



The Sizewell C Project

9.10.3 Statement of Common Ground - East Suffolk Internal Drainage Board

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1 INTRODUCTION

1.1 Status of the SOCG

- 1.1.1 This Statement of Common Ground ('SoCG') has been prepared in respect of the application for development consent under the Planning Act 2008 ('the Application') for the proposed Sizewell C Project. This final version [Deadline D10], dated 12 October 2021, has been prepared through a programme of engagement between NNB Generation Company (SZC) Limited ('SZC Co.') as the Applicant and East Suffolk Internal Drainage Board ('ESIDB' or 'the Board'), referred to as 'the parties'.

1.2 Purpose of this document

- 1.2.1 The purpose of this SoCG is to set out the position of the parties arising from the application for development consent for the construction and operation of the Sizewell C nuclear power station and together with the proposed associated development (hereafter referred to as 'the Sizewell C Project'). This SoCG has been prepared in accordance with the 'Guidance for the examination of applications for development consent' published in March 2015 by the Department of Communities and Local Government (hereafter referred to as 'DCLG guidance').
- 1.2.2 The aim of this SoCG is, therefore, to inform the Examining Authority and provide a clear position on the state and extent of discussions and agreement between the parties on matters relating to the proposed Sizewell C Project.
- 1.2.3 This SoCG does not seek to replicate information which is available elsewhere within the DCO application documents. All documents are available on the Planning Inspectorate's website.

1.3 Structure of this Statement of Common Ground

- 1.3.1 **Chapter 2** provides a schedule which detail the position on relevant matters between the parties, including any matters where discussions are ongoing. This is underpinned by Appendix A, which provides a summary of engagement undertaken to establish this SoCG.

2 POSITION OF THE PARTIES

- 2.1.1 **Table 2.1** provides an overview of the position of the parties and any further actions planned.

Table 2.1: Position of Parties

Ref.	Matter	East Suffolk Internal Drainage Board position	SZC Co.'s Position	Further Action Required	Agreed / Not Agreed / In Progress
1 Flood risk and drainage design					
1.1	Impacts on flood risk within the Internal Drainage District and wider watershed catchment area.	The current drainage strategy assumes that infiltration is possible in most places. This assumption has not been adequately demonstrated however the Board recognises that the LLFA are the appropriate advisory body and knows that they are actively engaging with the applicant, therefore the Board defers to the LLFA on this matter.	<p>In order to understand the flood risk implications of the project, a detailed flood risk assessment has been completed that is underpinned by detailed modelling and full hydrological assessment, including whole catchment rainfall-runoff assessment. The hydrological assessment within the Flood Risk Assessment is not sensitive to local variations in soil conditions, being a catchment-wide study based on gauged and donor data.</p> <p>Appendix 3 [APP-099] [epage 16] provides the Fluvial Hydrology Report to the Main Development Site Flood Risk Assessment (MDS FRA). On receipt of review comments from the EA, additional consideration of hydrology was incorporated in the MDS FRA Addendum [AS-157] [link to page]. Data used in the development of the hydrological model is included in the respective reports.</p> <p>The site-specific soil/geology, and local variation, is being considered in the design of the surface water infrastructure. Infiltration testing has been carried out at the MDS, principally in 2014 and 2017, and a further ground investigation is currently underway.</p>		Agreed

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			<p>This is considered in the Drainage Strategy [REP8-050].</p> <p>The hydraulic modelling has been directly shared with the EA for review for both the MDS FRA [AS-018] and MDS FRA Addendum [AS-157].</p> <p>SZC Co. has informally provided a series of reports to ESIDB, including the groundwater conceptual model paper (Appendix B Mechanisms of Change in Groundwater in the Sizewell Marshes SSSI REP3-043 epage 8 9.28 Comments on Written Representations Appendices - Revision 1.0), MDS hydrological review paper, MDS WMZ basic drainage design summary and MDS LEEIE basic drainage design summary. These papers were submitted into Examination at Deadline D5 as Appendices B, D and I to NNB Generation Company (SZC) Limited Deadline 5 Submission - 9.54 SZC Co. Comments on Submissions from Earlier Deadlines (Deadlines 2-4) Appendices - Revision 1 [REP5-120].</p> <p>SZC Co. has provided the full set of MDS infiltration results informally to ESIDB on 3/9/21.</p>		
1.2	Lack of detail and evidence in	Water Management Zone (WMZ) and Detailed Drainage Design: There is a consistent and continuous lack of detail and evidence in the available drainage	SZC Co. is required to mitigate all significant adverse effects related to the Sizewell C Project. In order to understand the extent of the effects, an Environmental Impact Assessment has been		Agreed

