Health Management data approach to determine the impact on the health system and as such have concluded within the Statement of Common Ground that a position has been agreed with regards to this matter.
	SZC Co. Response at Deadline 10	<p>SZC Co. is pleased to confirm that the approach to the calculation of the Residual Healthcare Contribution is now agreed, with the exception of dentistry. Agreed sums and phasing are set out in the Deed of Obligation (Doc Ref. 10.4).</p> <p>Please see SZC Co.'s Response at Deadline 10 to HW.3.0 above on dentistry.</p>
HW.3.4	Applicant, CCG	<p>First Written Questions - severance</p> <p>Please provide an update following the response to HW1.2 and the respective positions with regard to understanding severance and the affect on local communities.</p>
	SZC Co. Response at Deadline 8	<p>The significant effects identified in Volume 2, Chapter 10 of the ES [APP-198] are either mitigated (as set out in that chapter) or are not considered relevant to equality. This applies across pedestrian severance, pedestrian delay, amenity, and fear and intimidation – including in the early years, peak construction, reinstatement, and during operation</p> <p>In terms of developing that mitigation, detailed design measures will be included in the proposed mitigation that will ensure that disproportionate and differential effects on those people with protected characteristics that may lead to difficulty in mobility are considered – for example, the maximum gradient of the Coast Path would be set to ensure wheelchair users can access with no disproportionate effect.</p>



ExQ3	Question to:	Question:
		<p>Two key principles of both the construction and operational phases defined in the Rights of Way and Access Strategy (paragraph 1.1.6) [REP7-023] are:</p> <ul style="list-style-type: none"> <i>"to comply with the legal requirements of the Equality Act 2010 and the Countryside and Rights of Way Act 2000 in terms of temporary access infrastructure and management, by ensuring that there are no physical barriers to access without lawful authority and that reasonable adjustments are made to facilitate participation by all; and</i> <i>to ensure that all new linear surfaces are easy to use;"</i> <p>Changes to existing PRoW and permissive footpaths, and creation of new PRoW and permissive footpaths, for the main development site and associated development sites, will be designed in detail post-DCO consent.</p> <p>Paragraph 1.1.2 of the Rights of Way and Access Strategy [REP7-023] states that Public Rights of Way Implementation Plans will be prepared for each development site and submitted to the highway authority for agreement under Requirement 6A of the Draft DCO.</p> <p>The Public Rights of Way Implementation Plans will be agreed by the Rights of Way Working Group.</p> <p>One of the key considerations of this process will be to ensure that works to existing and new rights of way are designed to cater for people who may experience effects disproportionately as a result of their protected characteristics, in accordance with the Equality Act 2010.</p>
	SCC Response at Deadline 8	<p>As severance is a matter that is assessed in the environmental assessment of transport and the methodology is consistent across the areas, it was considered that it might be helpful to provide a comment here. The assessment of the impacts of severance on transport has been agreed and applied by the Applicant; the Council are reviewing the updated ES Addendum [REP7-030], and have a small number of queries on impacts on links, as a result there remain a small number of links where there are potential residual impacts, including on severance, and confirmation of the method for mitigating these impacts is being sought.</p>
	CCG Response at Deadline 8	<p>HW1.2 was not originally directed to the CCG and we unable to offer an update in this regard. SCC will be responding on this point and we have been notified this will be with the following;</p>



ExQ3	Question to:	Question:
		<i>"The assessment of the impacts of severance on transport has been agreed and applied appropriately by the Applicant; the Council are reviewing the final ES, and have a small number of queries on impacts on links, whilst the Council are of the opinion that it is unlikely additional locations will be identified, the review needs to be completed to be completely confident"</i>
	SZC Co. Response at Deadline 10	The ES transport effects set out in Appendix 2.C of the Fourth Environmental Statement Addendum [REP7-032] have now been agreed with SCC. See SZC Co.'s Deadline 10 response to ExA question TT.2.28. A technical note is submitted by SZC Co. at Deadline 10 (Doc Ref. 6.20) which explains the position in relation to final points of clarification with SCC on the ES transport effects. The technical note does not change the results presented in Appendix 2.C of the Fourth ES Addendum [REP7-032] submitted at Deadline 8.
HW.3.5	Applicant, CCG	Care Homes The CCG indicated concerns with regard to the potential impact upon care homes and their residents and staff. Please provide an update on whether this concern has now been overcome
	SZC Co. Response at Deadline 8	SZC Co. has not identified a likely significant effect on care home residents and staff. However, a number of resilience measures have been agreed during the course of the examination which will support care home residents and staff. In terms of staff in the care sector, SZC Co. recognises that there is potential for some workers in the care sector to seek employment on the Sizewell C Project. This is a positive benefit for the workers, and a normal part of labour market churn that all employers are subject to. There has been high turnover of staff and difficulty in retention in social care irrespective of the labour market for the last 10 years. Retention is always an issue, irrespective of the state of the labour market – at peak of boom and in recession. Nonetheless, given the importance of the sector, SZC Co. has committed to providing funding of £100,000 for resilience measures to support resilience in workforce planning within Suffolk County Council's Adult Social Care and Children's Services including support for recruitment, training and retention of staff (similar to initiatives under NALEP's Sector



ExQ3	Question to:	Question:
		<p>Skills Plan and developing through EU funding) as set out through the Public Services Resilience Fund at Schedule 5 of the Draft Deed of Obligation [REP7-040].</p> <p>This would be similar to funding previously utilised by the sector via the LEP's The Sector Skills Plan for Health and Social Care (2016) that sets out the key challenges and strategic priorities for the sector, focusing on entrance and retention to the health and social care sector with a particular focus on adult social care, and identifying a set of measures that could be implemented.</p> <p>This may help to improve Suffolk County Councils capacity to retain staff in this sector, plan for recruitment and training and provide resilience.</p> <p>In addition, as set out in Schedule 5 of the Draft Deed of Obligation [REP7-040] SZC Co has agreed to fund 'Social Care Resilience Measures (Adult Community Services)' (Schedule 5, draft Deed of Obligation (Doc Ref. 8.17(G)) which comprises initiatives to support the resilience and service provision of Suffolk County Council's Adult Community Services, including support for the commissioning and delivery of Home Care services to residents including to people who may experience differential or disproportionate effects as a result of their Protected Characteristics.</p> <p>SZC Co has also agreed to provide contingency funding for "Housing and Homelessness Services Resilience Measures" (Schedule 3, draft Deed of Obligation (Doc Ref. 8.17(G)) which includes provision for the Accommodation Working Group to agree a payment by SZC Co. to Suffolk County Council should information provided by Suffolk County Council demonstrate closure of Council-provided residential care homes directly as a result of the Sizewell C Project.</p> <p>More generally, measures to support local healthcare capacity (Schedule 6) and the East of England Ambulance Group (Schedule 4), as well as transport measures (Schedule 16) such as widened footways and increased numbers of informal crossing points should also benefit this age demographic. Full detail will be provided in the updated Equality Statement to be submitted before the end of the Examination.</p>
	CCG Response at Deadline 8	The CCG can confirm it has made significant progress in reaching substantive agreement with the Applicant to mitigate most identified health and wellbeing implications. This position is reflected in the Deed of Obligation and supporting Deed of Covenant.



ExQ3	Question to:	Question:
		<p>Should the DCO be approved, in line with its Terms of Reference, the Health and Wellbeing Group will monitor local health care provision (inc. care home and implications for residents and staff) and seek the agreement of all members to take appropriate action to address areas of concern or build upon good practice.</p> <p>The CCG are aware of the potential significant challenges in accessing Norwood House in Middleton Moor during the early stages of the scheme where the link road and the Yoxford Roundabout construction will be taking place.</p>
	SZC Co. Response at Deadline 10	<p>As set out in SZC Co.'s Response to the Examining Authority's First Written Questions CI.1.12 [REP2-100, electronic page 689], Norwood House is assessed as receptor 4 for the Sizewell link road - see Figure 4.1 in Volume 6, Chapter 4 (Noise and Vibration) of the ES [APP-453, electronic page 2] for a plan showing the receptor location and Appendix B of the Third Environmental Statement Addendum [REP6-017, electronic page 51] for the assessment outcomes. No significant adverse noise effects are predicted, although there will be a significant increase in traffic noise on the B1122 close to property in the early years before the construction of the Sizewell link road.</p> <p>No further effects on Norwood House are predicted and SZC Co. does not agree that there will be significant challenges in accessing Norwood House. As set out in the Deadline 3 Statement of Common Ground with the CCG in SZC Co.'s response on HW3 [REP5-097], <i>"Associated developments have been designed to be built off-line so even if something has a say 9 month or 2-year construction programme, the vast majority of that time construction will be in fields and not affect the highway network. Tie ins will be a few weeks only and timings will be agreed through the Transport Review Group."</i> SZC Co. also notes that Norwood House has not raised any concerns on this (or any other) matter throughout the examination.</p> <p>The Deed of Obligation (Doc Ref. 10.4) commits SZC Co. to delivering a package of road safety improvements along the B1122 which will be in place during construction of the Sizewell link road. The B1122 Early Years Scheme is described in Schedule 16 and shown indicatively in Annex Q of the Deed of Obligation (Doc Ref.10.4). The DCO also secures a 30mph speed limit, via a Temporary Traffic Regulation Order (TRO) along most of the B1122 during construction of the Sizewell link road.</p>
HE.3	Historic environment (terrestrial and marine)	



ExQ3	Question to:	Question:
HE.3.2	National Trust	<p>First Written questions – Temporary and Permanent Beach Landing Facilities</p> <p>In response to second written questions HE.1.19 and HE.1.20 at Deadline 7, the Applicant stated the National Trust has:</p> <ul style="list-style-type: none"> (i) overstated the nature and effects of the enhancement of the permanent beach landing facility; and (ii) overstated the potential visibility of the temporary beach landing facility and associated infrastructure. <p>Please provide a response to the above.</p>
	SZC Co. Response at Deadline 8	No response is required from SZC Co.
	National Trust Response at Deadline 8	The National Trust disagrees. Our site at Dunwich Heath will have an elevated view of this infrastructure which will be significant in scale and will extend out into the North Sea. As stated at Issue Specific Hearing 5 the National Trust does not consider that the applicant has submitted adequate visualisations to show the true scale and impact of the development, particularly during construction. It is understood that additional visualisations will be submitted by the application at Deadline 8. We await these and will comment further once these have been submitted.
	SZC Co. Response at Deadline 10	As set out in the Statement of Common Ground between SZC Co. and the National Trust submitted at Deadline 8 [REP8-134], the Parties have agreed that appropriate mitigation has been provided for Coastguard Cottages as secured in Schedule 13 of the Deed of Obligation (Doc Ref. 10.4).
HE.3.3	English Heritage	<p>Sustainable Conservation and Management Strategy</p> <p>Please provide a copy of the Sustainable Management Strategy as detailed in introductory paragraph 1.5 of Response to The Examining Authority's second written questions and requests for information (ExQ2) on behalf of The England Heritage Trust submitted at Deadline 7.</p>
	SZC Co. Response at Deadline 8	No response is required from SZC Co.
	EHT Response at Deadline 8	I am pleased to include herewith a copy of the Sustainable Conservation and Management Strategy. In this document you will see that significant assessments have been made of



ExQ3	Question to:	Question:
		<p>the current state of the buildings at Leiston Abbey (second site) and the need for further surveys and works is explained alongside a budget for each.</p> <p>The Sustainable Conservation and Management Strategy has been used as a basis for our discussions and negotiations with SZC Co. You will also note that EHT and SZC Co. have now reached common ground regarding the need for mitigation, what that mitigation should be (as outlined in the Sustainable Conservation and Management Strategy) and the likely amount needed to fund these works, in the Deed of Obligation.</p> <p><i>[See REP8-154 for the Sustainable Conservation Management Strategy & Stewardship Vision document.]</i></p>
	SZC Co. Response at Deadline 10	<p>SZC Co. is pleased to confirm that English Heritage Trust has separately shared a copy of the Sustainable Conservation and Management Strategy and Stewardship Vision document [REP8-154] and this has informed the negotiations on the scope and quantum of the Deed of Obligation contribution for the Second Leiston Abbey Site, which is secured in Schedule 8 of the Deed of Obligation (Doc Ref. 10.4).</p>
LI.3	Landscape impact, visual effects and design	
LI.3.0	Applicant, ESC	<p>Design and Access Statement – Detailed Built Development Principles</p> <p>In response to FWQ LI.2.22 the National Trust has request involvement in the following:</p> <ul style="list-style-type: none"> (i) discussions in relation to the colour palette for the cladding of the turbine halls – Principle 56 of Table 5.3 [REP5-070]; and (ii) notification and consultation of the Reserved Matters applications in relation to Principles 57 and 80 of Table 5.3 [REP5-070]. <p>Please respond to the request made by the National Trust and where relevant, amend relevant documentation.</p>
	SZC Co. Response at Deadline 8	<p>(i) In the updated revision (Rev 02) of the Design and Access Statement [REP5-070] submitted at Deadline 5, the revised wording to Design Principle 56 confirmed that SZC Co will need to obtain approval from ESC for the colour palette and panel profile. By virtue of the pre application by SZC Co. and consultation following submission to ESC, SZC Co. would expect the AONB Partnership and the National Trust to be consulted.</p>



ExQ3	Question to:	Question:
		(ii) Both Design Principle 57 and 80 as included in the updated revision (rev 02) of the Design and Access Statement [REP5-070], refer to reserved matters applications requiring to be submitted for approval. dDCO Requirement 12, states that these reserved matters applications need to be submitted and approved by ESC, following consultation with the National Trust and the AONB.
	ESC Response at Deadline 8	<p>(i) ESC would not object to others such as National Trust being involved in the discussions regarding the colour palette for the turbine hall cladding, and we have previously suggested that the AONB should be involved in those discussions. However, ESC should remain the authority with whom the final colour palette is agreed, following consultation with others.</p> <p>(ii) ESC would expect to consult on reserved matters applications in the same manner as we would for town and country planning applications. We have no objection to NT being consulted on reserved matters applications along with others such as AONB, NE, EA, SWT, etc.</p>
	SZC Co. Response at Deadline 10	The requests made by the National Trust in their response to Examining Authority Second Written Questions (ExQ2) LI.2.22 have been addressed by SZC Co in the Design and Access Statement submitted at Deadline 9 [REP9-005]. (Also refer to Doc Ref. 10.18 for the final version)
LI.3.1	ESC, SCC, AONB Partnership, National Trust, Natural England	<p>Design and Access Statement – Detailed Built Development Principles</p> <p>In response to FWQ LI.2.13 and LI.2.14 the Applicant has detailed amendments to Principles 56 and 57. Please review and provide a response to the appropriateness of the additional text.</p>
	SZC Co. Response at Deadline 8	No response from SZC Co. is required.
	Natural England Response at Deadline 8	<p>Principle 56 amendment. We are content for the colour palette to be discussed and agreed with East Suffolk Council, on the understanding that the AONB Partnership would be invited to participate in that process.</p> <p>Principle 57 amendment. It is not clear whether and how the local authority and AONB Partnership would be involved in selecting the colour of the interim spent fuel store.</p>



ExQ3	Question to:	Question:
	ESC Response at Deadline 8	<p>Principle 56 – Turbine Halls and Operational Service Centre. We support the proposed inclusion of additional wording to Design Principle 56 in the Design and Access Statement in respect of the cladding to the Turbine Halls as set out in the Applicant’s response to FWQ LI.2.13 [REP7-053] and consider it appropriate. The additional wording could be clearer: the wording currently states the panel profile will be agreed with ESC but it is not clear that the material is also to be agreed with ESC.</p> <p>Principle 57 – Interim Fuel Store. ESC supports the proposed inclusion of additional wording to Design Principle 57 in the Design and Access Statement in respect of the design of the Interim Fuel Store, as set out in the Applicant’s response to FWQ LI.2.14 [REP7-053].</p>
	SCC Response at Deadline 8	<p>The text amendments to Principle 56 include the reference to the colour range that emerged from the study prepared for the AONB “Guidance on the selection and use of colour in development” that is referred to in par 6.17.3 of the DAS. As such, this gives more confidence on the use of colour for the turbine hall and is acceptable to SCC.</p> <p>The concern that SCC had on the design of the interim spent fuel store was that it was a substantial and prominent building that would endure in the landscape for longer than the rest of the power station. Thus it would have been appropriate that a bespoke design for this location could have been considered by the Examination. There is not now the opportunity for this to occur and in that context, the text for Principle 57 is an improvement on the original. There could also be the opportunity here to refer to the AONB study (noted above) as the basis for the colour palette of this building to ensure a clear reflection of its location.</p>
	AONB Response at Deadline 8	<p>Given the importance of the cladding for mitigation of the project it is considered that the AONB study, Selection and Use of Colour in Design informs the decision and a range of stakeholders work to secure the most appropriate materials and colour to maximise mitigation. Suitable maintenance of the cladding should be a requirement on the applicant to maintain the integrity of colour.</p> <p>The external surfaces of the interim spent fuel store should draw on the AONB study Selection and Use of Colour in Design to inform choice of colour and be agreed by a wide</p>



ExQ3	Question to:	Question:
		range of stakeholders. The simple form should seek to be use materials compatible to nuclear requirements and recognise the location within a nationally designated landscape.
	National Trust Response at Deadline 8	<p>Principle 56 refers to the cladding for the turbine halls and has been amended to state that the colour palette will be discussed and agreed with East Suffolk Council. The applicant's response to LI.2.13 states that wording of this Principle will be updated in the final version of the Design and Access Statement submitted at Deadline 10 to state that the colour palette and profile will be discussed as agreed with ESC as part of pre-submission discussion/design review.</p> <p>As set out in our response to Q LI.2.22 of ExQ2, given the elevated views of the development site from Dunwich Heath and that the turbine halls will be the tallest structures within the site, the NT would welcome involvement in these discussions. The applicant should provide samples, montages and mock-ups to demonstrate what these would look like from Dunwich Heath. The National Trust request that it is named as a consultee in Design and Access Statement or Requirement, as appropriate. The Trust agrees with the AONB position that given the importance of the cladding for mitigation of the project it is considered that the AONB study, Selection and Use of Colour in Design informs the decision and that any approach is agreed with a wide range of stakeholders to secure the most appropriate materials and colour to maximise mitigation.</p> <p>Principle 57 refers to the external treatment of the interim spent fuel store. It is noted that the applicant's response to</p> <p>LI.2.14 states that the Reserved Matters applications shall include details of the available colour options, including an explanation of how the proposed colour choice has responded to the building's setting. We support the proposed amendment to the wording of this principle to ensure that the design will have regard to the AONB and its immediate landscape context, acknowledge the long design life of the building in its material selection and design response, recognising its elevated status relative to other ancillary buildings. We note that this revised wording to the Design Principle will be included in the final version of the Design and Access Statement which is yet to be submitted. We also concur with the AONB that the applicant should draw on the AONB study Selection and Use of Colour in Design to inform choice of colour and that this should be agreed by a wide range of stakeholders.</p>



