

9 January 2020

Michele Gregory  
Sizewell C Case Manager  
The Planning Inspectorate  
Temple Quay House  
Temple Quay  
Bristol BS1 6PN

Dear Michele Gregory

Re: Sizewell C new nuclear power station

I am writing on behalf of Suffolk Coastal Friends of the Earth, of which I am the Coordinator.

During the pre-application process for the above, our members have become increasingly concerned about the lack of environmental detail provided by EDF Energy, the developer. This has made it extremely difficult for us to judge whether the conclusions they come to regarding impacts are correct or otherwise, as no evidence is supplied. We have asked for more detailed information on a number of occasions and pointed out our concerns in our responses to the four consultations, but none has been forthcoming.

Bearing in mind the extreme sensitivity of the proposed site at Sizewell, its proximity to RSPB Minsmere with its European and International designated habitats, and the fact that at least 9 ha of Sizewell Marshes Site of Special Scientific Interest would be lost, it is crucial that we, as an environmental NGO and part of the wider network of Friends of the Earth, have the information necessary to make informed responses to the consultations. Sadly, this has not been the case.

It is our understanding that National Infrastructure Projects should be 'front-loaded' during pre-application, so that problems can be smoothed out at an early stage and the Examination can therefore be held within the prescribed time frame. Indeed, this is clearly stated in the advice from the Department of Communities and Local Government: 'Planning Act 2008: Guidance on the Pre-application Process':

*The front-loaded emphasis of consultation in the major infrastructure planning regime is designed to ensure a more transparent and efficient examination process. (6.)*

This document also refers to section 50 (3) of the Planning Act 2008, which makes clear that applicants 'must have regard to any guidance under this section' (i.e. pre-application procedure).

Baseline information material and surveys are referred to in the Preliminary Environmental Information documents, but we have not been allowed to see these despite several requests. We cannot therefore say that the pre-application procedure has been transparent – quite the contrary. During the stage 3 consultation, when I personally spoke to Carly Vince, EDFE's Planning Officer, about our concerns, she replied: 'We only have to provide *preliminary* environmental information.' This seems to our members to indicate that the company has not properly understood that in order to make informed responses to their consultations, we need to be given sufficient detail.

Under paragraph 19 of the above guidance document, in reference to the pre-application consultation process, it states:

*A thorough process can give the Secretary of State confidence that issues that will arise during the six months examination period have been identified, considered, and – as far as possible – that applicants have sought to reach agreement on those issues.*

As neither we, nor others, including RSPB Minsmere and the Suffolk Wildlife Trust, have been able to give properly informed responses due to the lack of detailed environmental information, no agreement has been reached as to how the impacts on our wildlife and their habitats could be avoided, minimised or mitigated for. This leaves a truly enormous number of unresolved questions involving literally hundreds of rare and uncommon species, a considerable number of which are Red Listed and of high conservation concern. This means that these, along with their designated habitats, are being left for consideration during the examination when time will be very constricted. We are extremely anxious, therefore, that our wildlife will not be properly cared for.

We expressed this concern as long ago as February 2013 during stage 1 consultation, but EDFE's response was that their surveys were commercially confidential and could not be revealed to us. This is reiterated in our Stage 1 response:

*Your environmental statements cannot be verified by us as the research information is confidential. This is out of order. There is now insufficient time for the Wildlife Trust and others to ascertain if your statements have a sound basis, or what indeed may have been omitted.*

At Stage 2, February 2017, the situation remained the same and we continued to be frustrated by the lack of important information. Under Q. 14 Consultation Process we wrote:

*Even after four years, much surveying, modelling and research has yet to be done concerning all the main aspects of the project. Lack of detail makes it, once again, difficult or impossible to make informed responses. This is very disappointing.*

By 2019 at Stage 3 we were hopeful of at least some improvement. Although EDFE had provided more detail on traffic modelling and other aspects, it remained impossible for us to ascertain whether their assertions on environmental impacts being 'not significant' or 'potentially significant' etc were correct or otherwise, as the evidence upon which these assertions were made was not provided. Our reply to Q. 13, A12 Two-village Bypass (March 2019):

*Once again we have to complain about the lack of detail concerning the impacts on sensitive habitats and the wild creatures that depend on them. It is now more than two years since Stage 2 and still no field surveys have been carried out. There is an assumption, evidently based on assessments provided by the council, that there would be negative impacts on protected species, including great crested newts, otters, water voles and bats. How can the public comment when the statements are so vague?*

For Q. 12, Northern Park & Ride, we responded:

*We are very surprised that you have not carried out field surveys of resident and visiting birds, especially as we made a particular comment at Stage 2 about barn owls, which regularly hunt across the site ...*

Under Q. 15 Consultation Process we again wrote:

*Our members are very disappointed that so little progress has been made since Stage 2 Consultation, particularly as regards properly carried out field surveys of wild species. As already stated, there is now less than one year left before the application is ready to be submitted to the Planning Inspectorate. This is far too little time to complete all the necessary work and gathering of information. We therefore worry that corners will be cut and that essential mitigation and compensation measures will not be included in the DCO. This is a most unsatisfactory situation bearing in mind the chronic damage that would be caused .....*

At Stage 4, EDFE responded to requests for compensation for loss of fen meadow from Sizewell Marshes SSSI and also for loss of Marsh Harrier foraging ground. However, these are early proposals provided at this very late state, and remain unformed. In September, regarding the fen meadow proposals, we responded:

*There is so little detail given to support your intentions here, it is difficult to provide an informed response. Most importantly you do not say precisely what your aims are and what you intend to compensate for in terms of otherwise lost species. ....You are making these proposals far too late. The new areas of fen should already be established well before any land take from Sizewell Marshes SSSI.*

Under the Environmental Information Regulations, 14(2)b, PEI is defined as that which

*is reasonably required for the consultation bodies to develop an informed view of the likely significant environmental effects of the development (and of any associated development).*

Clearly, EDFE has not taken proper account of this regulation.

All in all, it remains our view that this application has by no means reached an appropriate stage for consideration of the Development Consent Order. Yet EDFE now proposes to put in their application within the next few months.

We are not alone with this view. Most of the consultation responses that we have seen have emphasised the lack of necessary detail and the difficulty therefore of making properly informed assessments of the proposals. Without sight of crucial surveys, well in advance of DCO submission, we cannot say that EDFE have engaged with us effectively. Yet the official guidance states under paragraph 15:

*Effective pre-application consultation will lead to applications which are better developed and better understood by the public, and in which the important issues have been articulated and considered as far as possible in advance of submission of the application to the Secretary of State.*

Our conclusion, therefore, is that EDFE's consultations have been inadequate. We note that under point 19 of the official guidance, it is stated:

*Without adequate consultation, the subsequent application will not be accepted when it is submitted.*

We feel that it is important that we raise these concerns now so that you are aware of them.

Yours faithfully

*Rachel Fulcher*  
Coordinator

Copies to: Mr Paul Morton, Sizewell C Project Director; East Suffolk Council; Suffolk County Council