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	available drainage strategy.	<p>strategy which makes it very difficult to assess the viability of the proposals.</p> <p>The Board recognises however that the LLFA is the appropriate advisory body and is actively engaging with the applicant to resolve this matter, therefore the Board defers to the LLFA on this issue.</p>	<p>undertaken and physical mitigation and implementation measures identified.</p> <p>For the MDS, the Drainage Strategy [REP8-050] has been developed that is based principally on infiltration, which will maintain the permeability of the construction areas wherever possible, but ultimately emulating existing baseline conditions and thus balancing both infiltration and greenfield discharge. It is based upon the principle of phased and flexible implementation, which will protect the area outside of the development site up to a 1 in 100 year flood event. Design work continues, informed by the findings of site investigations and with further investigations planned. Any discharge from the site will be at the greenfield runoff rates.</p> <p>SZC Co. has provided the full set of MDS infiltration results informally to ESIDB on 3/9/21.</p> <p>SZC Co. has informally provided a series of reports to ESIDB (see 1.1 above for references), including the groundwater conceptual model paper (subsequently submitted in Examination at Deadline D3), temporary marine outfall operation summary, MDS hydrological review paper, MDS WMZ basic drainage design summary and MDS LEEIE basic drainage design summary. These papers were submitted into Examination at Deadline D5.</p>		

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			Source control calculations were provided informally to ESIDB on 2/9/21.		
1.3		The timeline for Water Management Zone (WMZ) implementation is currently unclear. This could result in substantial flood risk if development takes place before the drainage infrastructure within a Water Management Zone is not ready to operate. The Board recognises however that the LLFA is the appropriate advisory body and is actively engaging with the applicant to resolve this matter, therefore the Board defers to the LLFA on this issue.	SZC Co. recognises the requirement to manage surface water flooding throughout all stages of construction and to develop drainage infrastructure alongside the initial construction activities and as activities within the WMZs change. This will need to be responsive and flexible to the changing character of each WMZ, whilst being rooted in the SuDS philosophy throughout. SZC Co. fully recognises that it has a responsibility to manage surface water from the outset of construction activity, specifically that the 1 in 100-year storm will be managed from the commencement of construction works.		Agreed
1.4		The Board are specifically concerned about details on WMZ 1 basin design as it is unclear whether it accommodates high groundwater levels. The Board recognises however that the LLFA is the appropriate advisory body and is actively engaging with the applicant to resolve this matter, therefore the Board defers to the LLFA on this issue.	SZC Co. has progressed this design to accommodate the Natterjack toad habitat and retain the basin. Design work has shown that a detention basin of appropriate size can be maintained in this location.		Agreed

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1.5		The Board agrees that the updated WMZ designs show all proposed discharges to watercourses are attenuated to some degree excluding WMZ 7-9 and the campus.	No additional comment from SZC Co.		Agreed
1.6		<p>No drainage design has been provided for WMZ 7, 8, 9 and the Campus.</p> <p>Ahead of receiving any detailed design, the Board has explained the Board's regulatory regime and the requirement for Land Drainage Consent to SZC Co (including the Board's Byelaws) and sought that these requirements be included within the Schedule of Other Consents [REP8-048].</p>	<p>Whilst the design has not been set for WMZ7-9, it is expected that this would by discharge to the Sizewell Drain at multiple points, and regulated by means of a discharge consent(s) for approval by ESIDB. The Drainage Strategy [REP8-050] acknowledges the need for disposal by outfall to watercourse for the Campus.</p> <p>SZC Co. has informally provided a series of reports to ESIDB, including the groundwater conceptual model paper (subsequently submitted in Examination at Deadline D3), temporary marine outfall operation summary, MDS hydrological review paper, MDS WMZ basic drainage design summary and MDS LEEIE basic drainage design summary. These papers were submitted into Examination at Deadline D5.</p> <p>Drainage technical notes provided into Examination for NP&R [Appendix A to REP6-024] at Deadline 6, and SP&R and FMF [Doc Ref. 9.73] (Deadline 7).</p>		Not Agreed