ExQ3	Question to:	Question:
		We are pleased that we are listed as a consultee in Requirement 12 (Main development site: Reserved Matters) of the draft Development Consent Order submitted at Deadline 5 which relates to the intermediate level fuel store, interim spent fuel store, visitor centre and administrative buildings.
	SZC Co. Response at Deadline 10	<p>In response to Natural England's query with regards to Design Principle 57 of the Design and Access Statement and how the local authority and the AONB Partnership would be involved in the selection of colour of the Interim Spent Fuel Store, SZC Co. confirms that the external appearance of the building will need to be approved through submission of details to East Suffolk Council, secured by dDCO Requirement 12, through consultation with the AONB Partnership.</p> <p>To address the matter raised by East Suffolk Council in respect of Design Principle 56 of the Design and Access Statement, SZC Co has made an amendment to the drafting of this Design Principle in the Design and Access Statement submitted at Deadline 10 (Doc Ref. 10.18). This will clarify that the material for the turbine halls and operational service centre will also be agreed with East Suffolk Council.</p> <p>In order to further reassure Suffolk County Council and the National Trust, SZC Co. has amended the wording of Design Principle 57 of the Design and Access Statement to include reference to the AONB Partnership 'Guidance on the selection and use of colour in development', to inform the colour choice of the Interim Spent Fuel Store.</p> <p>SZC Co. can confirm that the National Trust is now referred to specially in Design Principle 57 of the Design and Access Statement (Doc Ref. 10.18) as a consultee, so will be part of any pre application discussion in respect of the turbine hall cladding.</p>
LI.3.2	ESC, SCC, AONB Partnership, National Trust, Natural England	<p>Estate Wide Management Plan for the EDF Energy Estate</p> <p>At Deadline 7 the Applicant submitted an Estate Wide Management Plan for the EDF Energy Estate (Doc 9.88). Please review and comment on the content and likely effectiveness of the plan. Are you content with the wording of Requirement 5C within the draft DCO (Doc 3.1 Revision 8.0)?</p>

ExQ3	Question to:	Question:
	SZC Co. Response at Deadline 8	No response from SZC Co. is required.
	Natural England Response at Deadline 8	<p>In relation to designated landscape matters we defer to the AONB Partnership to comment on how effective this would be in upholding the AONB's statutory purpose. Their comments can, we hope, relate the Management Plan to the aims and objectives of the area's statutory management plan.</p> <p>We are content with the wording in the draft DCO which says: "Project wide: Estate Management, The Estate must be maintained in accordance with the Estate Wide Management Plan, unless otherwise approved by East Suffolk Council. "</p>
	ESC Response at Deadline 8	<p>ESC is satisfied with the objectives and principles of the Estate Wide Management Plan in respect of landscape restoration and management matters. Subject to submission of further details through subsequent requirements, it is considered to be a highly effective approach to the restoration of land affected by the development and adjacent areas.</p> <p>A more detailed commentary on the EWMP from an ecological perspective have been submitted as part of ESC's Deadline 8 submissions. They have not been included here due to their length.</p> <p>ESC is content with the wording of Requirement 5C within the draft DCO [REP7-007] but has some concerns as to whether the Requirement is the appropriate means of securing adherence to the EWMP in relation to land outside of the DCO Order Limits.</p> <p>ESC also notes that proposals for the future of some of the historic buildings at the Upper Abbey Farm site that does fall within the EDF Energy Estate are under separate discussion with the Applicant.</p>
	SCC Response at Deadline 8	<p>In respect of landscape matters, the Council is content with the content of the plan and welcomes the embedded principle that the Estate Wide Management plan is designed to be adaptive to the impacts of climate change.</p> <p>We are continuing to review the EWMP in respect of ecological matters.</p>

ExQ3	Question to:	Question:
	AONB Response at Deadline 8	<p>The AONB has not had sufficient resource to fully review the Estate Wide Management Plan for the EDF Energy Estate. However, it does not that there are a number of references to the AONB within it but finds insufficient reference within the plan on how the plan would deliver on the statutory purpose of the AONB, to conserve and enhance its natural beauty, particularly its defined characteristics outlined in the defined Natural Beauty and Special Qualities document agreed between the applicant, Suffolk Coastal District Council (Now East Suffolk Council), Suffolk County Council and the AONB Partnership.</p> <p>The AONB would seek that the Government advisor on AONB matters, Natural England, was named in the wording of the requirement 5C within the draft DCO (revision 8.0) given that much of the estate is within the nationally designated landscape.</p>
	National Trust Response at Deadline 8	<p>The National Trust defers to the view of the Councils who will be responsible for ensuring compliance with this document.</p> <p>We would however see added value in future engagement on the delivery of the vision included in this document and specifically the aspiration to complement the landscapes to the north at the RSPB Minsmere Reserve and our property at Dunwich Heath as referred to in paragraph 2.3.2, PDF page 6 of the Estate Wide Management Plan for the EDF Energy Estate.</p>
	SZC Co. Response at Deadline 10	SZC Co. has amended the wording of Requirement 5C to ensure that East Suffolk Council consult Natural England . Engagement with stakeholders across the estate is important to SZC Co. and relevant bodies, such as the National Trust, are named on various governance groups in the Deed of Obligation (Doc Ref. 10.4) to provide a forum for input.
LI.3.3	ESC, SCC, AONB Partnership, Natural England	<p>Associated Development Design Principles</p> <p>Please comment on the amendments made to the Associated Development Design Principles (Doc 8.3, Revision 3.0) submitted at Deadline 7, in respect of planting and hedgerows.</p>
	SZC Co. Response at Deadline 8	No response from SZC Co. is required.
	Natural England Response at Deadline 8	Natural England is not able to provide landscape related advice for those parts of the scheme located outside the AONB and its setting.



ExQ3	Question to:	Question:
	ESC Response at Deadline 8	<p>ESC notes the amendments to the planting provisions within this document [REP7-035] including those in respect of hedgerows. The inclusion of species-rich hedgerow mixes and the removal of elm planting is noted and welcomed.</p> <p>Ecology comments on the Design Principles are included in ESC's Deadline 8 submission. They are not repeated here due to the technical nature of the comments and their length.</p>
	SCC Response at Deadline 8	SCC is satisfied with the proposed amendments that have been made to the Associated Design principles in respect of planting and hedgerows.
	AONB Response at Deadline 8	<p>The AONB does not concur with some aspects of the development design principles in Doc 8.3, revision 3.0 submitted at deadline 7. In particular it considers reference to species-rich hedgerows to not support the conservation and enhancement of the AONB. It considers that hedgerows should be mixed to reflect the local landscape character to avoid planting species that do not reflect local landscape character. The AONB suggests the phrase: Mixed native hedgerow planting that reflects the local landscape character to replace species rich hedgerow.</p> <p>The AONB considers reference to tree and shrub planting should be caveated by reference to the choice of trees and shrubs planted should reflect the local landscape character.</p> <p>The choice of species chosen for planting should in addition to above consider the success or otherwise of planting due to the impacts of climate change and known diseases.</p>
	SZC Co. Response at Deadline 10	<p>The Associated Development Design Principles were updated at Deadline 7 [REP7-034] to refer to 'species rich' hedgerows at the request of East Suffolk Council and Suffolk County Council. The Associated Development sites are not located within the AONB and, as such, Natural England has declined to comment on the changes made to the Associated Development Design Principles at Deadline 7. However, the AONB Partnership has suggested alternative wording to 'species rich', preferring 'mixed native hedgerow'. The Associated Development Design Principles stipulate that "All proposed tree and shrub planting will use native species." The purpose of the hedgerow planting is to supplement the existing vegetation and provide ecological mitigation and visual screening. In terms of ensuring local, native species are used and the hedgerows are suitable for their identified purposes, and given the Associated Development sites do not fall within the AONB, it is</p>



ExQ3	Question to:	Question:
		<p>considered that the wording used in the Associated Development Design Principles is suitable in terms of hedgerow planting. In addition, the Landscape and Ecological Management Plans for both Sizewell link road (Doc. Ref. 10.27) and the two village bypass (Doc. Ref. 10.29) provide further guidance on the landscape and ecological objectives of the proposals for these permanent Associated Development sites, including ensuring that they enhance local landscape character</p> <p>Regarding ESC's ecological comments at Deadline 8, section 8.3 (pages 39-40) of ESC's comments on Deadline 7 submissions from the Applicant [REP8-140], the Associated Development Design Principles document has been updated at Deadline 10 (Doc Ref. 10.1) to include text stating that the ratio of bat box provision on the two village bypass and Sizewell link road will be in accordance with the relevant ratios set out in the Sizewell C Project Draft Bat Method Statement [REP7-080].</p>
LI.3.6	ESC, Applicant	<p>Requirement 14 - Advanced Planting</p> <p>ESC – Following the Compulsory Acquisition Hearing on 17 August 2021, Requirement 14 – Main development site: Landscape works (Doc 3.1 Revision 8.0) has been amended to include wording in relation to an advanced landscape scheme. Please review and provided comment.</p> <p>Applicant – It is noted that detail of the advanced landscaping scheme is to be submitted to and approved by ESC. It would however be helpful to be provided with high level information including, but not limited to, proposed location of planting, timing of planting and scale. In addition, please advise why advanced planting is only proposed at Work 1A? Please consider the extension of advanced planting both within the main development site and the associated development sites.</p>
	SZC Co. Response at Deadline 8	<p>SZC Co. is committed to establishing new planting at the earliest practicable opportunity in accordance with the project design principles contained within Chapter 5 of the Design and Access Statement [REP5-070]. A Planting Phasing Strategy (Appendix D of Comments at Deadline 7 on Submissions from Earlier Deadlines and Subsequent Written Submissions to ISH1-ISH6 – Appendix D, Electronic Page 84 [REP7-060]) for the Main Development Site was submitted at Deadline 7. The document provides information on the indicative location and timing of planting in relation to the five phases of construction identified in the Construction Method Statement (Doc Ref. 6.3 3D9D).</p>



ExQ3	Question to:	Question:
		<p>The strategy includes an additional 'Advanced Planting Phase' prior to the start of construction activity to show areas of planting to be implemented in advance of, or as part of, enabling works to provide initial screening and integration of built features. Some of this planting has already been completed with further planting planned for the 2021/2022 tree planting season.</p> <p>With regard to the associated development sites, as both designs for the associated developments and their landscape schemes continue to evolve, consideration will be given to areas where advance planting could be achieved without being affected by construction works as part of the detailed design stage. Areas where planting would provide particular benefit to local residents and other sensitive receptors will be prioritised for consideration.</p>
	ESC Response at Deadline 8	ESC is content with the advanced planting provision contained in Requirement 14 of the Draft DCO [REP7-007].
	SZC Co. Response at Deadline 10	SZC Co. welcomes confirmation from ESC that they are content with the advanced planting provision contained in Requirement 14 of the Draft DCO (Doc Ref. 3.1(J)) and no further response is required.

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

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

Issued on 09 September 2021

Responses are due by Deadline 8: 24 September 2021

PART 5 OF 6

NV.3 [Noise and Vibration](#)

P.3 Policy and Need (no further comments from Interested Parties received at Deadlines 8 and 9)



ExQ3	Question to:	Question:
NV.3	Noise and Vibration	
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?</p> <p>In the event this were to be a revised or additional requirement please provide a draft of the wording the Council would wish to see included.</p>
	SZC Co. Response at Deadline 8	<p>Although not a question for SZC Co., it is considered helpful to reiterate the point made in response to ExQ3 NV.3.0 and highlight that the update to the draft main development site Noise Monitoring and Management Plan (Appendix B of Part B of the Code of Construction Practice (Doc Ref 8.11(E)) being submitted at Deadline 8 includes an additional evening threshold that will trigger the need to formally engage with ESC and agree a Bespoke Mitigation Plan. The additional evening threshold is set at a level of 50dB $L_{Aeq,4hrs}$, lower than the 55dB $L_{Aeq,16hrs}$ value already included in the Noise Monitoring and Management Plan (Appendix B of Part B of the Code of Construction Practice (Doc Ref 8.11(E)) for the daytime period, reflecting the potential for the evening period to be more sensitive than the daytime period.</p> <p>As also noted in response to ExQ3 NV.3.0, the temporal overlap between the 16 hour daytime period (07:00 and 23:00 hours) and the new additional 4 hour evening period (19:00 and 23:00 hours) has no material effect in the context of noise predictions in advance of the works; the calculations will simply consider both periods, and predicted exceedance of either will trigger the need for a Bespoke Mitigation Plan.</p>
	ESC Response at Deadline 8	<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>



ExQ3	Question to:	Question:
		<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 ambiguity to the process and would be overly onerous in comparison to the night-time thresholds. <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 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</p>



ExQ3	Question to:	Question:
		<p>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>
	SZC Co. Response at Deadline 10	<p>All matters relating to the control of noise and vibration at the main development site are now agreed between SZC Co. and ESC, including the use of a lower threshold for the evening period to trigger the Bespoke Mitigation Plan process. This is reflected in the final Statement of Common Ground with ESC and SCC (Doc Ref 9.10.12(B)).</p>
NV.3.2	Applicant, ESC	<p>Borrowpits and Stockpiles at the Main Development Site</p> <p>(i) The response in [REP6-025] is noted however, there is nothing currently in place which would prevent 24 hour working at the borrowpits or stockpiles. While para 4.3.8 indicates this is not the intention, should this not be prevented by prescribing a restriction of working hours in these locations?</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>
	SZC Co. Response at Deadline 8	<p>(i) As stated at paragraph 4.3.8 of SZC Co.'s Comments at Deadline 6 on Submission from Earlier Submissions and Subsequent Written Submissions to ISH1-ISH6 [REP6-025, electronic page 32] SZC Co. does not intend to operate the northern borrow pit during the night. SZC Co. will therefore accept a discrete restriction to this area limited to earthworks operations, and this restriction is now included in paragraph 1.3.1 of the Code of Construction Practice (Doc Ref 8.11(E)), secured by Requirement 2 of the</p>



ExQ3	Question to:	Question:
		<p>dDCO (Doc Ref 3.1(I)). It should be noted that other low-level activities may occur in this area such as security inspections and patrols of the site perimeter.</p> <p>(ii) No response from SZC Co. is required.</p> <p>(iii) No response from SZC Co. is required.</p>
	ESC Response at Deadline 8	<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>
	SZC Co. Response at Deadline 10	<p>All matters relating to the control of noise and vibration at the main development site are now agreed between SZC Co. and ESC, including the restriction on the hours of work at the borrow pits and the process for agreeing specific controls under a bespoke mitigation plan process, which must be approved pursuant to the NMMP which is secured by the CoCP (Requirement 2). This agreement is reflected in the final Statement of Common Ground with ESC and SCC (Doc Ref 9.10.12(B)).</p>
NV.3.3	Applicant, ESC (iv) only	<p>Residential Gardens</p> <p>The Noise Mitigation Scheme and draft Rail Noise Mitigation Scheme are both aimed at reducing noise impacts within properties that would be subject to adverse noise.</p> <p>(i) Please advise if there has been an assessment of effects on residential gardens,</p>



ExQ3	Question to:	Question:
		<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>
	SZC Co. Response at Deadline 8	<p>(i) The protection of gardens is largely related to construction noise and road traffic noise, as these are the sources that may be present during the daytime when gardens are likely to be in use.</p> <p>Railway noise is not relevant as SZC Co's trains will run for the most part at night. Notwithstanding this, the elements of the Rail Noise Mitigation Strategy (Doc Ref 6.14 9.3.E(A)), now renamed the Rail Noise Mitigation Plan) that relate to physical measures will bring about a reduction in railway noise and vibration during both the daytime and night-time, within properties and in external areas.</p> <p>As SZC Co. stated at ISH12, the assessment of construction noise is either based on the criteria set out in BS5228-1: 2009+A1: 2014¹ (AD sites) or follows the principles set out in the standard (main development site). The approach in BS5228-1: 2009+A1: 2014 is to consider noise-sensitive premises, and it is clear from the definition in Section 3 of the standard, titled 'Terms and Definitions', that gardens are included within the scope of noise-sensitive receptors:</p> <p>"3.9 noise-sensitive premises (NSPs) <i>any occupied premises outside a site used as a dwelling (including gardens), place of worship, educational establishment, hospital or similar institution, or any other property likely to be adversely affected by an increase in noise level."</i></p> <p>BS5228-1: 2009+A1: 2014 therefore already includes consideration of gardens when setting criteria, and those criteria are applied at the dwelling, cognisant of the fact that the dwelling may have gardens around it. SZC Co. considers that the assessment considers gardens in exactly the way envisaged in BS5228-1: 2009+A1: 2014.</p>

¹ British Standard BS5228-1: 2009+A1: 2014 Code of Practice for noise and vibration control at open construction sites – Noise

ExQ3	Question to:	Question:
		<p>For road traffic noise, the approach set in DMRB LA111 is applied, and that method does not require consideration of road traffic noise in gardens. Notwithstanding this, in most instances the predicted noise levels with the new roads in place are expected to be below the 55dB upper guideline value in BS8233: 2014, which is the only British Standard that provides a guideline value for gardens, albeit in the context of new residential development proposed close to existing noise sources, rather than assessing a change in the existing noise climate.</p> <p>For context, British Standard 8233: 2014² recommends a 'desirable' guideline value for gardens of 50dB $L_{Aeq,T}$ and an upper guideline value of 55dB $L_{Aeq,T}$, both in the context of residential development proposed close to existing noise. The standard also states that higher noise levels are acceptable where development is desirable, providing that the noise levels are as low as practicable.</p> <p>(ii) The Code of Construction Practice (Doc Ref 8.11(E)) provides the mechanism to apply appropriate mitigation for construction works, which will protect both external and internal environments alike.</p> <p>The Noise Monitoring and Management Plans provide a means for ESC to control construction work, to ensure mitigation is appropriate, and if necessary, to seek targeted mitigation for locations they consider sensitive. For the main development site, that provision for ESC to influence construction works occurs at a noise level of 55dB $L_{Aeq,16hrs}$, i.e. at the equivalent level to the upper guideline value set out in BS8233: 2014 for gardens. The draft main development site Noise Monitoring and Management Plan (Appendix B of Part B of the Code of Construction Practice (Doc Ref 8.11(E))) to be submitted at Deadline 8 includes an additional evening threshold that will require the agreement of ESC to the proposed construction works at an additional evening threshold set at a level of 50dB $L_{Aeq,4hrs}$.</p>

² See section 7.7.3.2 of British Standard 8233: 2014 Guidance on sound insulation and noise reduction for buildings (2014)



ExQ3	Question to:	Question:
		<p>The Noise Monitoring and Management Plans for the Associated Development sites will include a similar approach; a draft of the Noise Monitoring and Management Plan (Appendix A of Part C of the Code of Construction Practice (Doc Ref 8.11(E)) for the northern park and ride site is submitted at Deadline 8 and the Noise Monitoring and management Plans for the associated development sites must be in general accordance with that draft.</p> <p>SZC Co. considers that this approach provides certainty that the works will be managed and mitigated to an appropriate level, in partnership with ESC.</p> <p>(iii) There is no standard relating to the protection of gardens from changes in the existing noise climate. The criteria that are routinely applied to gardens are generally applied in the context of new residential development, and are found in BS8233: 2014³. The criteria are also found in the WHO's 'Guidelines for Community Noise'⁴, although these guideline values are largely superseded by the 2018 Environmental Noise Guidelines⁵.</p> <p>The guidelines in BS8233: 2014 are:</p> <ul style="list-style-type: none"> • 50dB $L_{Aeq,T}$, which is a 'desirable' target in BS8233: 2014 (and the level not to be exceeded to avoid 'moderate' annoyance in the 1999 WHO guidance. It is stated as a 16hr value in the WHO guidance). • 55dB $L_{Aeq,T}$, which is an 'upper limit' in BS8233: 2014 (and the level not to be exceeded to avoid 'serious' annoyance in the 1999 WHO guidance. It is also stated as a 16hr value in the WHO guidance). <p>BS8233: 2014 suggests that development in higher noise areas that is regarded as desirable should not be prohibited if gardens exceed 55dB, but the lowest practicable levels should be achieved.</p>

³ British Standard 8233: 2014 Guidance on sound insulation and noise reduction for buildings (2014)

⁴ World Health Organisation Guidelines for Community Noise (1999)

⁵ World Health Organisation Environmental Noise Guidelines for the European Region (2018). The equivalent guidance in the 2018 ENG is 54dB L_{DEN} for railway noise and 53dB L_{DEN} for road traffic noise.



ExQ3	Question to:	Question:
		<p>SZC Co. notes that the 16hr time base for these values is not equivalent to that set out in the Annex E.5 long-term earth moving criteria, which uses a 1hr time period, and equivalence should not be assumed.</p> <p>As noted in part (i) of this question, the standard for construction noise sets criteria cognisant of the fact that the dwelling may have gardens around it, and DMRB does not require separate consideration of gardens.</p> <p>On the above basis, the change in noise from construction and operational activities has been assessed for representative receptors, including gardens. The methodology applied is in keeping with the regulatory assessment process, the procedures and mitigation to manage noise at source and reduce exposure is appropriate, and the residual impact is not sufficient to quantify any manifest health outcome or deter the use and enjoyment of gardens. In any event, and as noted in part (ii) of this question, the Code of Construction Practice (Doc Ref 8.11(E)) provides the mechanism to apply appropriate mitigation for construction works, which will protect both external and internal environments alike.</p> <p>(iv) No response from SZC Co. is required.</p>
	ESC Response at Deadline 8	<p>(iv) Construction noise is primarily assessed in terms of external levels outside dwellings, which would generally include residential gardens 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</p>



ExQ3	Question to:	Question:
		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 and vibration at or near source and so will reduce the impact externally as well.
	SZC Co. Response at Deadline 10	SZC Co. has nothing further to add to its Deadline 8 answer, other than to note that these matters are now agreed between SZC Co. and ESC, as reflected in the final Statement of Common Ground with ESC and SCC (Doc Ref 9.10.12(B)).
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>
	SZC Co. Response at Deadline 8	<p>(i) SZC Co.'s proposed control mechanism through the Code of Construction Practice (Doc Ref 8.11(E), Noise Monitoring and Management Plans and Bespoke Mitigation Plans has been agreed in principle.</p> <p>As is stated in paragraph 4.4.4 of the draft main development site Noise Monitoring and Management Plan (Appendix B of Part B of the Code of Construction Practice (Doc Ref 8.11(E)) the proposed process does not affect ESC's powers under section 60 of the Control of Pollution Act 1974. SZC Co. understands that ESC may seek to use their powers under the Control of Pollution Act 1974 as an alternative means of enforcing any breaches of agreed Bespoke Mitigation Plans.</p> <p>(ii) No response is required from SZC Co.</p>



ExQ3	Question to:	Question:
	ESC Response at Deadline 8	<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>
	SZC Co. Response at Deadline 10	No further response required from SZC Co.
NV.3.6	Applicant, ESC, SCC	<p>Additional receptor at FMF</p> <p>D7 Appendix 11B response to LPA Second Request for Information has undertaken further noise assessment for the FMF set out under heading of Operation at para 2.3.</p> <p>There has been a suggestion there is a residential caravan adjacent the FMF in earlier representations [AS-321].</p> <p>(i) Has the assessment assessed the affects at this location?</p> <p>(ii) Are the Council's able to confirm the status of this caravan and it's precise location?</p>
	SZC Co. Response at Deadline 8	<p>(i) The assessment presented in SZC Co.'s second set of responses to requests for information from ESC at RFI34 [REP-093, electronic page 13] was focussed on the two receptors highlighted by ESC, which are located at the western end of Felixstowe Road. The potential receptor at the southern end of Levington Lane that is identified by Mr Webb in his earlier written representation [AS-321] was not considered as part of that assessment, as it was not requested by ESC as part of their specific question about road traffic noise effects on the houses identified on Felixstowe Road.</p> <p>SZC Co. understands from ESC that the caravan does not have planning permission and the Council is taking steps to remove it. It is understood that it is not regarded as a sensitive receptor.</p>



ExQ3	Question to:	Question:
		(ii) No response is required from SZC Co.
	ESC Response at Deadline 8	(i) Applicant to respond. (ii) ESC is aware that there is a touring caravan under presumed residential use on Highway Authority land adjacent to the proposed FMF site, 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.
	SCC Response at Deadline 8	It appears that this caravan may be subject to enforcement action by Suffolk County Council. We are checking with our enforcement team and will update the ExA at deadline 10.
	SZC Co. Response at Deadline 10	SZC Co. notes the responses from ESC and SCC and has nothing further to add to its Deadline 8 response.
NV.3.7	Applicant, ESC	DCO Requirement No. 25 As currently drafted DCO Requirement No.25 relates to works no. 4 only. (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?
	SZC Co. Response at Deadline 8	(i) Work no. 4 is the only element of the railway network that is within the order limits, and it is therefore appropriate for the requirement to relate to that element of the railway network. As stated at ExQ2 NV.2.4 [REP7-054 , electronic page 10], Requirement 25 prevents all Sizewell C trains from operating along Work no.4 until a Rail Noise Mitigation Strategy is agreed with ESC. That has the effect that Sizewell C trains cannot operate on the East Suffolk line, since SZC Co. has no purpose for running trains other than to access the branch line. By precluding trains along the branch line until the Rail Noise Mitigation



ExQ3	Question to:	Question:
		<p>Strategy (which provides controls for both the branch line and the East Suffolk line) is approved and has been implemented, Requirement 25 thereby secures the necessary constructional and operational controls along both the branch line and East Suffolk line.</p> <p>The Noise Mitigation Scheme (Annex W of the Deed of Obligation Doc Ref 8.17(G)) is secured and delivered through Schedule 12 of the Deed of Obligation (Doc Ref 8.17(G)), and specific works site numbers are not relevant to the delivery of that scheme.</p>
	ESC Response at Deadline 8	<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).</p>



ExQ3	Question to:	Question:
		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.
	SZC Co. Response at Deadline 10	These matters are agreed and reflected in the revised wording of Requirement 25 set out in the draft DCO submitted at Deadline 8 [REP8-035] electronic page 84.
NV.3.9	Applicant, ESC (ii) only	<p>Sleep Disturbance Assessment</p> <p>[AS 258] Appendix 9.3D set out an assessment of the potential for sleep disturbance.</p> <p>(i) In light of the revision to the SOAEL which has now been adopted for the Noise Mitigation Scheme following discussions with ESC. Please explain whether in reducing the SOAEL this has any implications for reducing the number of properties where issues of sleep disturbance could arise.</p> <p>(ii)</p>
	SZC Co. Response at Deadline 8	<p>(i) To be clear, the change made to the Noise Mitigation Scheme (Annex W of the Deed of Obligation (Doc Ref 8.17(G)) where the L_{AFmax} eligibility threshold for insulation for railway noise was reduced from a façade value of 80dB to a façade value of 73dB, does not constitute a change to SOAEL. The SOAEL remains at a façade level of 80dB L_{AFmax} and is agreed by ESC (as they confirmed along with the SOAEL levels generally at ISH8). The reduction of the eligibility threshold simply means that insulation will be available for properties at a level below SOAEL.</p> <p>As result of the amendment, the risk of sleep disturbance is reduced overall, since more properties will benefit from the extended coverage of the scheme, with more properties benefitting from the enhanced insulation it provides.</p> <p>As described in paragraph 3.2.16 of the Sleep Disturbance Paper contained in Volume 3, Appendix 9.3.D of the First ES Addendum [AS-257, electronic page 498], the rationale for the number now adopted in the Noise Mitigation Scheme (Annex W of the Deed of Obligation (Doc Ref 8.17(G)) is that it represents the point at which a standard double-glazed window will no longer be sufficient to reduce external noise levels to below the 45dB L_{AFmax} value that is the root of the LOAEL.</p>



ExQ3	Question to:	Question:
		<p>A similar amendment was offered at ISH12 by SZC Co. in respect of construction noise at the main development site. This amendment will result in an approximate 10dB reduction in the insulation eligibility thresholds for construction noise at the main development site. This also does not affect the definition of SOAEL, which remains as shown in Table 11.11 in Volume 2, Chapter 11 of the ES [APP-202, electronic page 24]. The amendment simply means that insulation will be offered at a level below SOAEL.</p> <p>(ii) No response from SZC Co. is required.</p>
	ESC Response at Deadline 8	<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 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>
	SZC Co. Response at Deadline 10	<p>Following further discussions with ESC, SZC Co. has amended the Noise Mitigation Scheme (Annex W of the Deed of Obligation (Doc Ref 10.4)) to include the provision of ventilation to properties exposed to railway noise levels of between 60 and 70dB L_{AFmax}, as described in ESC's Deadline 8 response to this question.</p>



ExQ3	Question to:	Question:
		The final version of the Noise Mitigation Scheme (Annex W of the Deed of Obligation (Doc Ref 10.4)) is now agreed between SZC Co., ESC and SCC.
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].</p> <p>Please provide an update on the situation and advise of any outstanding concerns</p>
	SZC Co. Response at Deadline 8	<p>In responding to this question, SZC Co. assumes that it relates to the use of the LEEIE at night for the unloading of trains. This was raised by ESC in their Local Impact Report at item 18b in Table 18 [REP1-045, electronic page 229], with a similar point about night-time rail movements raised in item 20e in Table 20 [REP1-045, electronic page 283].</p> <p>SZC Co.'s response was given at item 20e in Table 18.1 in Comments on Councils' Local Impact Report [REP3-044, electronic page 169], highlighting the controls proposed under the draft Rail Noise Mitigation Plan (Doc Ref 6.14 9.3.E(A)), and the Noise Mitigation Scheme (Annex W of the Deed of Obligation Doc Ref 8.17(G)).</p> <p>For unloading activities at the LEEIE, SZC Co. notes that the Code of Construction Practice (Doc Ref 8.11(E)), and the Noise Monitoring and Management Plan (Appendix B of Part B of the Code of Construction Practice (Doc Ref 8.11(E)) will provide the means to appropriately control any noise associated with the LEEIE.</p> <p>In addition, SZC Co. has agreed to two important changes to its control documents, which relate to this point:</p> <ul style="list-style-type: none"> The draft main development site Noise Monitoring and Management Plan (Appendix B of Part B of the Code of Construction Practice (Doc Ref 8.11(E)) will trigger the need to produce a Bespoke Mitigation Plan and agree the working methods and mitigation to be applied to any works that exceed daytime, evening and night-time noise thresholds that are below the level at which a significant effect is considered to occur, in an EIA context, with an additional evening threshold that is lower still.



ExQ3	Question to:	Question:
		<ul style="list-style-type: none"> The eligibility thresholds for insulation under the Noise Mitigation Scheme (Annex W of the Deed of Obligation Doc Ref 8.17(G)) for the main development site, which includes the LEEIE, providing a level of mitigation, where all other reasonable options have been exhausted at a level below SOAEL. <p>SZC Co. is not aware of a particular ongoing issue in relation to the LEEIE.</p>
	ESC Response at Deadline 8	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.
	SZC Co. Response at Deadline 10	<p>SZC Co. agrees with ESC's Deadline 8 response to this question; the control of noise and vibration from the LEEIE, including at night, will be controlled and managed through the Code of Construction Practice (Doc Ref. 10.2) and the main development site Noise Monitoring and Mitigation Plan (Appendix B to Part B of the CoCP (Doc Ref. 10.2)), secured pursuant to Requirement 2. The Bespoke Mitigation Plan process will apply where the noise levels exceed the thresholds stated within the main development site Noise Monitoring and Mitigation Plan (Appendix B to Part B of the CoCP (Doc Ref. 10.2)).</p> <p>Following further discussions with ESC, SZC Co. has amended the Noise Mitigation Scheme (Annex W of the Deed of Obligation (Doc Ref 10.4)) so that insulation is offered to properties affected by main development site noise at a lower level than SOAEL, in recognition of the length of the main development site works.</p> <p>The final version of the Noise Mitigation Scheme (Annex W of the Deed of Obligation (Doc Ref 10.4)) is now agreed between SZC Co., ESC and SCC.</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>



ExQ3	Question to:	Question:
		<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>
	SZC Co. Response at Deadline 8	<p>(i) As is noted in response to ExQ3 NV.3.11(iii), a meeting was held between SZC Co. and Create Consulting Engineers (CCE) on 22 September 2021, where CCE was acting on behalf of the Grant family and EL and LJ Dowley.</p> <p>The two parties have committed to working to an agreed position where CCE represents the Grant family. Where CCE represents EL and LJ Dowley, a Statement of Common Ground is being prepared that will set out areas of outstanding disagreement, as well as areas of agreement.</p> <p>SZC Co. has also included some limited responses to the Deadline 7 submissions from CCE ([REP7-179] on behalf of the Grant family, and [REP7-177] on behalf of EL and LJ Dowley) in the 'Comments on Earlier Deadlines and Subsequent Written Submissions to CAH1 and ISH8-ISH10' (Doc Ref 9.99) in sections 4.4 and 4.5.</p> <p>(ii) No response required from SZC Co.</p> <p>(iii) A meeting was held between SZC Co. and Create Consulting Engineers (CCE) on 22 September 2021, where CCE was acting on behalf of the Grant family and EL and LJ Dowley.</p>



ExQ3	Question to:	Question:
		<p>The two parties have committed to working to an agreed position where CCE represents the Grant family. Where CCE represents EL and LJ Dowley, a Statement of Common Ground is being prepared to be submitted at or before Deadline 10, that will set out areas of outstanding disagreement, as well as areas of agreement.</p> <p>(iv) As the question notes, SZC Co. provided a detailed response to Create Consulting's Deadline 5 submissions in its Comments at Deadline 7 on Submissions from Earlier Deadlines and Subsequent Written Submissions to ISH1 to ISH6 [REP7-061] although it is listed on the PINS library list as 'appendices', starting at electronic page 75. Further information will be submitted as part of the Statement of Common Ground that is being prepared in response to ExQ3 NV.3.11(iii).</p> <p>(v) SZC Co. does not consider the result of Create Consulting's approach to be a materially different outcome. One of the main criticisms is that Create Consulting consider SZC Co.'s baseline noise measurements to be too high, which they say fundamentally alters the assessment. This is not the case; if the baseline were lower than SZC Co. measured, which SZC Co. does not dispute is possible, since measured noise levels will vary on a day to day basis, then the construction noise LOAEL would be lower and the threshold between a negligible and a minor adverse effect would reduce; both of these thresholds are defined by the baseline noise levels.</p> <p>However, the consequence of such changes does not have a material effect on the submitted assessment. A reduced LOAEL means that there is a policy requirement to mitigate and minimise noise levels, which is the case in any event through the measures set out in the Code of Construction Practice (Doc Ref 8.11(E)), and neither negligible nor minor adverse effects are significant in an EIA context. SZC Co. set this out in paragraphs 3.14.54 to 3.14.56 in its Comments at Deadline 7 on Submissions from Earlier Deadlines and Subsequent Written Submissions to ISH1 to ISH6 [REP7-061] although it is listed on the PINS library list as 'appendices', starting at electronic page 78]. No new significant adverse effects will result from Create Consulting's preferred approach, nor will additional exceedances of SOAEL be created.</p> <p>(vi) SZC Co. considers that the mitigation measures set out in the Code of Construction Practice (Doc Ref 8.11(E)) and the controls contained in the Noise Monitoring and</p>



ExQ3	Question to:	Question:
		<p>Management Plan (Appendix B of Part B of the Code of Construction Practice (Doc Ref 8.11(E)) are appropriate and suitably flexible. The scope to introduce further mitigation is fundamental to the Bespoke Mitigation Plan process contained in the Noise Monitoring and Management Plan (Appendix B of Part B of the Code of Construction Practice (Doc Ref 8.11(E)).</p>
	ESC Response at Deadline 8	<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> <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</p>



ExQ3	Question to:	Question:
		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.
	Create Consulting on behalf of Mr Grant and Mr and Mrs Dowley	<p>We also noted that at ISH8 the Applicant confirmed new information would be provided at DL7 on the noise mitigation and monitoring plans, whilst a draft was supplied at DL6 by the Applicant, the detail provided was woefully lacking in detail, thus making the ISH8 position of the Applicant impossible to fully consider, this was not provided at DL7.</p> <p>We understand will now be provided at DL8 and therefore additional time is required to adequately review the update from the Applicant.</p> <p>The process available to PINS does not allow sufficient time to adequately interrogate any submission given the DCO Inquiry which finishes on 14th October.</p> <p>Our Client firmly believes this is unacceptable behaviour from the Applicant. We therefore strongly appeal to PINS to force re-engagement on the specific areas highlighted about to allow all parties to fully explore the documents and changes to be proposed by the Applicant.</p>
	SZC Co. Response at Deadline 10	<p>SZC Co. is currently engaging with Create Consulting with the common aim of submitting one or two Statements of Common Ground at Deadline 10 on behalf of their clients Mr and Mrs Grant and Mr and Mrs Dowley; it is expected that there will be one Statement of Common Ground for each of Create Consulting's clients. An update on the areas of agreement and disagreement between the parties will be set out in these documents and in SZC Co.'s Comments on Earlier Deadlines, Subsequent Written Submissions to ISH11-14 and Comments on Responses to Change Request 19 (Doc Ref. 9.120).</p> <p>Notwithstanding the intended submission of these Statements of Common Ground, SZC Co. does not accept the need for detailed and specific mitigation for the construction works at this stage. What Create Consulting describe as 'woefully lacking in detail' is considered entirely appropriate for a project of this type, at this stage of its life.</p> <p>The appropriate means to secure the appropriate controls is to define and commit to robust processes that will deliver the mitigation when and where it is required. The Code</p>