Ref.	Matter	East Suffolk Internal Drainage Board position	SZC Co.'s Position	Further Action Required	Agreed / Not Agreed / In Progress
1.7		<p>The Board has been provided with indicative outfall locations for all WMZs except Campus (WMZ10) .</p> <p>Ahead of receiving any detailed design, the Board has explained the Board's regulatory regime and the requirement for Land Drainage Consent to SZC Co (including the Board's Byelaws) and sought that these requirements be included within the Schedule of Other Consents [REP8-048].</p>	<p>It is proposed to begin to define these as part of detailed design, in consultation with ESIDB and the EA, as part of the consenting regime.</p> <p>SZC Co. has initiated discussions with the ESIDB, alongside SCC and the EA, in respect of the proposed permits and consents, and associated timeframe.</p> <p>Indicative outfall locations and basic design invert levels provided to ESIDB on 2/9/21 in advance of revised Drainage Strategy [Doc Ref. 6.3 2A(B)] (Deadline 7).</p>		Agreed
1.8		The Board notes that the depot has been included in WMZs 6 and 10 as indicated by SZC Co.	No additional comment from SZC Co.		Agreed
1.9	LEEIE/ACA –	The Board defers to the LLFA regarding the suitability and acceptability of the source control calculations provided.	<p>SZC Co. has informally provided a series of reports to ESIDB, including the MDS LEEIE basic drainage design summary. These papers were submitted into Examination at Deadline D5.</p> <p>Source control calculations provided informally to ESIDB on 2/9/21.</p>		Agreed
2 Works to, and in close proximity to, ESIDB's 'Adopted Watercourses'					
2.1	The proposed realignment of an Adopted	The Board seeks clarity on which side of the realigned drain SZC Co. Proposes maintenance to be undertaken from. If this	SZC Co. recognises that these watercourses are designated by ESIDB as 'Adopted Watercourses' and that ESIDB is the regulator as per Section 23 of		Not Agreed

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	Watercourse and associated works (Sizewell Drain)	<p>is from the Eastern side then this should be included in current plans as the 9m maintenance strip needs to be factored in when organising the layout within the red line boundary (including the positioning of attenuation crates for the WMZs 7-9, which has not yet been specified). If access and maintenance cannot be carried out from the Eastern bank of the realigned drain (due to the proposed development and accompanying works), these will have to be carried out from the Western bank. The Board would like to see this potential impact included within the impact assessment of the realignment as well as any correspondence with Natural England.</p> <p>Ahead of receiving any detailed design, the Board has explained the Board's regulatory regime and the requirement for Land Drainage Consent to SZC Co (including the Board's Byelaws) and sought that these requirements be included within the Schedule of Other Consents [REP8-048].</p>	<p>the Land Drainage Act 1991. Furthermore, that consent is required to do works controlled by the Board's Byelaws (made as per Section 66 of the Land Drainage Act 1991).</p> <p>The concept design for the realigned Sizewell Drain recognises its importance as a component of Sizewell Marshes SSSI and the influence it has on the hydrology of the adjacent wetland habitats. SZC Co. outlined its proposals in pre-application consultation and the concept design is included in Appendix 19C of Volume 2, Chapter 19 (Groundwater and Surface Water) of the Environmental Statement (ES) [APP-309]. We recognise the important role that the IDB has in the post-DCO consenting of the realignment prior to its construction.</p> <p>This design will be updated in support of the Land Drainage Consent application. SZC Co. notes the design requirements set out by ESIDB and will engage with the Board in the development of these designs.</p> <p>The potential ecological impacts on the Sizewell Marshes SSSI from the proposed realignment of the Sizewell Drain adopted watercourses is fully assessed in Volume 2, Chapter 14 [APP-224 and AS-033] of the ES, and the appropriateness and</p>		