ExQ3	Question to:	Question:
		of Construction Practice (Doc Ref. 10.2) and the main development site Noise Monitoring and Mitigation Plan (Appendix B to Part B of the CoCP (Doc Ref. 10.2)), secured by Requirement 2 of the DCO provide the appropriate delivery mechanisms and are agreed with ESC as the relevant authority.
NV.3.12	Applicant, ESC	<p>Issues raised by Acoustical Control Engineers</p> <p>Similar concerns would appear to be raised on behalf of Molletts Farm (at D7) to those raised in the previous question, but in addition suggest there is an underestimate of impacts due to the juxtaposition of the farm to the roads, the sensitivity of the receptor and the specific context of the business and the consequential affects of the prevailing wind direction.</p> <p>Please respond to the concerns identified and how if agreed to be appropriate this could be mitigated.</p>
	SZC Co. Response at Deadline 8	<p>The Deadline 7 noise submission from Mollett's Farm (Appendix D of their submission, which appeared at [REP7-211] was largely a summary of the points made at Deadline 5 (which were resubmitted as Appendix E of their Deadline 7 submission [REP7-212]).</p> <p>SZC Co. has provided a clarification to one of the points raised in the letter from Acoustical Control Engineers dated 3 September 2021 that was included as Appendix D [REP7-211]; that clarification appears in the 'Comments on Earlier Deadlines and Subsequent Written Submissions to CAH1 and ISH8-ISH10' (Doc Ref 9.99) in section 4.6.</p> <p>SZC Co. set out its responses to points made in relation to the relationship between wind direction and road traffic noise in its Comments on Responses to the ExA's First Written Questions (ExQ1) Submitted at Deadline 3 at SE.1.12 [REP5-121], electronic page 820].</p> <p>For ease of reference, SZC Co.'s response stated:</p>



ExQ3	Question to:	Question:
		<p><i>'At paragraph 9.3, ACC states: 'Wind direction has a significant effect on sound propagation. The assessment methodology is based on a comparison of predicted levels for the existing and proposed routes that assume downwind propagation to the farm from both. This is unrepresentative as the farm is located between the two routes. The prevailing wind direction is such that sound from the proposed route will have favourable propagation conditions to the farm much more often than the existing route.'</i></p> <p><i>It is correct to say that the wind direction inherent in the calculations is moderately adverse, which is to say that the wind is assumed to blow from each source to every receptor. It is accepted that this cannot occur in practice, as it requires the wind to be blowing in several directions at once. However, that assumption is intrinsic to the CRTN calculation method, and that is the calculation method that is required by DMRB LA111; this is not the result of a decision made by SZC Co.'</i></p> <p>The assumptions on wind direction are inherent to the road traffic noise calculation method that must be used.</p> <p>Landscaping proposals were sent to the owners of Mollett's Farm on 20 August 2021, and a copy of the correspondence is contained in Appendix J of the Comments at Deadline 7 on Submissions from Earlier Deadlines and Subsequent Written Submissions to ISH1-ISH6 - Appendices Part 3 of 3 [REP7-063, electronic page 11]. The correspondence included the calculated potential effect of the landscaping.</p> <p>At a meeting on 2 September 2021, the owners of Mollett's Farm asked SZC Co. to review the proposals and see if a greater noise reduction could be secured. Revised landscaping proposals were sent to the owners of Mollett's Farm on 17 September 2021, with additional noise calculations following on 21 September 2021.</p> <p>The revised landscaping provides a marginally better acoustic benefit; a further meeting was to be held with the owners and representatives of Mollett's Farm to discuss the amended proposals, with the meeting scheduled for 22 September 2021.</p>



ExQ3	Question to:	Question:
	ESC Response at Deadline 8	Road Traffic Noise is a Highways Authority function and ESC defer to SCC on this question.
	SZC Co. Response at Deadline 10	<p>SZC Co. has provided responses to the various submissions from Acoustical Control Consultants, on behalf of Mollett's Farm, in its Deadline 10 submission Comments on Submissions from Earlier Deadlines and ISH11-14 Written Submissions (Doc Ref 9.120).</p> <p>SZC Co. continues to engage with the owners of Mollett's Farm and their appointed team, including Acoustical Control Consultants and the landscaping proposals for Mollett's Farm have been further updated since those issued on 17 September 2021, as noted in SZC Co.'s Deadline 8 response to this question. The current proposals include a continuous acoustic barrier that runs from the southern approach ramp to the two village bypass overbridge to the proposed Friday Street roundabout, taking the form of a bund for part of its length and an acoustic fence for part of its length.</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>
	SZC Co. Response at Deadline 8	<p>(i) SZC Co. understands that the purpose of trains sounding their horns (or klaxons to use the terminology in the question) is to warn pedestrians or cars of their approach. However, SZC Co. understands through discussion with Network Rail that the installation of the miniature stop lights means that the need for trains to continue to routinely sound their horns to warn users of their presence can be reviewed on a site-by-site basis.</p>



ExQ3	Question to:	Question:
		<p>The level crossings themselves will have alarms fitted to them to provide an audible warning to users of the impending arrival of a train. The volume of these alarms is adjustable, within the constraints imposed by Network Rail's safety standards, as was set out in SZC Co.'s answer to the Examining Authority's first round of questions at NV.1.32 [REP2-100, electronic page 1071]. The means of securing and delivering that site-specific calibration of level crossing alarms, within the constraints of Network Rail's safety standards, is set out in section 2.8 of the draft Rail Noise Mitigation Plan (Doc Ref 6.14 9.3.E(A)), which is secured by Requirement 25 of the dDCO (Doc Ref 3.1(I)).</p> <p>(ii) The following level crossings will have miniature stop lights fitted:</p> <ul style="list-style-type: none"> • Kingston Farm UWCT & FPG • Uffold UWCT • Blackstock UWCT • Redhouse farm UWCT • Ellingers UWCT • Brick Kiln UWCT (Downgrade to Bridleway) <p>The upgrade, design and specification of the systems on identified crossings will be secured by section 2.8 of the Rail Noise Mitigation Plan (Doc Ref 6.14 9.3.E(A)), itself secured by Requirement 25 of the dDCO (Doc Ref 3.1(I)).</p>
	Network Rail Response at Deadline 8	<p>Upgrades to Miniature Stop Lights (MSL) at the following crossings have are being considered:</p> <ul style="list-style-type: none"> • Kingston Farm UWCT & FPG • Uffold UWCT • Blackstock UWCT • Redhouse farm UWCT • Ellingers UWCT • Brick Kiln UWCT (Downgrade to Bridleway)



ExQ3	Question to:	Question:
		<p>All MSL's include klaxons which provide an audible alarm when the red light is active, a short time before a train arrives at the level crossing. Warning sirens are therefore a part of the design of MSLs and would form part of the upgrade.</p> <p>The klaxon volume can be adjusted to minimise disturbance subject to complying with required safety standards and must remain audible to be effective. As a standard installation, there is normally a 10 decibel reduction during the hours of 23:00 to 07:00. For reference, there are similar installations already in situ at both Dock Lane and Jetty. The Applicant would enter into a contract with Network Rail for the delivery of these schemes. For information, where half barrier crossings have been upgraded to full barrier crossings this has reduced the length of time a klaxon sounds. At these full barrier crossings the klaxons activate only whilst the barriers are actively moving, whereas a continuous klaxon sounds at half barrier crossings from barrier down through until barriers up. Local examples of this are Ferry Quay and Haywards.</p>
	SZC Co. Response at Deadline 10	SZC Co. has discussed these issues with Network Rail and with ESC and is aware that there is scope to control and moderate any effects from klaxons at the detailed design stage of the level crossing infrastructure. A representative of SZC Co. with experience of noise and vibration issues has joined the level crossing design team to act as an informed customer so that the project aims are taken into account as part of the emerging detailed design.
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>



ExQ3	Question to:	Question:
	SZC Co. Response at Deadline 8	<p>(i) SZC Co. is in the process of agreeing locations on the existing road network where a quiet road surface might be appropriate. Similarly, discussions are ongoing in respect of quiet road surfacing on the new roads.</p> <p>The noise benefit of a quiet road surface for existing roads will depend on both the specification of surface installed, its maintained condition and the speed of vehicles. Quiet road surfaces are less effective where vehicles travel at less than 75km/h (approximately 46mph) as the tyre/road interface becomes less dominant and engine/drivetrain noise becomes more prominent. For the new roads, SZC Co. expects that where the road is maintained in good condition, receptors along the route, away from existing roads, are likely to benefit from a reduction in noise that is close to the theoretical maximum performance of the selected surface; reductions in noise from the two village bypass and Sizewell link road can be expected to be in the region of 2.5 to 3.5dB.</p> <p>(ii) For Marlesford and Little Glemham this will be secured through the A12 Marlesford and Little Glenham Mitigation Scheme in the Deed of Obligation with the relevant plans appended to that agreement. For TVB and SLR this will be secured in principle through the Associated Development Design Principles and details approved through Requirement 22.</p> <p>(iii) SZC Co. understands that there are no additional routine maintenance requirements for quiet road surfacing. The maintenance regime would be agreed with SCC and the relevant projected costs included within the specified commuted sums in the relevant Article 21 agreement.</p> <p>(iv) Following the adoption of the TVB and SLR as public highway, SCC would be responsible for the ongoing maintenance of the roads.</p>
	ESC Response at Deadline 8	Road Traffic Noise is a Highways Authority function and ESC defer to SCC on this question.
	SCC Response at Deadline 8	<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><u>Existing Roads</u></p> <p>SCC consider that lower noise surfacing would be an appropriate measure to reduce some elements of traffic noise to mitigation noise between LOAEL and SOAEL. The authority considers this would satisfy the aims in 5.11.9 of the Overarching National Policy</p>



ExQ3	Question to:	Question:
		<p>Statement for Energy (EN-1). It is noted that replacement of the surfacing will also have a beneficial reduction in vibration arising from road traffic.</p> <ul style="list-style-type: none"> Marlesford and Little Glemham Our understanding is that SZC Co have agreed to provide lower noise surfacing as part of the A12 Marlesford and Little Glemham Mitigation. SCC understands this will be secured by drawings appended as an annex to this agreement. This surfacing will need to be maintained for the whole SZC construction period. Yoxford Our understanding is that no low noise surfacing has been proposed by SCC for this location. We note that if the pedestrian crossing proposed in the A12 Yoxford Mitigation within the Deed of Obligation is constructed it is likely that at least 50m either side of the crossing will require resurfacing to improve the skid resistance and, with careful selection of surfacing, would provide an opportunity to lower tyre noise at this location. Greater areas of resurfacing should be considered where LOAEL is exceeded. B1122 Middleton Moor to Theberton Our understanding is that no low noise surfacing has been proposed by SZC Co for this location. SCC accepts the commitment to provide noise mitigation through the Noise Mitigation Scheme this does not mitigate noise for all receptors. The proposal to reduce speeds through Theberton to 20mph from commencement to opening of the SLR will help in this are but is not considered appropriate elsewhere. Where noise exceeds LOAEL on this road SCC considers low noise surfacing is appropriate. <p><u>New Roads</u></p> <ul style="list-style-type: none"> SLR and TVB In SCC's ISH8 (REP7-162) response we proposed that where noise mitigation was provided adjacent to locations where a major adverse impact occurred a SHW CI942 table 9/17 level 2 surfacing would be acceptable but if not level 3. https://standardsforhighways.co.uk/ha/standards/mchw/vol1/pdfs/3796149%20MC%20HW%20Vol%201%20Series%20900_Print%20v0.2.pdf <p>(ii) Please update how it is expected to be secured and maintained in the future assuming it is to be provided.</p> <p><u>Securing lower noise surfacing (existing roads)</u></p>



ExQ3	Question to:	Question:
		<ul style="list-style-type: none"> Marlesford, Little Glemham: Secured through the A12 Marlesford and Little Glemham Mitigation Scheme in the Deed of Obligation, specifically plans appended to that agreement. <p><u>Securing lower noise surfacing (new road roads)</u></p> <p>For TVB and SLR it is anticipated that this will be secured in principle through the Associate Development Design Principles and details approved through Requirement 22.</p> <p><u>Maintenance</u></p> <p>After a maintenance period of 12 months the surfacing will become highway maintainable at public expense. Repairs and resurfacing would be undertaken commensurate with the SCC Highways Maintenance Operational Plan and Asset Management Policy and Strategy. Note that these policies do not specify like for like replacement of materials (see iii and iv)</p> <p>https://www.suffolk.gov.uk/assets/Roads-and-transport/how-we-manage-highwaymaintenance/Highway-Maintenance-Operational-Plan-May-2021.pdf</p> <p>https://www.suffolk.gov.uk/roads-and-transport/highway-maintenance/highway-asset-management/</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>Typically, thin surfacing last for approximately 10 to 15 years prior to replacement. This is less for materials such as lower noise materials with a higher void content (higher porosity) primarily due to oxidation of the bitumen and embrittlement leading to failures such as cracking, fretting or potholes. It is likely that the surfacing on the A12 at Marlesford, Little Glemham, TVB and SLR will require replacement during the SZC construction period.</p> <p>In terms of routine or cyclic maintenance no specific activities are undertaken although the noise suppression properties of the material would decrease if the surface texture reduces for example by compaction in the wheel tracks or mud or other debris filling the voids.</p>



ExQ3	Question to:	Question:
		<p>Three options are available to replace the lower noise surfacing at these locations if necessary before the end of the SZC construction period, and hence impacts. These are, in order of SCC's preference:</p> <ol style="list-style-type: none"> 1. SZC Co enter into a s278 agreement with SCC to resurface the road themselves. 2. SZC Co pay SCC to resurface the road. 3. SZC provide a specific commuted sum to SCC to resurface the road. <p>During the operational phase SCC considers that it is not acceptable to bind the authority to an agreement to continue to replace the lower noise surfacing in perpetuity. Financially commuted sums are a partial remedy, but these are time limited and carry a risk that a shortfall would expose the authority to a commitment that is not sustainable over the longer term. Policies, guidance and availability of suitable materials may also change over time and prevent or restrict the authority in complying with such a commitment. For the SLR the authority notes that traffic volumes will significantly decrease once SZC is completed.</p> <p>(iv) In the event there is a different approach please explain the justification for such an approach.</p> <p>The highway authority has a duty under s41 of the Highways Act (1980) to maintain the highway maintainable at public expense. This is caveated by s58 of the same act that it is a defence to prove that the authority had taken such care as in all the circumstances was reasonably required to secure that the part of the highway to which the action relates was not dangerous for traffic, noting that noise is not considered a danger. To the best of our knowledge there is no requirement in this legislation nor in SCC's Asset Management Policy or Strategy to maintain roads with specific types of materials such as low noise surfacing.</p> <p>https://www.legislation.gov.uk/ukpga/1980/66/contents</p>
	SZC Co. Response at Deadline 10	<p>The use of quiet road surfaces on the two village bypass and/or Sizewell link road will be subject to further discussions between SZC Co. and SCC under an agreed amendment to the Associated Development Design Principles (Doc Ref. 10.1) that requires engagement on this matter and implementation of the agreed position.</p>



ExQ3	Question to:	Question:
		<p>The locations for quiet road surfaces on existing roads are now agreed as Little Glemham and Marlesford to be secured under Schedule 16 of the Deed of Obligation (Doc Ref 10.4).</p> <p>Quiet road surfaces are not proposed at Yoxford and Theberton because:</p> <ul style="list-style-type: none"> At Yoxford, the period of peak additional traffic flow is limited to the Early Years, prior to the construction of the Sizewell link road, unlike Little Glemham and Marlesford where the additional traffic is predicted for the duration of the construction works. In addition, there will be limited noise reduction from a quiet road surface at speeds of 30mph or less. On the B1122 the period of peak additional traffic flow is limited to the Early Years through Middleton Moor and Theberton. Additionally, a temporary reduction in speed limit to 20mph has been agreed for the Early Years through Theberton, to be secured through the B1122 Early Years Scheme under the Deed of Obligation (Doc Ref 10.4), subject to a Traffic Regulation Order process; a quiet road surface will offer no benefit at a speed of 20mph. <p>These agreements are reflected in the final Statement of Common Ground with ESC and SCC (Doc Ref 9.10.12(B)).</p>
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>
	SZC Co. Response at Deadline 8	<p>(i) The discussions with the various landowners along the SLR and TVB are ongoing. SZC Co. has been asked by the owners of Mollett's Farm to further improve the screening along the two village bypass and maximise the potential noise reductions.</p> <p>Similarly, discussions are ongoing with other landowners, and updated information will be issued when those exercises are complete.</p> <p>The proposals are not yet agreed with any of the landowners and would need to be approved by ESC.</p>



ExQ3	Question to:	Question:
		<p>These considerations of detailed landscaping matters are to be secured through Requirement 22A of the draft DCO (Doc Ref 3.1(I)) and SZC Co. does not rely on any further noise reductions that may be realised through them for the submitted noise assessments.</p> <p>(ii) The detailed proposals, including any noise screening, will be submitted to ESC for approval under Requirement 22A.</p>
	ESC Response at Deadline 8	Road Traffic Noise is a Highways Authority function and ESC defer to SCC on this question.
	SCC Response at Deadline 8	<p>SCC has yet to see details of any proposals but is aware that the applicant has been discussing these with other stakeholders. SCC would welcome discussions with the Applicant regarding what noise barriers need to be included within the design of the SLR and TVB and the extents. Our understanding of the current position is that it is unlikely that the details will be agreed to the position that they could be included on plans for approval or plans not for approval prior to the end of examination. However, it looks likely that agreement can be reached on including the principles of where noise mitigation can be documented in the relevant Associated Development Design Principal documents.</p>
	SZC Co. Response at Deadline 10	<p>SZC Co. notes that the discussions with the various landowners along the SLR and TVB remain ongoing.</p> <p>The Associated Development Design Principles [REP9-011] was amended at Deadline 9 to include the means of delivering landscaping that has an acoustic benefit for nearby properties (also refer to Doc Ref. 10.1 for the final version). This amendment was agreed with ESC and SCC as it facilitates delivery of the landscaping within the highway boundary under Requirement 22 of the DCO or outside the highway boundary under Requirement 22A of the DCO, as must be agreed between parties.</p>
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>



ExQ3	Question to:	Question:
		(iii) Has a maintenance regime been agreed and secured?
	SZC Co. Response at Deadline 8	<p>(i) As noted in response to ExQ3 NV.3.16, SZC Co. has been asked by the owners of Mollett's Farm to further improve the screening along the two village bypass and maximise the potential noise reductions. Updated landscaping proposals were provided to the owners of Mollett's Farm on 17 September 2021, with updated noise assessment information provided on 21 September 2021.</p> <p>(ii) No response from SZC Co. is required.</p> <p>(iii) Although not a question for SZC Co., it will be helpful to note that the Associated Development Design Principles [REP7-035] will be updated at Deadline 9 and will include provision for the erection of acoustic screens, either in the form of bunds or fences (secured pursuant to Requirement 22). Maintenance for acoustic screens, irrespective of whether they take the form of bunds or fences, will be secured through the Two Village Bypass Landscape and Ecology Management Plan (Doc Ref 8.3 A(B)) and the Sizewell Link Road Landscape and Ecology Management Plan (Doc Ref 8.3 B(B)), (secured pursuant to Requirement 22A).</p>
	SCC Response at Deadline 8	<p>(ii) SCC has not been informed of the details of any proposals to instal noise mitigation on the TVB. The authority would welcome involvement in any discussions. The authority has a preference to bunding rather than acoustic fencing, primarily for lower future maintenance costs. It also has concerns that the location of acoustic fencing may have an impact on rights of way, particularly in terms of amenity.</p> <p>(iii) As no details have been received SCC cannot comment on the likely maintenance regime other than payment of commuted sums appears the most likely avenue to secure this. The authority raises similar concerns regarding a commitment to the permanent maintenance of acoustic fences considering the limited duration of commuted sum funding and uncertainty of future maintenance budgets.</p>
	SZC Co. Response at Deadline 10	Please see SZC Co.'s Deadline 10 responses to NV.3.12 and NV.3.16.
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,</p>



ExQ3	Question to:	Question:
		<p>REP5-188] has now advised at D7 that a music studio is present in close proximity to the Green rail route. Should this not be regarded as a higher sensitivity receptor?</p> <p>(ii) Should additional protection or mitigation be forthcoming as a consequence of this evidence?</p>
	SZC Co. Response at Deadline 8	<p>(i) Volume 2, Chapter 11 of the ES [APP-202, electronic page 16], paragraph 11.3.38 sets out that: <i>"There is one receptor that would fall into the 'high sensitivity' category for noise, which is the Pro Corda Music School at Leiston Abbey. Specifically, the school runs courses for children with special educational needs and disabilities, including residential courses. In addition, Pro Corda host festivals, music courses, theatre workshops and concerts at Leiston Abbey. SZC Co. is committed to further liaison with Pro Corda to take account of their specific needs relating to noise impacts and any required mitigation."</i></p> <p>The need for mitigation for Pro Corda under the Noise Mitigation Scheme (Annex W of the Deed of Obligation (Doc Ref 8.17(G)) does not derive from the fact that there is a music school on the site, rather that there are children in attendance with particular sensitivity to noise. This has also led to a contribution for provision of indoor and outdoor sensory spaces suitable for children with autism and other additional needs in the Pro Corda Resilience Fund (see Schedules 12 and 13 in the draft Deed of Obligation) (Doc Ref. 8.17(G)). The mitigation agreed at Pro Corda does not relate to its music provision.</p> <p>SZC Co. does not regard a privately-owned home recording studio to be equivalent to an educational facility that caters for children and young adults with a range of special educational needs.</p> <p>Table 11.1 in Volume 2, Chapter 11 of the ES [APP-202, electronic page 15], refers to recording studios as one of the uses that would be considered to be of high sensitivity, however, this related to commercial studios rather than what might be termed home recording studios in private use.</p> <p>SZC Co. has liaised with the owner of Fisher's Farm, to which [REP2-205], [REP5-188], and [REP7-288] relate. It is understood that the facility at Fisher's Farm is a garden-based studio, that is used by the owner rather than on a commercial basis. It is understood that the facility is used at night and that acoustic instruments are recorded, using microphones (as opposed to electronic instruments that connect directly to a recording device without a microphone such that they are not susceptible to interference from external sources of sound).</p>



ExQ3	Question to:	Question:
		<p>The level of noise from trains using the green rail route is predicted to be 51dB L_{AFmax}^6 at Fisher's Farm, which is below the 60dB L_{AFmax} value that has the potential to lead to sleep disturbance. The extent to which that level of noise is likely to interfere with the IP's recording process will largely depend on the standard of acoustic insulation from the external fabric of the structure. SZC Co. has not visited the premises, but understands from social media that the studio is a wooden structure, so may not have high levels of acoustic insulation in its structure. A site visit is to be proposed with a further meeting with the IP to understand in detail the construction of the studio and how it is used.</p> <p>The draft Rail Noise Mitigation Plan (Doc Ref 6.14 9.3.E(A)) submitted at Deadline 8 includes a process for the further consideration of acoustic barriers in specific locations along the East Suffolk link identified by ESC, as well more generally along the Saxmundham to Leiston branch line and green rail route.</p> <p>Subject to the steps required by that process, and for potential barriers on the green rail route those steps are likely to require consultation with Historic England as the relevant statutory body when considering the setting of Leiston Abbey, it is possible that an acoustic barrier may be erected along the green rail route to further reduce noise levels at Fisher's Farm.</p> <p>If, following further discussions with the IP, it is considered appropriate to improve the sound insulation of the studio, the flexibility offered by the Noise Mitigation Scheme (Annex W of the Deed of Obligation (Doc Ref 8.17(G)) in terms of both alternative eligibility criteria and alternative material specifications, will be used to deliver this mitigation.</p> <p>(ii) As noted in part (i) of this question, if acoustic barriers along the green rail route are considered appropriate, these will be secured through the Rail Noise Mitigation Plan (Doc Ref 6.14 9.3.E(A)), which is itself secured by Requirement 25 of the dDCO (Doc Ref</p>

⁶ See **Table 1.8** in **Volume 9, Appendix 4B** of the **ES** [[APP-546](#), electronic page 21]



ExQ3	Question to:	Question:
		3.1(I)). If improvements to the sound insulation of the studio are considered appropriate, the flexibility offered by the Noise Mitigation Scheme (Annex W of the Deed of Obligation (Doc Ref 8.17(G)) will be used to deliver this mitigation.
	ESC Response at Deadline 8	<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 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>
	SZC Co. Response at Deadline 10	<p>SZC Co. can confirm that the noise insulation to be installed at Pro Corda, as secured by Schedule 12 of the Deed of Obligation [REP8-088, electronic page 101] is due to the special educational needs and disabilities of some of their pupils, particularly those with autism who have a particular sensitivity to noise and a change in the noise environment, and not as a result of any music-related activities.</p> <p>SZC Co. confirms that the specific means of delivering barriers along the green rail route is set out in section 2.6 of the Rail Noise Mitigation Plan [REP8-071, electronic page 6] and the flexibility to improve the sound insulation of the studio at Fisher's Farm, if required, is set out in paragraphs 1.8.8 and 1.8.9 of the final version of the Noise Mitigation Scheme (Annex W of the Deed of Obligation (Doc Ref 10.4)).</p>



ExQ3	Question to:	Question:
NV.3.19	Applicant, ESC (ii and iii) only	<p>Rail Noise – Acoustic Screening</p> <p>ESC at D7 following the ISH on Noise and Air Quality have undertaken an initial assessment of the potential for acoustic screening along the rail line. National Policy in EN1 at para 5.11.9 states</p> <p><i>“The IPC should not grant development consent unless it is satisfied that the proposals will meet the following aims:</i></p> <ul style="list-style-type: none"> <i>• avoid significant adverse impacts on health and quality of life from noise;</i> <i>• mitigate and minimise other adverse impacts on health and quality of life from noise; and</i> <i>• where possible, contribute to improvements to health and quality of life through the effective management and control of noise”</i> <p>(i) In light of the ESC submission please explain how it is considered the first and second bullet points of this part of the policy test are met.</p> <p>(ii) In not undertaking a full assessment of the potential for acoustic barriers at the outset has the opportunity to minimise and mitigate noise at source been missed?</p> <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>
	SZC Co. Response at Deadline 8	<p>(i) SZC Co. understands that there is no dispute that the first bullet point of para 5.11.9 which requires avoidance would be met by the measures committed to by SZC Co. The avoidance is achieved by removing where possible the noise generation in the first instance and then severing exposure. Noise generation is thereby limited as far as practical, and exposure is then reduced through insulation by the use of the Noise Mitigation Scheme (Annex W of the Deed of Obligation Doc Ref (8.17(G))).</p> <p>These same steps also ‘mitigate and minimise’ in accordance with the second bullet point of para 5.11.9. The avoidance and reduction of noise generation, plus insulation through the NMS, without the installation of additional acoustic barriers, are already sufficient to avoid any measurable impact on health from changes in day and night noise exposure. The provision of an additional acoustic barrier does not alter the findings of the assessment on health.</p>



ExQ3	Question to:	Question:
		<p>ESC's outstanding concerns relate to the second bullet point and whether the applicant has in fact "<i>mitigated and minimised other adverse effects</i>", in other words whether all reasonable steps have been taken to limit noise. Clearly, application of the policy must take into account that which is practically achievable, otherwise the policy has literally no limit. That is reflected in the second aim of the Noise Policy Statement for England, which requires that "all reasonable steps should be taken to mitigate and minimise adverse effects on health and quality of life while also taking into account the guiding principles of sustainable development" (emphasis added)⁷. The obligation is therefore expressly not an unlimited one, and requires the exercise of judgment as to what is reasonable in the circumstances. NPS EN-1 makes clear that its policy on noise is based on the NPSE: see EN-1 at para 5.11.1.</p> <p>While SZC Co. consider that the mitigation provided as set out above is sufficient to comply with policy, SZC Co. has been working with ESC to explore any further potential avenues to mitigate and minimise noise in light of ESC's requests. The requested measures to which SZC Co. has not been able to absolutely commit relate to the replacement of track on the East Suffolk line and to the erection of acoustic barriers. As SZC Co. confirmed at ISH 12, the draft Rail Noise Mitigation Plan (Doc Ref 6.14 9.3.E(A)) has been amended for Deadline 8 to commit to deliver both of these matters to the extent that is practical and achievable. With the benefit of those commitments, SZC Co. expects that ESC will be able to confirm its satisfaction that the second bullet point of the policy has also been achieved.</p> <p>(ii) It would not have been appropriate to assess the application on the basis that barriers could be achieved given the practical limitations on their installation and the inability to secure this absent seeking compulsory powers over additional land, including domestic properties, in circumstances where the assessment did not show such barriers to be necessary to make the noise impacts acceptable (and in circumstances where they were very unlikely to be acceptable in terms of planning and amenity). In these circumstances it is not right to say that an opportunity to mitigate and minimise has been missed.</p>

⁷ See paragraph 2.24 of the Noise Policy Statement for England



ExQ3	Question to:	Question:
		<p>For reasons documented by the applicant at [REP6-024], it is highly unlikely that the installation of acoustic barriers up to 4m high through urban (or rural) areas would be appropriate in planning terms. Network Rail has also set out its concerns about the installation of barriers at Deadline 7 [REP7-146] where it explains not only its operational concerns for the installation of barriers but that barriers could encourage trespass, be detrimental to safety and detrimental to wildlife. Network Rail also has an in-principle objection on the basis that what is taking place is only intensification of use of an existing line, which Network Rail consider does not justify additional noise controls. These Network Rail objections would also have made promotion of the use of compulsory acquisition powers unlikely to succeed.</p> <p>It is far from obvious that the installation of barriers is on balance beneficial or practical for these reasons and they have not been relied on as part of the Applicant's case. Further, as set out above, the provision of such barriers would only serve to reinforce the mitigation measures already in place which SZC Co. considers are already sufficient to prevent any measurable adverse health outcome from changes in noise (as the primary focus was and remains avoidance). The submitted noise assessments do not rely on their installation.</p> <p>Nevertheless, SZC Co. has agreed with ESC to commit to a process in which the installation of barriers where practical can be achieved. As the question implies, barriers would be most effective closest to the noise source, i.e. adjacent to the rail line and that is the initiative which SZC Co. was exploring with Network Rail, until it recently ruled that option out.</p> <p>Whilst any installation on third party land is likely also to rely on the negotiation of property rights, those rights would need to be negotiated from those parties who would benefit from the barriers – typically the barriers would run at the base of residential gardens. If the property rights cannot be negotiated, there is no reason to believe that the barriers would themselves be popular, necessary or acceptable. Whether the properties are occupied on leases or by freeholders, it is reasonable to expect that the</p>



ExQ3	Question to:	Question:
		<p>relevant parties would have the interests of their property and its amenity very much in mind.</p> <p>Accordingly, while SZC Co. considers its initial position to be justified and compliant with policy in both the first and second bullet points of NPS EN-1 5.11.9, SZC Co. will commit the additional process whereby barriers can be installed where practical.</p> <p>(iii) The Applicant's assessment does not rely on the presence of barriers. The first and second bullet points of paragraph 5.11.9 are achieved without the barriers. The commitment to explore the erection of barriers where beneficial and appropriate is however a measure which further contributes to meeting the second bullet point of the policy.</p>
	ESC Response at Deadline 8	<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 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>



ExQ3	Question to:	Question:
		(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.
	SZC Co. Response at Deadline 10	The parties are aligned on these issues and ESC's Deadline 8 response has been overtaken by SZC Co.'s amendments to section 2.6 of the Rail Noise Mitigation Plan [REP8-071 , electronic page 6] submitted at Deadline 8, which incorporates text agreed with ESC (also refer to Doc Ref. 10.9 for the final version).
NV.3.20	ESC	<p>Rail Noise - Acoustic Screening</p> <p>Following the D7 submission the potential for additional acoustic screening is identified as an appropriate form of mitigation subject to consultation, design, location and a fuller understanding of the balance between visual harm and acoustic benefit.</p> <p>In light of the current status of the examination and</p> <ul style="list-style-type: none"> • Network Rail saying they would not support barriers on their land, and • the other areas (Woodbridge, Campsea Ashe etc.) not being within the DCO <p>(i) How would you propose such mitigation to be considered and how would you propose that it be secured?</p>
	SZC Co. Response at Deadline 8	No response from SZC Co. is required.
	ESC Response at Deadline 8	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 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



ExQ3	Question to:	Question:
		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
	SZC Co. Response at Deadline 10	No further response is required from SZC Co.
NV.3.21	Applicant, ESC	<p>Rail Noise – Whitearch Park</p> <p>(i) An acoustic barrier is being considered as one of the potential mitigations for rail noise. In light of the response from Network Rail opposing acoustic barriers within their land. How is this to be delivered and what mechanism within the DCO secures its provision and maintenance?</p> <p>(ii) ESC at D7 have suggested that Whitearch Park could benefit from the speed reduction proposed elsewhere. Please advise if this is possible, what benefit it might bring, and explain if not possible why this would be the case.</p>
	SZC Co. Response at Deadline 8	<p>(i) A process for the consideration and installation where practical of acoustic barriers along the East Suffolk line, Saxmundham to Leiston branch line and green rail route is included in the Rail Noise Mitigation Strategy submitted at Deadline 8 (Doc Ref 6.14 9.3.E(A)) (now renamed as the Rail Noise Mitigation Plan).</p> <p>A barrier adjacent to Whitearch Park is one of the locations to be considered and if it is agreed to be deliverable, it will be secured through the Rail Noise Mitigation Plan.</p> <p>(ii) The noise benefit of slowing trains to 10mph is expected to reduce the airborne L_{AFmax} noise levels by 8dB. This can be seen from the figures set out in Table 3.1 in Volume 3, Appendix 9.3.A [AS-257, electronic page 22]; the column headed 'Values used in the ES' remain the source terms that inform the railway noise assessment.</p> <p>Extending the night-time speed limit zone so that it extends to the south of Whitearch Park would involve an extension of approximately 2km, which would increase the journey</p>



ExQ3	Question to:	Question:
		<p>time of each train by just under 4 minutes. An increase in total journey time for the seven night-time trains of just under 30 minutes would result.</p> <p>There is resilience in the train timetabling to allow for unexpected occurrences, but a reduction in that resilience of just under 30 minutes would significantly increase the potential for issues that cause a knock-on effect to the daytime passenger trains, which SZC Co. understands is not acceptable.</p> <p>It remains the case that the improvements in sound insulation offered by the Noise Mitigation Scheme (Annex W of the Deed of Obligation (Doc Ref 8.17(G))) will be achievable for the park homes given their modern, high quality construction. Insulation would mean that noise levels would not exceed SOAEL in any instance, with the insulation being applied at a level that is considered to be a significant adverse effect in an EIA context. This outcome does not rely on the presence of a barrier or the introduction of a speed limit on an additional length of railway line.</p> <p>The Noise Mitigation Scheme has been amended to allow a more flexible approach to the specification of insulation, in recognition for the potential for the construction of the homes at Whitearch Park to vary.</p>
	ESC Response at Deadline 8	<p>ESC considers that part (i) of this this question is best answered by the Applicant.</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</p>



ExQ3	Question to:	Question:
		Whitearch Park; effectively this would mean that the trains would slow down a little sooner than is currently suggested.
	SZC Co. Response at Deadline 10	These are matters covered and protected by the requirement (Requirement 25 of the draft DCO) for the detail of these matters to be submitted to and agreed with ESC.
NV.3.22	Network Rail	<p>Acoustic Barriers</p> <p>From the information available to date there appears to be the potential for acoustic benefit which would reduce impact on nearby receptors and subject to design, location and other factors meet policy objectives in protecting human health.</p> <p>(i) It is understood from the representations made that Network Rail would oppose any barrier in principle, is this correct?</p> <p>(ii) In light of the national policy objective to protect human health please explain why you consider this position is justified.</p> <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>
	SZC Co. Response at Deadline 8	No response is required from SZC Co.
	Network Rail Response at Deadline 8	<p>i) For the reasons previously set out in its responses to ExQ2, it is Network Rail's default position that there is no statutory requirement for mitigation of noise of trains using the existing network. Network Rail cannot comment on any specific assessment of acoustic barriers as Network Rail has not been involved in or contributed to the rail noise assessments used to produce the scheme or been engaged in the devising of the scheme itself. The Applicant has not engaged with Network Rail in relation to these issues or provided funding to allow Network Rail to analyse the impacts of the Proposed Development. On that basis, and as set out below, Network Rail cannot support the proposal of acoustic barriers.</p> <p>ii) It remains Network Rail's position that there is no statutory requirement for such mitigation of noise of trains using the existing network to be provided. Network Rail does not seek to undermine the existing regime relating to intensified use of railways, which is underpinned by primary legislation. Network Rail has not been involved in or contributed</p>



ExQ3	Question to:	Question:
		to rail noise assessments so is unable to comment as to whether the objective of protecting human health is met. iii) Network Rail has not been commissioned by the Applicant to undertake the required assessments of risk or consider the safety case for any proposed mitigation, nor is it currently engaged to undertake specific analysis of design, location and feasibility of any proposed acoustic barriers.
	SZC Co. Response at Deadline 10	No further response is required from SZC Co.
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?
	SZC Co. Response at Deadline 8	(i) A process for the consideration and installation where practical of acoustic barriers along the East Suffolk line, Saxmundham to Leiston branch line and green rail route is included in the Rail Noise Mitigation Plan submitted at Deadline 8 (Doc Ref 6.14 9.3.E(A)). The process set out in the Rail Noise Mitigation Plan (Doc Ref 6.14 9.3.E(A)) will deliver appropriate barrier solutions where they are agreed to provide a meaningful acoustic benefit, are acceptable in planning terms, and are acceptable to all relevant stakeholders such as landowners and other regulatory or statutory bodies, such as Historic England. SZC Co. considers this process to be appropriate and sufficient to deliver acoustic barriers in locations where they are agreed between all parties, and is the most appropriate approach without the need for the Secretary of State to reach an independent view. It gives control to ESC in particular, as the relevant local planning authority and with responsibility for environmental health, as the process requires SZC Co. to reach agreement with ESC. (ii) Consideration of acoustic barriers close to the railway line is secured through the Rail Noise Mitigation Plan (Doc Ref 6.14 9.3.E(A)), which is itself secured by Requirement 25.