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			acceptance of this work is being managed through the NE Statement of Common Ground. ESIDB has provided (22 September 2021) a list of proposed additions to the Schedule of Other Consents which are accepted by SZC Co. and included in the Deadline 10 version of this document.		
2.2	Proposed Realignment - Water control structures	Board is satisfied with the high level options paper provided.	No additional comment from SZC Co.		Agreed
2.3	Proposed Realignment - Infilling of multiple ditches and ponds and the shortening of the sizewell drain itself.	The ESIDB is satisfied that the proposal is unlikely to cause additional flood risk locally when considered in isolation from the remainder of the proposed development site.	No additional comment from SZC Co.		Agreed
2.4	Flood mitigation and habitat creation area – Proximity to Board maintained	The applicant has assured the Board that the feature will not come within 9m of the Board's Adopted Watercourse (Drain 7).	SZC Co. recognises that drainage works within 9m of an Adopted Watercourse will require Land Drainage Consent from the Internal Drainage Board, and will require to be supported by designs and information to an appropriate level of detail. The need to formally consent the works proposed		Agreed

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	watercourse		for the development of the flood mitigation and habitat creation area will be confirmed in discussion with ESIDB. SZC Co. can confirm that works would be restricted to more than 9m from IDB Drain No. 7 Adopted Watercourse.		
2.5	Flood mitigation and habitat creation area – Hydrological Links and Impacts	The Board seeks confirmation of the intended hydrological link between WMZ 5, the WRSA and the FMA to the riparian watercourse network (including rates / flow path etc), as well as additional information on the possible discharge of treated foul from this feature. Ahead of receiving any detailed design, the Board has explained the Board's regulatory regime and the requirement for Land Drainage Consent to SZC Co (including the Board's Byelaws) and sought that these requirements be included within the Schedule of Other Consents [REP8-048].	The design of the proposed flood mitigation and habitat creation area will be updated in support of the appropriate consent application. SZC Co. notes the assessment and design considerations set out by ESIDB and will engage with the Board in the development of these designs. SZC Co. has confirmed the hydrological linkage from the WMZ5 basin to a proposed discharge location into a minor watercourse on the eastern flank of the Flood Mitigation Area. The associated detail, including hydrological relationship with the Water Resource Storage Area, and consenting requirements are still subject to design development. ESIDB has provided (22 September 2021) a list of proposed additions to the Schedule of Other Consents which are accepted by SZC Co. and included in the Deadline 10 version of this document.		Not Agreed

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3 Hydrological Impacts and Surface Water Discharge					
3.1	Changes to the hydraulic connectivity (including surface water to groundwater interaction) and changes in water level resulting from the cut-off wall and de-watering.	The Board acknowledges that the proposed water control structures would likely mitigate any changes in water level locally. The Board defers to the Environment Agency, the RSPB and Natural England regarding possible effects on groundwater and any ecological impacts which may result from the potential change to groundwater/surface water ratio.	No additional comment from SZC Co.		Agreed
3.2	Discharge of surface water to the sea.	<p>The Board agrees that a periodically active discharge to the Sea may need to operate based on an agreed threshold of action. This threshold must be agreed in partnership / consultation with all stakeholders and regulatory bodies.</p> <p>While the Board remains concerned that a permanent discharge of surface water to the sea before it has the chance to flow through the surrounding drainage system</p>	The Sizewell Marshes (including the Sizewell Drain) are known to flood occasionally due to either extreme rainfall events or other external factors, such as the Leiston Drain downstream being blocked or the Minsmere sluice inhibiting surface water flow to sea. In these scenarios, the Sizewell drain overtops and the low-lying areas in the SSSI become inundated with surface water. If a rainfall event occurs on the MDS while the SSSI is inundated with water, surface water runoff will be captured and attenuated in temporary infiltration		Agreed