ExQ3	Question to:	Question:
		SZC Co. is not aware of an alternative mechanism by which acoustic barriers could be secured.
	ESC Response at Deadline 8	ESC is not in a position to answer this question.
	Network Rail Response at Deadline 8	<p>(i) The Office of Road and Rail (ORR) is the authority that acts on behalf of the Secretary of State in regulating Network Rail. The ORR does not have any powers to deal with noise that may cause a nuisance beyond ensuring that Network Rail has both an environmental policy statement and management arrangements that give effect to the policies within the statement.</p> <p>Therefore, Network Rail does not consider that the Secretary of State (via the ORR) has the power to impose requirements such as the installation of acoustic barriers on Network Rail which may affect its responsibilities for management of the safety of network as infrastructure manager.</p> <p>(ii) Network Rail has not been commissioned by the Applicant or engaged in any works pertaining to noise mitigation as part of the scheme. However, Network Rail is willing to work with the Applicant consider whether noise mitigation measures are required and to carry out the detailed feasibility work necessary to determine potential options, including details of the construction methodology. Network Rail have not been commissioned to carry out this detailed analysis.</p>
	SZC Co. Response at Deadline 10	SZC Co.'s position is set out above and was elaborated at ISH 12 (please see [REP8-122] from electronic page 13).

ExQ3: 09 September 2021

Responses due by Deadline 8: 24 September 2021

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

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

Issued on 09 September 2021

Responses are due by Deadline 8: 24 October 2021

PART 6 OF 6

R.3 [Radiological considerations](#)

TT.3 [Traffic and Transport](#)

Wa.3 [Waste \(conventional\) and material resource](#)

ExQ3	Question to:	Question:
R.3	Radiological considerations	
R.3.0	The Applicant, ONR, Environment Agency	<p>Permits and Licences</p> <p>In the event that the latest change request were to be accepted;</p> <p>(i) Please provide an update on the latest position regarding the progress of the respective permits and licences required to construct and operate the proposed development.</p> <p>(ii) Please advise on the likely timeline for concluding the consideration of these licences and permits.</p> <p>(iii) Is there anything at this stage that you consider may prevent the issuing of such licences or permits?</p>
	SZC Co. Response at Deadline 8	<p>SZC Co. does not believe the latest change request will impact the Nuclear Site License or Operational Environment Permit Determinations. As such the update given in response to ExQ2 [REP7-056] remains valid. A summary of that response is presented below:</p> <p>Nuclear Site Licence</p> <p>(i) SZC Co. submitted the Nuclear Site Licence (NSL) application in June 2020 and is actively engaged in all regulatory workstreams. Workstreams are monitored routinely via joint Level 3 and Level 2 meetings with the Office for Nuclear Regulation (ONR). The purpose of these meetings is to discuss the route and progress towards achieving a NSL in 2022 aligned to a schedule agreed with the ONR. The ONR's programme of regulatory interventions has been defined and is being delivered to support the licensing process and to meet the anticipated licensing timeline.</p> <p>(ii) SZC Co. is working with the ONR towards the target of completing its licensing assessment by mid-2022. SZC Co. is confident that the plant design is sufficiently mature and the organisation will be demonstrably capable to achieve a NSL in 2022.</p> <p>(iii) The ONR has not identified any issues that would prevent SZC Co. from obtaining a NSL within this time frame and SZC Co. is not aware of any impediment that may exist that would prevent or delay the granting of the NSL.</p>

ExQ3	Question to:	Question:
		<p>Operational Environmental Permits</p> <p>(i) Applications for 3 Environmental Permits were submitted in May 2020 in relation to the Operational Phase of Sizewell C. This covered:</p> <ul style="list-style-type: none"> · Radioactive Substances Activities · Combustion Activities · Water Discharge Activities <p>The 3 applications were 'duly made' (i.e. validated) in June 2020, and the initial consultation held between July and October 2020.</p> <p>At current the Permit Applications are going through due process and routine regulatory engagements are held between SZC Co. and the Environment Agency to support this.</p> <p>(ii) SZC Co. is supporting the Environment Agency through the permit determination process to ensure they can provide sufficient information to the Secretary of State to make a decision on the DCO.</p> <p>(iii) No issues have been identified to date which would prevent or delay the granting of the permits.</p>
	EA Response at Deadline 8	<p>(i) We are in the process of determining three environmental permit applications made on 27 May 2020 (a radioactive substances activity permit, a combustion activity permit and a water discharge activity permit). We consulted our statutory consultees and the public on these applications between 6 July 2020 and 2 October 2020 and will undertake a further consultation once we have reached a 'minded to' decision.</p> <p>(ii) The current best estimate for reaching a 'minded to' decision on all three permits is around May 2022. We are engaging with the company to try to enable delivery of information that may allow us to arrive at a 'minded to' decision at an earlier point in time. Timescales could be affected if there are further changes to the project proposals, or work to resolve issues, means that additional information is required and further review necessary. We will consult with statutory consultees and the public on the 'minded to' decision over a period of three months and we would then expect to arrive at a final decision up to four months later.</p> <p>(iii) We cannot state whether we believe there is likely to be any impediment to the granting of these permits until we have reached a 'minded to' decision for each permit,</p>

ExQ3	Question to:	Question:
		consulted with statutory consultees and the public, and considered any consultation responses that we have received. The assessment upon which we will base our decision has taken longer than expected because of the need to review the necessary information provided by the company through a number of additional requests.
	ONR Response at Deadline 8	<p>(i) We consider that the statement of progress on ONR's assessment of the site licence application provided to PINS at the end of August (REP7-150) remains current.</p> <p>(ii) We do not consider that the proposed provision of a temporary desalination plant to provide the Main Development Site potable water supply during construction will have any consequences for ONR's assessment of the nuclear site licence application.</p> <p>(iii) ONR does not anticipate that the change, if accepted, would have any effect on the timing of completion of our assessment.</p>
	SZC Co. Response at Deadline 10	No further response from SZC Co. required.
R.3.1	ONR	<p>Permits and Licences</p> <p>As of D7 the Applicant does not have a clear pathway to delivering the water supply for construction to meet the current timetable of proposed development.</p> <p>(i) In the event that the latest change request is accepted, this could facilitate the provision of a desalination plant for a temporary period during construction, but not for future operation. Walker Morris on behalf of Northumbrian Water Limited (NWL) have now responded at D7 with a holding objection to the proposed development and while it remains committed to pro-active engagement NWL believe the ideal outcome for water supply to Sizewell C may be for the Applicant to have a self sufficient water supply.</p> <p>(ii) Could the ONR advise if this has any implications for the licensing or timetable of the proposed development?</p> <p>(iii) Is one of the licence conditions that a reliable water supply to the site at the quantum necessary is available and secured?</p> <p>(iv) The Change request seeks only a temporary period for the desalination plant while the preferred option of a piped water supply is facilitated. At what point would the permanent supply need to be in place?</p>
	SZC Co. Response at Deadline 8	No response from SZC Co. is required.
	ONR Response at Deadline 8	(i) We are aware of the options being considered for water supply during construction.

ExQ3	Question to:	Question:
		<p>(ii) We have examined the proposed change and do not consider that there are any implications for licensing or timetable.</p> <p>(iii) There is no specific Licence Condition covering the requirement for a reliable water supply. However, Licence Condition 14 (safety documentation) requires the licensee to make and implement adequate arrangements for the production and assessment of safety cases; Licence Condition 19 (construction or installation of new plant) requires the licensee to make and implement adequate arrangements to control the construction or installation any new plant which may affect safety and Licence Condition 21 (Commissioning) requires the licensee to make and implement adequate arrangements for the commissioning of any plant or process which may affect safety.</p> <p>In fulfilment of these Licence Conditions, ONR would expect the licensee to put in place a reliable source of water before nuclear safety related activities take place on the site that are dependent on such a supply. This may be during the later stages of commissioning, but such a supply will certainly be needed before the station begins to raise power from nuclear reactions in the reactor core.</p> <p>(iv) We do not require full details of the post-licensing construction programme at this stage however we will expect the licensee to have replaced such a temporary water supply with a more reliable source of water before nuclear safety related activities take place on the site.</p>
	SZC Co. Response at Deadline 10	No further response from SZC Co. required.
R.3.2	Applicant, ONR, EA	<p>Radiological Safety</p> <p>TASC at [REP6-076] identify a series of concerns with regard to radiological safety during operation and post operation.</p> <p>Can the ONR and EA advise in respect of these concerns and confirm if any of the matters raised will not be safeguarded by the licensing/permitting regime</p>
	SZC Co. Response at Deadline 8	<p>Radioactivity is all around us and it occurs naturally in the food we eat, the water we drink and the air we breathe. It is therefore not possible to avoid radiation, and when considering the impacts, it is important that they are put in context.</p> <p>Paragraph 3.12.4 of the National Policy Statement for Nuclear Power Generation (EN-6) states:</p>



ExQ3	Question to:	Question:
		<p><i>"Radiation from nuclear power stations requires careful management during and beyond the operational life of the power station. However, safety systems in place in the designs of new nuclear power stations and compliance with the UK's robust legislative and regulatory regime mean that the risk of radiological health detriment posed by nuclear power stations (both during normal operation and as a result of an unplanned release) is very small".</i></p> <p>The Radiological Impact Assessment covering the Operation of Sizewell C (a copy of which is included within Volume 2, Chapter 25 – Radiological Considerations of the ES [APP-340]) has been undertaken in line with the internationally accepted models and science for assessing the Radiological Health Effects and Impacts to the Environment.</p> <p>The annual radiological exposure to a member of the public living near Sizewell C during its operational phase from all exposure pathways including those associated with Tritium has been rigorously assessed and shown to be broadly equivalent to eating 100g of Brazil Nuts a year, and 200 times less than what an average member of the UK population receives from naturally occurring radioactivity.</p> <p>Any planned discharges to the environment will be carefully controlled in line with SZC Co.'s future Environmental Permits, to ensure the radiological impact to members of the public and the environment remain well below the internationally agreed limits to protect human health and the environment.</p> <p>In addition, it should be noted that SZC Co. is and will remain legally required to continue to apply the principle of Best Available Techniques, to ensure the radiological impacts to people and the environment are kept as low as reasonably achievable, taking into account economic and societal factors.</p>
	EA Response at Deadline 8	We have reviewed TASC's comments in their submission (REP6-076) and consider that our current determination of NNB GenCo (SZC)'s RSR permit application will cover the issues raised that fall within the Environment Agency's regulatory remit.
	ONR Response at Deadline 8	Regarding TASC comments in para 16 of REP6-076 on ONR's statements in REP2- 159 on the availability of a Geological Disposal Facility (GDF), TASC are quite right that ONR's reference to "the GDF" should have been to "the proposed GDF". ONR's assumptions in REP2-159 about the timing of the proposed GDF availability and disposals are, as



ExQ3	Question to:	Question:
		<p>explained in ONR's answer to R1.2.24, based on publicly available information from the Nuclear Decommissioning Authority.</p> <p>With regard to the TASC statements concerning the safety of the EPR design in paras 14-21 and 29-36 of TASC's submission REP6-076, these relate to concerns about nuclear fuel rod failures in the Taishan (China) EPRs, apparent premature deterioration of EPR fuel cladding, and the possible deleterious consequences of vibrations in the EPR reactor primary circuit. ONR is aware of all these matters and we confirm that we will take them duly into account in regulating both the Hinkley Point C and Sizewell C projects. ONR has already responded to public queries on each of these, which can be summarised as:</p> <ul style="list-style-type: none"> Taishan fuel failures: It is too early to speculate on the cause of the failures until after the post-shutdown analysis of the fuel inspection data has been completed. Once the information is available to NNB GenCo we will discuss the detailed findings from the Taishan fuel inspections with Hinkley Point C (HPC) and Sizewell C (SZC) to consider if there are any implications for the EPR reactors in the UK. We will also continue to engage with the relevant regulatory authorities in China, Finland, and France, for example through the Multinational Design Evaluation Programme (MDEP) or directly, to ensure we all have a consistent understanding and discuss any learning for all the EPRs. Primary circuit vibrations: ONR has followed this issue closely through regular meetings with the EPR regulatory community and is aware of the vendor's root cause analyses and the remedial measures adopted by EPR operators. Analysis indicates that the vibration behaviour results from a complex resonance phenomena and modification of the design of the affected piping is not considered as a viable option as this might generate undesirable consequences. Consequently, the vendor has recommended a damping option to reduce the vibrations to an acceptable level. Preliminary feedback from two EPR plants has confirmed that the damping mechanisms are effective in reducing the vibrations such that the impact on the operation through life is acceptably low. ONR has engaged regularly with the HPC licensee to understand the measures being taken to address the vibration issue and will continue to do so taking due account of any further learning from the sister EPRs. ONR is satisfied that the HPC licensee has given appropriate consideration to a number of options and considers its proposal to install a damping mechanism to be reasonable. ONR notes that the final decision will be made when the Flamanville-3 EPR testing is complete.



ExQ3	Question to:	Question:
		<p>ONR does not envisage any reason why the solution ultimately adopted for HPC cannot be applied to SZC, furthermore SZC will also benefit from the additional experience from early years of operation of the EPR fleet.</p> <ul style="list-style-type: none"> • Fuel cladding degradation: ONR is aware of the operational experience relating to the EPR fuel cladding and in particular the reported corrosion issue. With regard to the UK EPR, the issue of cladding corrosion was assessed by ONR during the UK EPR generic design assessment (GDA). The GDA was an exercise designed to mitigate the regulatory risk to prospective licensees by assessing whether new reactor designs would, in principle, meet UK regulatory standards. The conclusion of the GDA assessment (ONR-GDAAR-11-021) was that the measures proposed by the requesting party were adequate to protect the fuel against unacceptable levels of degradation as a result of corrosion. <p>When the licensee is able to propose a fuel and core design for SZC, it will be subject to regulatory oversight by ONR. This will include an assessment of whether the licensee is taking appropriate steps to ensure that adequate limits and conditions of operations are identified in the safety case and that the operation of the plant throughout its life cycle (including storage) is carried out in compliance with such limits and conditions of operations (as per Licence Condition 23 attached to the nuclear site licence).</p>
	SZC Co. Response at Deadline 10	No further response from SZC Co. required.
R.3.3	ONR, EA	<p>EPR Safety</p> <p>IPs including TASC have raised safety concerns in light of information regarding ongoing issues at other EPR reactor sites around the world.</p> <p>Please confirm that the safety concerns are covered by the licensing/permitting regime. If there are any outstanding matters which you regard as being more appropriately dealt with through the DCO process advise what these are.</p>
	SZC Co. Response at Deadline 8	No response from SZC Co. is required.
	EA Response at Deadline 8	Our current determination of NNB GenCo (SZC)'s RSR permit application will consider the issues raised that fall within the EA's regulatory remit. The potential for leaks of radionuclides from nuclear fuel are accounted for in the discharge limits that NNB GenCo

ExQ3	Question to:	Question:
		(SZC) have requested in their RSR permit application. This issue has also been previously assessed during the Generic Design Assessment of the EPR reactor undertaken by both EA and ONR.
	SZC Co. Response at Deadline 10	No further response from SZC Co. required.
R.3.4	The Applicant, ONR, EA	<p>Radioactive waste</p> <p>The Deadline 5 submission of Professor Blowers [REP5-189], submits that the potential suitability of the site for the management of radioactive waste during operations and far beyond into the future is a matter for the Examination and its scope should not be limited by relying on the evidence of the ONR and the EA. In addition, his Deadline 7 submission states that the recent report of the IPCC has a direct bearing on the development of a nuclear power station such as Sizewell C on a coastal location and is relevant to the viability of the site, threatening the decommissioning process and the long-term management of radioactive waste. Please respond and set out your view as to the appropriate process for the consideration of the long-term management of radioactive waste and whether you have any concerns in that respect at this stage?</p>
	SZC Co. Response at Deadline 8	<p>The National Policy Statement for Nuclear Power Generation (EN-6) identifies Sizewell as a site that is potentially suitable for the deployment of a new nuclear power station by the end of 2025. Annex B sets out how the Government has satisfied itself that effective arrangements will exist for the management and disposal of the wastes produced by new nuclear power stations. Paragraph 2.11.4 states:</p> <p><i>"...the question of whether effective arrangements will exist to manage and dispose of the waste that will be produced from new nuclear power stations has been addressed by the Government and the [Secretary of State] should not consider this further".</i> Paragraph 2.11.6 goes on to state that: <i>"The UK has robust legislative and regulatory systems in place for the management (including interim storage, disposal and transport) of all forms of radioactive waste that will be produced by new nuclear power stations. The [Secretary of State] should act on the basis that the relevant licensing and permitting regimes will be properly applied and enforced..."</i></p> <p>The operational design life of the Interim Spent Fuel Store (ISFS) and the Interim Level Waste Interim Storage Facility (ILW ISF) is 100 years. This is to allow interim storage to be maintained until a Geological Disposal Facility, or an alternate disposal/management</p>

ExQ3	Question to:	Question:
		<p>route, has been established and the heat levels within the fuel are at levels that permit its disposal.</p> <p>The design life of the sea defence is defined based on protection of the site until all radioactive wastes and spent fuel have been removed from the site (i.e. 110 years post Commercial Operation Date). This means that the sea defence design will be such that performance up to 2140 will be intrinsically ensured.</p> <p>Performance requirements relating to design life, such as sea levels and wave overtopping (which are influenced by climate change and sea level rise), are captured in the design of the crest height. In addition, degradation of the sea defence is considered and accounted for within the design to ensure that appropriate measures are taken (such as concrete cover for the crest wall and erosion protection for the backslope) that ensure the design life can be met. Furthermore, as well as the design considering climate change in line with regulator expectations and best practice, the sea defence has also been designed considering managed adaptation. This means that the crest height can be raised if required at a later date.</p> <p>In addition, under Licence Condition 15 of SZC Co.'s future Nuclear Site Licence, SZC Co. will be required to undertake a periodic and systematic review and reassessment of its safety case, which will include consideration of all external hazards (including flooding and adequacy of sea defences).</p> <p>Therefore, the documents and assessments for the life of the plant including its waste management facilities will be regularly reviewed and reassessed for their applicability.</p> <p>Furthermore, under both its Funded Decommissioning Programme and Nuclear Site License, SZC Co. will be required to apply its Decommissioning and Waste Management Plan. This ensures there is a robust plan in place detailing how the reactor site will be decommissioned and the long-term management of any radioactive waste and spent fuel, up until the point the site is fully decommissioned. This will be reviewed in 5 yearly intervals ensuring a robust plan is always in place and aligned with the safety case.</p>
	EA Response at Deadline 8	Storage of radioactive waste on a nuclear site and external hazards to such a site, such as flooding/sea level rise inundation are regulated through the nuclear site licence by the

ExQ3	Question to:	Question:
		<p>Office for Nuclear Regulation. The Environment Agency provides advice to ONR in this area and the EA and ONR have published joint guidance regarding how flood and coastal erosion risk issues should be taken into account when considering proposals for new build developments: https://www.onr.org.uk/documents/2017/principlesfor-flood-and-coastal-erosion-riskmanagement.pdf ONR, EA, SEPA and NRW have also published a joint Position Statement on use of UK Climate Projections 2018 (UKCP18) in November 2020 to provide further clarity on the regulators' expectations for the use of UKCP18 and to incorporate UKCP18 developments since March 2019: https://www.onr.org.uk/documents/2020/ukcp18-position-statement-rev-1.pdf.</p> <p>As required by the Energy Act 2008, NNB GenCo (SZC) must produce a Decommissioning and Waste Management Plan (DWMP) which meets the expectations of the relevant safety, security and environmental regulators. We will provide advice to the Secretary of State through the Funded Decommissioning Programme as to whether the DWMP meets our regulatory expectations.</p> <p>Additionally, a Radioactive Substances Activity permit, if granted, would not be time limited and the site would remain under regulatory control until such a time that the applicant (operator) can demonstrate that they meet the requirements of our guidance on release from radioactive substances regulation https://www.gov.uk/government/publications/decommissioning-of-nuclear-sites-and-release-from-regulation/decommissioning-of-nuclear-sites-and-release-from-regulation). Our guidance requires the operator to maintain a Waste Management Plan and Site Wide Environmental Safety Case.</p>
	ONR Response at Deadline 8	<p>ONR is currently engaging with NNB GenCo as part of its licence application assessment and, to date, has not identified any issues for the long-term management of radioactive waste. ONR requires dry fuel storage within the UK to be designed to withstand a number of external hazards. This includes flooding and the effects of reasonably foreseeable climate change. During operation of the nuclear licence site, it is a regulatory expectation for a licensee to periodically review the validity of the safety case for all facilities on the licensed site, including the dry fuel store, against external hazards to ensure the site remains protected.</p>
	SZC Co. Response at Deadline 10	No further response from SZC Co. required.

ExQ3	Question to:	Question:
TT.3	Traffic and Transport	
TT.3.2	Suffolk County Council	SLR – Timing of Delivery and Impact on B1122. Are you satisfied that the Early Years mitigation along the B1122 and the controls proposed by the Applicant address any outstanding concerns relating to the B1122 prior to the SLR becoming operational? Set out any remaining areas of concern.
	SZC Co. Response at Deadline 8	No response from SZC Co. required.
	SCC Response at Deadline 8	Constructive discussions have been held with the applicant and Theberton Parish Council regarding potential mitigation measures. The proposal of a pedestrian crossing has been reviewed and while technically challenging may be possible although the requirement for street lighting associated with this is of concern to the Parish Council. An alternative of a 20mph limit through Theberton was proposed by Parish Council and following consideration by SCC would be accepted until the SLR is open. Other measures such as speed control in Theberton and mitigation to the west such as improvements to junctions and pedestrian crossing points have been subject to a detailed technical discussion and it is anticipated that details will shortly be available for review.
	SZC Co. Response at Deadline 10	SZC Co. has continued discussions with SCC and Theberton Parish Council to develop a package of highway mitigation along the B1122, which will mitigate project impacts prior to the opening of the Sizewell link road. Schedule 16 of the Deed of Obligation (Doc Ref. 10.4) submitted at Deadline 10 describes the B1122 Early Years Scheme and references plans showing potential improvements along the road (DoO, Annex Q). Following approval of the proposed B1122 Early Years Scheme by SCC, SZC Co. will undertake detailed design and implement the agreed scheme in accordance with the Local Transport Programme approved by SCC.
TT.3.3	Applicant, Network Rail and SCC	A12 – Darsham Level Crossing In response to TT.2.5 Network Rail (NR) have responded that they will be applying for funding for full barrier control crossing enhancement as part of its funding submission for CP7 (Mar 2024). They also note should funding not be secured, the mitigation works could not be delivered, and NR could not support the Park & Ride car park operation due to the unacceptable risk. The Applicant has already agreed a 50% contribution to the works, but delivery of the works will be dependent on NR securing funding for the other 50%. It is proposed to have a Framework Agreement concerning the additional contribution and NR



ExQ3	Question to:	Question:
		<p>state that the Northern Park and Ride can only become operational if mitigation is secured and delivered within 6 to 12 months of the opening of the Park and Ride site.</p> <p>Explain:</p> <ul style="list-style-type: none"> (i) Is the enhancement to full barrier control considered necessary for safe operation of the level crossing to accommodate the additional traffic level associated with the Proposed development; (ii) What would happen if funding was not secured as part of the NR CP7 settlement; and (iii) Do the County Council have any views as to the safe operation of this crossing as a result of the Proposed Development?
	SZC Co. Response at Deadline 8	<p>i) SZC Co. addressed a similar question at ExQ2 TT.2.5 and part of the answer is copied below as it may assist with the issues raised here:</p> <p><i>"As this is an existing safety concern for Network Rail with future funding understood to be set aside for the work, SZC Co. has proposed to provide a contribution of 50% of the cost of the full upgrade. This is still under discussion between the parties. Darsham, of course, is not affected by Sizewell C trains and the issue at Darsham arises from the location of the station car park across the A12 from the station. The current half barrier can encourage or enable unsafe behaviour from rail passengers. The Northern Park and Ride will add to traffic levels on this stretch of the A12 but the issue is understood to arise when traffic is static and the level crossing is in operation. Cars destined for the park and ride coming from it or buses coming to and from it to Sizewell C main development site in those circumstances would add to any short-term queue on the highway and should not in themselves pose a safety risk. Network Rail is believed to measure these issues on the basis that any increase in traffic in these circumstances theoretically adds to the (existing) risk. SZC Co. has agreed a Framework Agreement with Network Rail which commits the parties to work together to address the issue and is willing to contribute towards Network Rail's planned improvement. SZC Co. does not regard this as a 'requirement' in the sense understood by planning policy."</i></p> <p>Non-Sizewell C rail users must cross the A12 and the railway line to access the southbound platform at Darsham from the existing station car park. Network Rail</p>

ExQ3	Question to:	Question:
		<p>believe that the increase in traffic accessing the park and ride site will reduce opportunities for rail users to cross the road, so may increase the risk of misuse at the level crossing, as they may cross while the traffic is stopped by the level crossing barriers. The Fourth Environmental Statement (ES) Addendum [REP7-032] submitted at Deadline 7 shows that there would be a negligible impact on pedestrian delay for pedestrians to cross the A12 at Darsham railway as a result of Sizewell C traffic. Therefore, SZC Co. believes that this very largely reflects an existing issue but has nevertheless agreed to work with Network Rail.</p> <p>ii) If funding was not secured as part of the NR CP7 settlement, other sources of funding would be investigated. This issue is being discussed with Network Rail and will be reported in a final Statement of Common Ground.</p>
	SCC Response at Deadline 8	<p>(iii) The County Council considers that the additional use by pedestrians accessing the park and ride together with the increase traffic resulting from construction of SZC would result in a detrimental impact on road safety. However, SCC does not have the expertise to calculate the theoretical impact using Network Rail's accepted methodology and cannot quantify this risk.</p> <p>SCC would welcome any improvements to the crossing on safety grounds and for improving pedestrian facilities. A small element of work within the public highway to improve the shared footway / cycleway is likely to be required together with modification of road signs and road markings. SCC is content that these matters can be addressed either through an arrangement with Network Rail so it is delivered as part of their scheme or separately as part of the s278 works for the Northern Park and Ride</p>
	Network Rail Response at Deadline 8	<p>i) Yes.</p> <p>ii) If funding was not able to be secured through the NR CP7 settlement then the Park & Ride facility at Darsham would need to be relocated such that it does not effect Darsham Level Crossing or be funded by the Applicant.</p> <p>iii) Network Rail welcomes the contribution to this scheme and are continuing to work with the Applicant to ensure all Level Crossing improvements can be delivered.</p>
	SZC Co. Response at Deadline 10	<p>SZC Co. has proposed to provide 50% of the required funding for the level crossing upgrade at Darsham. Network Rail will be applying for funding for this enhancement as part of its funding submission for CP7 (March 2024). However, should funding not be</p>



ExQ3	Question to:	Question:
		secured then SZC Co. would be willing to discuss providing the balance of funding to ensure the works can be delivered to meet the SZC Co. programme. SZC Co. will also work closely with Suffolk County Council and Network Rail to determine any pedestrian facilities that can be improved in the vicinity of the level crossing to improve safety for pedestrians.
TT.3.4	Applicant, Suffolk County Council	Early Years - Farnham and Stratford St Andrew. Is there any mitigation proposed to manage the additional traffic through Farnham and Stratford St Andrew to mitigate any problems on the A12 through these villages in advance of completion of the Two Village Bypass? And additionally, explain the rationale for such an approach.
	SZC Co. Response at Deadline 8	The transport effects of the SZC project on the two villages, and other communities will be mitigated through the measures committed to within the application, including the regime of caps and management set out in the transport management plans. Chapter 2 of the Fourth Environmental Statement (ES) Addendum [REP7-032] (electronic page 481) shows that in Stratford St Andrew (link 24) and Farnham (link 23) there is forecast to be an 8% increase in daily two-way total traffic and a 90% increase in daily two-way HDVs during the early years. The Fourth ES Addendum [REP7-032] concludes that there is expected to be a minor adverse impact on severance (electronic page 761), pedestrian delay (electronic page 815), amenity (electronic pages 890 and 900) and fear and intimidation (electronic page 989). In comparison, the Fourth ES Addendum [REP7-032] (electronic pages 479 and 485) shows that in Middleton Moor (link 74) and Theberton (link 10) there is forecast to be a 28-30% increase in daily two-way total traffic and a 535-672% increase in daily two-way HDVs during the early years. The Fourth ES Addendum [REP7-032] concludes that there is expected to be a minor adverse impact on severance (electronic pages 760 and 762), pedestrian delay (electronic pages 813 and 817) and fear and intimidation (electronic pages 988 and 990) on the B1122 but that there is expected to be a short term major adverse effect on amenity on the B1122 during the early years as a result of the percentage change in HDVs (electronic pages 889 and 901).



ExQ3	Question to:	Question:
		<p>Therefore SZC Co. is proposing to implement a B1122 early years mitigation scheme in order to mitigate the short term significant adverse effects in Theberton and Middleton Moor during the early years but given that there are not forecast to be any adverse significant effects in Farnham or Stratford St Andrew in the early years, a transport mitigation scheme is not proposed. SZC Co. considers it legitimate to draw a distinction between this position affecting the main A12 and the much more significant change in amenity affecting the B1122, which has a different character.</p> <p>Notwithstanding this, SZC Co. recognises that the Farnham bend is an existing highways constraint, particularly for AILs, and as such SZC Co. has committed to provide funding to Suffolk Constabulary for 4 police escort teams during the early years to escort AILs along the A12 through Stratford St Andrew Farnham as well as along the B1122 in accordance with the AIL escort matrix as set out in the Construction Traffic Management Plan (CTMP), Annex K of the DoO (Doc Ref. 8.17(G)) to be submitted at Deadline 8.</p>
	SCC Response at Deadline 8	<p>Appendix 2C Part 2 of REP7-032 includes the results of the Applicant's updated Environmental Statement. The results show minor adverse impacts on links 22c, 23 and 24, which represent Farnham and Stratford St Andrew, albeit these include the use of professional judgement of the magnitude of impact by the Applicant. The impact of greatest concern on these links to SCC has been the increase in HDVs as a result of the Project and cumulative projects; which are in the order of (+837) 90% in the Project scenario and (+1,063) 115% in the cumulative (with SPR) scenario based on the Applicant's assessment. SCC considers these increases to be significant and whilst, using our own professional judgement, we may not agree that this was a minor adverse impact if it was occurring for the whole life of the project, the impacts at this location have been considered in the context of the length of time that they will be occurring, as well as the relative likelihood of the cumulative scenario occurring, and the likely actual profile of HGV movements on the corridor (including AD site HGVs). The impacts on these links are of a significantly shorter term, in the order of 30 to 36 months based on the delivery of the TVBP in the Implementation Plan [REP2-044], than will be experienced by similar nearby locations, and the subsequent long term beneficial impact with regards to the significant reduction in traffic that the villages would experience has also been considered with regards to the potential need for short term mitigation. The Council have accepted the overall mitigation strategy at this location.</p>



ExQ3	Question to:	Question:
	SZC Co. Response at Deadline 10	SZC Co. is grateful to SCC for its acknowledgement of the acceptability and appropriateness of the Applicant's position.
TT.3.7	Suffolk County Council	Control over Construction Traffic and Worker Travel Explain whether you agree with the controls proposed by the Applicant and if not explain why you consider some amendment is needed for: (i) HDV caps proposed within the Construction Worker Travel Plan; and (ii) Modal split control proposed within the Construction Worker Travel Plan.
	SZC Co. Response at Deadline 8	No response from SZC Co. is required.
	SCC Response at Deadline 8	<p>Excluding potential changes associated with the desalination plant, SCC agree with the proposed caps, subject to the proposed changes as set out at [REP7-062] 'Appendix H: Summary of Changes to be Made to the Transport Management Plans' which includes the following updates:</p> <ul style="list-style-type: none"> • Inclusion of monitoring of freight modal split. • Update of Early Years Cap to include HDVs. • Inclusion of a quarterly control with appropriate TRG review. • Inclusion of monitoring of north/south split of HDV traffic, including review mechanism. This may need to reflect potential implications of desalination plant e.g. monitoring and controls on movements on the A145. • Inclusion of additional peak hour monitoring and reporting. • Inclusion of further information on overnight timing restrictions. • Additional clarification on bus measures. • Additional clarification on parking limits. • Additional clarification on LGVs. <p>The Council have accepted the modal splits set out within the CWTP, both the targets based on the assessed figures and the aspirational target; however, as set out in Appendix 3B of [REP7-057]; the build out rate for the Accommodation Campus is set out to begin Q4 of Year 3 and not be completed until Q2 of Year 6. The peak construction mode shift targets require the delivery of the accommodation campus to achieve this modal split, and so it is not unreasonable to assume that the development will fail to achieve the main targets between delivery of the park and ride sites and completion of the</p>



ExQ3	Question to:	Question:
		<p>accommodation campus, which might represent 4 years of the project's build out. SCC are of the opinion that this can be managed through the TRG, with the proposed update to the CWTP to include the ability for the TRG to set interim targets as indicated in [REP7-062]. However, the ability for the TRG to identify potential issues and respond is reliant on the availability and reporting of comprehensive data.</p> <p>As set out in our responses at Table 5 para 1.2. and Table 8 para 1.6.10 and 1.6.63 of REP6-049, SCC do not agree that the proposed car parking limits and modal split provide a sufficient control on worker vehicle movements; however, are of the opinion that sufficient monitoring, reporting and governance through the TRG would allow for proactive and reactive management of any issues as they arise. The monitoring of modal split alone is not considered adequate for worker travel, and the monitoring of vehicular levels at the key car parks is under discussion.</p> <p>SCC have not yet reached agreement with the Applicant however on the extent of monitoring and reporting, including regularity of reporting, but following recent discussions believe we are close to agreement, subject to agreeing the details of the required reporting, and await submission of the updated CTMP and CWTP, which SCC will need to confirm reflect those changes proposed.</p>
	SZC Co. Response at Deadline 10	<p>A revised Construction Worker Travel Plan (Annex L to the Deed of Obligation, Doc Ref. 10.4) and Construction Traffic Management Plan (Annex K to the Deed of Obligation, Doc Ref 10.4) were submitted to the Examination at Deadline 8 [REP8-088]. Further minor amendments have been made to the management plans in consultation with the transport stakeholders since Deadline 8 and the final agreed management plans are annexed to the Deed of Obligation submitted at Deadline 10 (Doc Ref. 10.4). The finalised versions of these management plans incorporated the proposed changes set out in 'Appendix H: Summary of Changes to be Made to the Transport Management Plans' [REP7-062], and listed by SCC in their D8 response.</p> <p>The HGVs associated with the proposed temporary desalination plant are controlled within the early years daily HDV caps set out in Section 4 of the CTMP (Annex K to the Deed of Obligation, Doc Ref. 10.4).</p>



ExQ3	Question to:	Question:
		<p>In response to SCC's comments on the timing of delivery of the accommodation campus, SZC Co. has included within the revised CWTP the ability for the TRG to set interim mode share targets (para. 3.4.9 of CWTP).</p> <p>The final CWTP (Chapter 5) and CTMP (Chapter 8) set out an updated and agreed comprehensive commitment to the monitoring and reporting of transport data, which will be made available to the TRG to inform decision-making. SZC Co. has worked closely with SCC in evolving and the proposed monitoring strategy, the full details of which are now agreed.</p>
TT.3.8	The Applicant, Suffolk County Council	<p>Highway Mitigations. Outline the mitigations proposed and also explain any areas where mitigations are yet to be agreed for the following locations:</p> <ul style="list-style-type: none"> (i) Marlesford; (ii) Little Glemham; (iii) Yoxford; (iv) Middleton Moor; (v) Theberton; and (vi) B1125 Westleton and Blythburgh.
	SZC Co. Response at Deadline 8	<p>Please refer to ExQ2 HW.2.1 and response to CU.2.1 for details provided previously on the agreed local transport schemes that are proposed as mitigation. Agreement has also been reached with SCC with regards to the schemes that will be delivered by SZC Co. and the proposed phasing of these schemes, as well as an agreed package of transport contributions that will be made by SZC Co. The agreed position is set out in the draft Deed of Obligation (Doc Ref. 8.17(G)) submitted at Deadline 8.</p> <p>The specific mitigations proposed at each location are described below:</p> <ul style="list-style-type: none"> (i) Marlesford – a package of measures is proposed in Marlesford to slow traffic through the village, reduce traffic noise and improve pedestrian amenity. Plans showing these improvements are appended to the Deed of Obligation (Doc Ref. 8.17(G)). The existing speed limit through the village will be reduced to 30mph (from 40mph) and the 40mph speed limit will be extended further south to the B1078 slip road to slow