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		<p>could lead to a currently unassessed / unconfirmed reduction or change in water levels within the surrounding drainage infrastructure and/or Ground Water interaction (replenishment), the Board understands that the Environment Agency is aware that they will become the regulator of this discharge.</p> <p>Ultimately, the Board defer to the Environment Agency on this matter. The Board is of course available to provide feedback and consultation should the Environment Agency require/request it.</p>	<p>ponds. However, discharging to the backed-up Sizewell Drain in these conditions is not considered suitable, even if restricted to greenfield runoff rates. In this scenario, another option for discharging surface water should be considered, and therefore a temporary marine outfall has been proposed which would discharge to sea, acting as a 'release valve'.</p> <p>The temporary marine outfall is proposed to be installed early in the construction programme, as a redundancy measure or a precautionary principle for discharging surface water to sea, prior to the CDO being installed. The outfall would principally be used where factors external to the MDS that are out of the control of SZC result in the Sizewell Drain being unsuitable to discharge to, for example, flooding on site caused by offsite flood conditions.</p> <p>This permit will be applied for in the future through the EA. The conditions from the EA may stipulate a suitable water level within the SSSI that must be reached before the temporary marine outfall can be switched on. Similarly, there may be a level defined by the permit conditions where the marine outfall must be switched off and discharge is returned to the SSSI for recharge of surface and groundwater. The pump may also need to be used in other</p>		

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			<p>exceptional events such as if water levels in and around the site present a risk to health and safety.</p> <p>Function of TMO described in tech note [Appendix E to REP5-120]. Not proposing to further define this at this stage since requires discussion through consenting channels and engagement with stakeholders to balance needs.</p> <p>Water Monitoring Note submitted at Deadline 6 [Appendix A to REP6-002].</p> <p>Water Monitoring Plan submitted at Deadline 7 [Doc Ref. 9.87 REP8-107] and advance copy provided to ESIDB on 3/9/21.</p>		
4	Minsmere Sluice				
4.1	Highlighting the importance of the Minsmere Sluice in relation to the surface water drainage from the catchment.	<p>While the Environment Agency are the most appropriate Risk Management Authority to comment in detail on the assessment of the impact on the Minsmere Sluice, we wish to highlight the importance of the Sluice in relation to surface water drainage from the catchment (and therefore from the proposed development area).</p> <p>The Board defers to the Environment Agencies assessment on whether the</p>	<p>SZC Co. recognises concerns of stakeholders regarding the long-term viability of Minsmere Sluice. It neither owns the structure nor includes it within the Application boundary for the proposed power station.</p> <p>Minsmere Sluice is an Environment Agency owned and maintained structure that controls drainage from the Minsmere New River, Leiston Drain and Scott's Hall Drain. It provides controls and limits the ingress of salt water and is tide locked when water levels in the North Sea are high. At low tide drainage of the upstream fluvial system via</p>		Agreed

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		Sluice will be negatively impacted by the development, either through changes in water-level in the catchment or through changes in sediment flow along the coast.	<p>Minsmere Sluice is via gravity. SZC Co. notes that the Shoreline Management Plan (SMP) policy for the wider coast (MIN12.3 and MIN12.4) in the vicinity of Minsmere Sluice is managed realignment, whereas the position for Minsmere Sluice is for it to be maintained. Consistent with the policy stated in the SMP, the Environment Agency refurbished Minsmere Sluice in 2013 and this work was completed with a 50 year design life.</p> <p>A thorough assessment has been undertaken and reported on in Volume 2, Chapter 19 (Groundwater and surface water) of the Environmental Statement [APP-297], which concludes that there would be no significant change in water levels and discharge volumes, and therefore there would be no mechanism that could accelerate degradation of the Minsmere Sluice.</p> <p>SZC Co. has responded to Examining Authority ExQ1 FR.1.72 at Deadline D2, which is located on the PINS website in document REP2-100.</p> <p>Minsmere Sluice Operation and Impacts Review [Appendix M to REP6-024] provided at Deadline 6.</p>		
5	Development Consent Order				
5.1	Schedule of Other Consents	ESIDB require that SZC Co. Acknowledge and confirm the Board's regulatory	ESIDB has provided (22 September 2021) a list of proposed additions to the Schedule of Other		Agreed