ExQ3	Question to:	Question:
		<p>northbound traffic entering the village. Gateway features, combined with 30mph speed signs, will be placed at both village entry points. 30mph repeater signs and roundels marked on the road through the village to encourage courteous driving. New quieter road surfacing will be laid over approximately 800m through the village. A new signalised pedestrian crossing will be provided immediately north-east of the Marlesford Bridge, and a new uncontrolled pedestrian crossing and dropped kerbs would be provided between Marlesford Road and Ashe Road, and near Milestone Farm. The scheme would provide approximately 650m of new and widened footways linking new crossings, as well as businesses, residences and the existing bus stop. Minor kerb realignment and vegetation trimming at the A12 / Bell Lane would improve driver visibility at the junction. These improvements have been developed in consultation with SCC, ESC and Marlesford Parish Council, and are now agreed in principle. Improvements are secured in the Deed of Obligation (Doc Ref. 8.17(G)).</p> <p>(ii) Little Glemham – a similar package of measures is proposed in Little Glemham. Plans showing these improvements are appended to the Deed of Obligation (Doc Ref. 8.17(G)). The existing 30mph speed limit will be visually reinforced by creating a village gateway feature at village entries on the A12, and by providing 30mph speed limit repeater signs and roundels painted on the carriageway through the village. New quieter road surfacing will be laid over approximately 300m through the village. A new signalised junction will be created at the A12/Church Lane incorporating a signalised pedestrian crossing of the A12 close to the village centre, and tighter kerb radii to discourage HGVs from using Church Lane. Signage (“Unsuitable for heavy goods vehicles”) would be installed to further discourage HGVs from using Church Lane. These improvements have been developed in consultation with SCC, ESC and Little Glemham Parish Council, and are now agreed in principle. The improvements are secured in the Deed of Obligation (Doc Ref. 8.17(G)).</p> <p>(iii) Yoxford – a new signal-controlled pedestrian crossing is proposed in Yoxford to reduce pedestrian severance. A plan showing these improvements are appended to the Deed of Obligation (Doc Ref. 8.17(G)). The crossing of the A12 would be located immediately north of the Old High Road junction. New road surfacing would be laid over the footprint of the crossing as well as approaches. The crossing location and design has been developed in consultation with SCC, ESC and Yoxford Parish Council, and is now</p>

ExQ3	Question to:	Question:
		<p>agreed in principle. The crossing is secured in the Deed of Obligation (Doc Ref. 8.17(G)).</p> <p>(iv) Middleton Moor - SZC Co. proposes improvements along the length of the B1122 to reduce traffic speeds, improve road safety and pedestrian amenity. Plans showing these improvements are appended to the Deed of Obligation (Doc Ref. 8.17(G)). In Middleton Moor, SZC Co. propose to provide new/enhanced village gateway signs, integrated with speed limit signs, and a new informal crossing of the B1122 to link up existing PRoW. It is also proposed to reduce the speed limit on approach to Middleton Moor from the national speed limit (50/60mph) to 40mph to slow traffic before they arrive in the village. These improvements are agreed in principle with SCC, and will be secured by the Deed of Obligation (Doc Ref. 8.17(G)). In addition, SZC Co. is working with SCC and ESC to develop a network of cycling routes through the B1122 corridor, broadly between the A12 and the main development site, stretching north to include Westleton and Darsham, and south to include the proposed alignment of the Sizewell link road. The cycling proposals will improve east-west links along the B1122 corridor, and north-south links across the B1122 and Sizewell link road, connecting local villages (e.g. Westleton, Darsham, Kelsale, Middleton Moor, Yoxford) and destinations (e.g. Darsham rail station, RSPB Minsmere). The B1122 corridor repurposing is being developed in consultation with ESC and SCC, and will be secured by the Deed of Obligation (Doc Ref. 8.17(G)).</p> <p>(v) Theberton – SZC Co. proposes improvements along the length of the B1122 to reduce traffic speeds, improve road safety and pedestrian amenity. Plans showing these improvements are appended to the Deed of Obligation (Doc Ref. 8.17(G)). In Theberton, SZC Co. proposes to provide new/enhanced village gateway signs, integrated with speed limit signs, a new zebra pedestrian crossing of the B1122 immediately east of Church Road, as well as footway improvements. The potential to provide a 20mph speed limit through Theberton in the early years of Sizewell C construction is also being discussed with SCC. It is also proposed to reduce the speed limit on approach to Theberton from the national speed limit (50-60mph) to 40mph to slow traffic before they arrive in Theberton. These improvements are agreed in principle with SCC, and will be secured by the Deed of Obligation (Doc Ref. 8.17(G)). In addition, SZC Co. is working with SCC and ESC to develop a network of cycling routes through the B1122 corridor, broadly between the A12 and the main development site, stretching north to include</p>



ExQ3	Question to:	Question:
		<p>Westleton and Darsham, and south to include the proposed alignment of the Sizewell link road. The cycling proposals will improve east-west links along the B1122 corridor, and north-south links across the B1122 and Sizewell link road, connecting local villages (e.g. Westleton, Darsham, Kelsale, Middleton Moor, Yoxford) and destinations (e.g. Darsham rail station, RSPB Minsmere). The B1122 corridor repurposing is being developed in consultation with ESC and SCC, and will be secured by the Deed of Obligation (Doc Ref. 8.17(G)).</p> <p>(vi) B1125 Corridor – Improvements are proposed in Westleton on the B1125 to encourage courteous driving and improve pedestrian amenity through the village. Plans showing these improvements are appended to the Deed of Obligation (Doc Ref. 8.17(G)). The measures in Westleton include new gateway features on the B1125 north and south of the village, integrated with 30mph speed limit signs, new pedestrian crossings of the B1125, improvements to footways and minor kerb re-alignment at junctions to reduce encourage slower traffic speeds. The nature of these improvements has been discussed with SCC, ESC and Westleton Parish Council, and is broadly agreed. The improvements are secured in the Deed of Obligation (Doc Ref. 8.17(G)). A construction phase signage strategy has been developed in consultation with SCC, ESC and National Highways (formerly Highways England) to direct Sizewell C drivers to only travel on defined routes when moving about Suffolk. As part of the wider signage strategy, temporary yellow-backed directional signage will be installed on the A12 in Blythburgh to direct Sizewell C traffic along the A12 and B1122 (in early years) or Sizewell link road (in peak construction) to the main construction site. Signage on the A12 will be delivered by SZC Co., and is secured by the Deed of Obligation (Doc Ref. 8.17(G)). HGVs will not be permitted to use the B1125, and will be tracked by GPS technology to ensure compliance with the HGV routes defined in the Construction Traffic Management Plan, Annex K of the DoO (Doc Ref. 8.17(G)).</p>
	SCC Response at Deadline 8	<p>The list of mitigation schemes has been agreed in principle. However, a number still require the submission of details to provide comfort to the authority that the proposed mitigation scheme is acceptable. It is understood these details, where available will be appended to the Deed of Obligation.</p> <p>These are the following:</p>

ExQ3	Question to:	Question:
		<p>(i) and (ii) Marlesford and Little Glemham Mitigation includes pedestrian crossings, footway improvements and, in Marlesford, a reduction in the speed limit,</p> <p>(iii) Yoxford Mitigation Scheme includes a pedestrian crossing located adjacent to the High Street Junction on the A12.</p> <p>(iv) and (v) see TT.3.2</p> <p>(vi) The applicant has discussed potential mitigation in Westleton with SCC but has yet to provide details for review and comment. No proposals have been put forward for Blythburgh.</p> <p>However, the Applicant and SCC are in regular correspondence and it is anticipated that agreement will be reached before the end of the examination.</p>
	SZC Co. Response at Deadline 10	<p>The Deed of Obligation (Doc Ref. 10.4) submitted at Deadline 10 includes plans showing mitigation proposed at each of these locations. References to the relevant annexes are provided below:</p> <ul style="list-style-type: none"> (i) Marlesford – Annex S to the Deed of Obligation (Doc Ref. 10.4). (ii) Little Glemham – Annex S to the Deed of Obligation (Doc Ref. 10.4). (iii) Yoxford – Annex X to the Deed of Obligation (Doc Ref. 10.4). (iv) Middleton Moor – Annex Q to the Deed of Obligation (Doc Ref. 10.4). (v) Theberton – Annex Q to the Deed of Obligation (Doc Ref. 10.4). (vi) B1125 Westleton and Blythburgh – Annex N to the Deed of Obligation (Doc Ref. 10.4). <p>The DoO commits SZC Co. to implement these schemes, following SCC's approval to the detailed design.</p>
TT.3.11	Suffolk County Council	<p>"Rat Running or Alternative Route Selection"</p> <p>Explain your views as to the effectiveness of the Applicant's proposed strategy for monitoring and addressing any issues relating to "rat running". In addition, provide details</p>



ExQ3	Question to:	Question:
		of any areas where the Council considers that additional controls would be beneficial and the reasoning for such additional controls.
	SZC Co. Response at Deadline 8	No response from SZC Co. is required.
	SCC Response at Deadline 8	<p>Breaches in routing for HGVs and buses are proposed to be identified using GPS and geofencing and this is considered acceptable especially as it is understood that this can be identified almost immediately.</p> <p>In terms of rat running by other vehicles, the assessment allows free route choice for other modes such as cars and LGVs and there would be little to limit their routing other than through a signage strategy. There have been concerns in relation to the bypassing of congestion on the network through towns and villages, especially those located alongside the A12. The network within those locations has been added to the model to try to replicate these routes and to identify the level of traffic using these routes and therefore taken into consideration in the modelling. No issues were identified with low levels of traffic using alternative routes with the majority of traffic associated with the development and that already on the road network remaining on the main route. This has been reviewed as part of the auditing process of the strategic models and is considered to be acceptable.</p> <p>Rat running by its nature is difficult to model and even more difficult to assess in terms of impact as small volumes of additional vehicles will have a significant impact on local perceptions. The disturbance of the local highway network, particularly along the B1122 corridor with many changes in the location or roadworks and other disruption is likely to make any changes in traffic by its fluid nature difficult to interpret particularly in the early years. Much of this traffic is likely to be local uncontrolled traffic rather than SZC construction traffic which is subject to control.</p> <p>As set out in our response to TT.1.87 of our Response to the EXA's Written Questions [REP2-137], the natural route for some workers to travel from their home either to the Main Development Site, or the Park and Ride sites will not be via the A12, B1122 or Sizewell Link Road, and so vehicle movements by workers, whilst not reasonably considered as rat running, will increase along the vast majority of local roads. Vehicle</p>

ExQ3	Question to:	Question:
		<p>movements will also increase as non-home bound workers undertake other non-work journeys.</p> <p>There are a number of measures that the Applicant has proposed to reduce the potential impacts of worker vehicle movements which means that either workers will not be travelling by car or that the length of their journey by car is reduced; these include:</p> <ul style="list-style-type: none"> a) Provision of the accommodation campus and LEEIE caravan park (both by ensuring they do not need to drive to site and providing facilities meaning that in some cases they will not need to travel offsite) b) The Park and Rides (including the postal consolidation facility) c) The Lowestoft Bus service d) The Ipswich Bus Service e) The Woodbridge Bus service <p>Further to the bus services modelled above, as part of the bus strategy, as the development builds out, locations that could support a bus service to reduce impacts on rural communities will be identified and investigated through the Transport Review Group. The current aim through the CWTP is for around 80% of the workforce to travel by either walk, cycle, direct bus or park and ride to/from the site. To ensure that staff travel to the site by the correct bus (i.e. their nearest bus), the proposals include a parking permit system, an electronic reader for bus passengers and allocation of model of travel.</p> <p>SCC consider that subject to the proposed changes to the management plans, that the measures in place are acceptable (excluding potential changes associated with the desalination plant); however, we are yet to fully agree the extent of monitoring and reporting but are hopeful this will be achieved.</p> <p>If rat-running is considered to be a key concern, the potential exists to use ANPR cameras on the routes to the site, or at those locations where 'rat-running' is of particular concern, and at the site accesses; it would not be difficult to discern on that basis the routing that was occurring and to investigate ways to encourage use of the main road network by SZC workers; however enforcing any behaviour would be more difficult.</p>



ExQ3	Question to:	Question:
		<p>Where reports of rat running are received during the construction of SZC this is reported to the TRG, and can be investigated. The importance of data being readily available with regards to total worker vehicle movements is considered key to the TRG's ability to make informed decisions quickly.</p> <p>Whilst a process could be put in place for LGVs (assuming exceedance of assessed numbers) worker car movements would not be restricted from routes that are open to the general public.</p> <p>Thus, in summary the Council accepts that where rat running occurs it is likely to require a reactive action instigated by the TRG using the contingent fund to fund any mitigation of significant adverse impacts.</p> <p>The Council are satisfied that the current proposals are reasonable, subject to relevant changes to the CTMP as set out in our response to TT.3.7 and believe that the TRG are able to investigate potential issues and solutions.</p>
	SZC Co. Response at Deadline 10	<p>Please see SZC Co.'s response to TT.3.7 above in relation to revised management plans, including updated monitoring strategy.</p> <p>SZC Co. has worked closely with SCC in evolving the CWTP (Annex L to the Deed of Obligation, Doc Ref. 10.4) and CTMP (Annex K to the Deed of Obligation, Doc Ref. 10.4) and these documents are now agreed with SCC. In particular the management plans now require SZC Co. to carry out significantly greater level of monitoring of Sizewell C vehicles to inform TRG decision making.</p> <p>The Deed of Obligation (Doc Ref. 10.4) and management plans have also been amended to ensure that the Transport Review Group (TRG) can identify urgent issues as they occur (or to predict their occurrence where possible), and act quickly to resolve them. Any member of the TRG can convene a meeting of the TRG (in addition to the regular quarterly meetings) to resolve an urgent matter, with procedures for escalation to the Delivery Steering Group in the event that the TRG is unable to resolve the issue.</p>



ExQ3	Question to:	Question:
		The Contingent Effects Fund, which is secured via the DoO, will be available to be drawn down by the TRG to mitigate any significant adverse effects that were not mitigated directly through the DCO.
TT.3.14	Suffolk County Council	Fly Parking Provide any comments on whether the Council considers that the fly parking approach proposed by the Applicant is robust enough to address any problems that may arise. Additionally, provide any additional mechanisms you consider would improve the effectiveness of the proposed response along with the reasoning for such suggestions.
	SZC Co. Response at Deadline 8	No response from SZC Co. is required.
	SCC Response at Deadline 8	<p>As set out at to TT.1.36 of our Response to the EXA's Written Questions [REP2-137], SCC understands that the proposed process has been relatively successful at Hinkley Point C both in identifying fly parking and reducing fly parking, as well as showing that a number of cases of reported fly parking related to legitimate worker parking.</p> <p>Importantly, the proposed monitoring of bus services will help to minimise the potential for fly parking by ensuring that workers use the correct bus.</p> <p>The management of fly parking is a multistage process set out in section 4.7 of the CWTP that includes reasonable process for identification and enforcement. However, it is also recognised that the process may need to be amended through the TRG to reflect specific local circumstances or to be more effective as stated in the CWTP ([REP2-055] section 6.4.3).</p> <p>One area of concern for SCC would be the delivery of the accommodation campus; it is a key piece of infrastructure for minimising construction workforce vehicle impacts and the later delivery may mean a greater proportion of workers need to travel to site, if these workers were based within the 'drive to site' catchment area. The car park's capacity may mean that not all workers are able to drive to the site, and so appropriate bus services or other potential measures would need to be identified and as a result these potential issues need to be identified as quickly as reasonably possible.</p>

ExQ3	Question to:	Question:
		Monitoring will be key to allow for early reactive measures if fly parking does occur. SCC is of the opinion that the proposed process is reasonable but cannot say absolutely that it could deal with any issue that arises, for instance there is a finite amount of contingency funding, and the implementation of Traffic Regulation Orders, and potentially associated infrastructure, mean that whilst solutions may be identified they may not in all cases be deliverable, nor may they be wholly popular meaning that they face objection from other parties.
	SZC Co. Response at Deadline 10	<p>The CWTP and the measures for fly parking have been agreed with SCC and the other transport stakeholders as part of the finalisation of the CWTP, which is annexed to the Deed of Obligation (Doc Ref 10.4) at Annex L.</p> <p>As set out by SCC, the management of fly parking has been successful at Hinkley Point C and the same approach is proposed for Sizewell C. Additional measures have not been required to be implemented at Hinkley Point C such as Traffic Regulation Orders.</p> <p>It is secured in the CWTP that workers must be provided with Driver Rules that must be adhered to. The Worker Code of Conduct must set out a disciplinary process relating to fly-parking. Where a worker's vehicle is proven to be fly-parking, SZC Co. must adopt a "Just and Fair" culture with regards to disciplinary proceedings with escalation to higher levels of management at each stage. Ultimately this process could lead to the removal of an individual worker from the Sizewell C Project.</p>
Wa.3	Waste (conventional) and material resource	
Wa.3.0	Environment Agency	<p>Waste Management Strategy – Addendum [REP7-]</p> <p>The applicant at Deadline 7 has submitted an Addendum to the Waste Management Strategy setting out Key Performance Indicators (KPI). Are you satisfied this Addendum addresses your original concerns about the lack of KPI in the Waste Management Strategy?</p>
	SZC Co. Response at Deadline 8	No response from SZC Co. is required.
	EA Response at Deadline 8	We are presently unable to answer this question and intend to provide an answer at deadline 9.

ExQ3: 09 September 2021**Responses due by Deadline 8: 24 September 2021****The Planning Inspectorate**
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ExQ3	Question to:	Question:
	EA Response at Deadline 9	We can confirm that [REP7-021] Conventional Waste and Material Resources – Appendix 8A of the Environmental Statement: Waste Management Strategy Addendum - Revision 1.0 satisfies our original concerns about the lack of KPI in the Waste Management Strategy
	SZC Co. Response at Deadline 10	No further response from SZC Co. is required.