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		<p>requirements (including the Board's Byelaws) as per the Land Drainage Act 1991 within the Schedule of Other Consents [REP8-048].</p> <p>The Board has consistently conveyed its regulatory requirements (as per the Land Drainage Act 1991 including the Board's Byelaws) throughout both the informal and formal consultation processes.</p> <p>For the avoidance of doubt, the Board's written consent is required for works including (but not limited to):</p> <ul style="list-style-type: none"> - Works to introduce water / increase flow of water / increase volume of water within flood risk management / drainage infrastructure (including the discharge of surface water or treated foul water). - Works within 9 metres of flood risk management / drainage infrastructure - Works to alter an ordinary watercourse. 	Consents which are accepted by SZC Co. and included in the Deadline 10 version of this document.		

Ref.	Matter	East Suffolk Internal Drainage Board position	SZC Co.'s Position	Further Action Required	Agreed / Not Agreed / In Progress
5.2	Protective Provision for drainage and flood risk	<p>ESIDB have previously provided SZC Co. with proposed wording sought in respect of protective provisions for drainage and flood risk. This provision is sought to ensure that the Board is able to appropriately resource it's assessment of the applicant's detailed design in due course. It is also sought to amalgamate the planning process and the Board's regulatory regime (as per the Land Drainage Act 1991 including the Board's Byelaws).</p> <p>The Board acknowledges the position of SZC Co. and is satisfied that the proposed changes to Schedule of Other Consents will be included in the Deadline 10 submission by SZC Co. to acknowledge the Board's regulatory requirements if no protective provision is to be provided.</p>	SZC Co. has received ESIDB's draft protective provision and has reviewed this. SZC Co.'s position is that the existing provisions in the DCO adequately secure and protect the Board's position and therefore protective provisions are not required.		Agreed

APPENDIX A: ENGAGEMENT ON THE SOCG

A.1.1. The preparation of this SoCG has been informed by a programme of discussions between the parties, as are summarised in **Table 2.2**.

Table 2.2: SOCG meetings held between the parties

Date	Details of the Meeting
3 March 2021	Discussion on matters raised by ESIDB in their Relevant Representation (30 September 2020).
17 March 2021	Continued discussion on matters raised by ESIDB in their Relevant Representation (30 September 2020), with focus on: hydrology; drainage design infrastructure and effect on discharge; role of the Minsmere Sluice; impact of cut-off wall and piling; groundwater / surface water interface; and operation of the CDO.
21 April 2021	Discussion on content of the SOCG.
6 May 2021	Discussion on the Protective Provision and consenting regime, in order to progress this item on the SOCG.
20 May 2021	Discussion on the Protective Provision and consenting regime, in order to progress this item on the SOCG.
23 June 2021	Discussion on content of the SOCG.
20 July 2021	Discussion on content of the SOCG.
29 July 2021	Discussion on content of the SOCG.
16 September 2021	Discussion on Drainage Strategy Action Plan
23 September 2021	Discussion on Drainage Strategy Action Plan
30 September 2021	Discussion on Drainage Strategy Action Plan
8 October 2021	Discussion on content of the SOCG.

NOT PROTECTIVELY MARKED

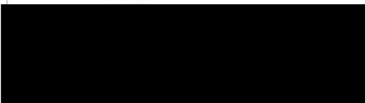
Sign 

Print Name: Phil Camamile

Job Title: Chief Executive

Date: 12 October 2021

Duly authorised for and on behalf of East Suffolk Internal Drainage Board

Signed: 

Print Name: Carly Vince

Job Title: Chief Planning Officer

Date: 12 October 2021

Duly authorised for and on behalf of SZC Co.

NOT PROTECTIVELY MARKED