



Meeting note

File reference	EN010111
Status	Final
Author	The Planning Inspectorate
Date	19 May 2021
Meeting with	Bradwell B project team
Venue	Microsoft Teams Meeting
Meeting objectives	Project Update
Circulation	All Attendees

Summary of key points discussed and advice given:

Introduction

The Planning Inspectorate (the Inspectorate) advised that a note of the meeting would be taken and published on its website in accordance with section 51 of the Planning Act 2008 (the PA2008). Any advice given under section 51 would not constitute legal advice upon which applicants (or others) could rely. The Inspectorate introduced changes to the case team.

Project Update

The Applicant provided a recap of activities over 2020. A full year of survey data was collected on key areas including marine environment. Consultation was undertaken, a scoping report submitted and responses from both of those activities were being considered by the business. The Applicant explained that for the period of 2021 the business had decided to focus project activities on two key areas, the Generic Design Assessment (GDA) and Engineering Feasibility. Both of these activities are expected to be completed in 2022. As a result activities to progress some consents and permits, including the Development Consent Order (DCO) had been realigned with the project goals for 2021, which included a break in the baseline survey work that was started in 2019. Permissions necessary for the nearer term, such as those related to the proposed Ground Investigation (GI) & Load Test activities were continuing to be pursued. Also, the project was using this opportunity to continue to engage with key local stakeholders, including parish councils. An ongoing agreement was in place with the Environment Agency (EA) to allow EA to respond to project related queries.

In respect to the GI & Load Test planning application, the planning appeal decision in respect of the planning application for the survey work infrastructure had been delayed. This was due to local elections, as communicated by PINS to the Applicant.

Further, arising during this period were new considerations concerning seahorses. Natural England (NE) issued a formal response to the Inspectorate about the presence of sea horses and any potential impact from the decision, including in the event of migration into drainage channel ditches. The project team advised it would not be undertaking any work in known seahorse areas. However, noting the suggested potential for migration of seahorses into drainage dykes and other inland waterbodies, in response to the NE communications the Applicant would provide additional information to support the Inspectorate. Also, in connection with the GI & Load Test activities, the water discharge permit was also in progress and the Applicant was liaising with the EA regarding this.

The Applicant produced a mature draft of a Regulatory Justification submission, and it planned to liaise with the Department for Environment, Food and Rural Affairs (DEFRA) regarding the draft content. It would then determine whether to submit this in 2022.

Also in 2021, the project management team were updating the Project Development Plan and Budget, which includes a baseline case to project completion from a consenting perspective. The Applicant expected to have a clearer insight into project timescales by Q3 2021 and would then provide an update to the Inspectorate.

The Inspectorate's response to the Applicant's DCO Environmental Impact Assessment (EIA) Scoping identified further requirements, including those concerning survey works for badger data. The Applicant acknowledged those requirements and that they would be included in any future project planning. The Applicant was also aware of the need to undertake EIA rescoping should there be any changes to the project proposals that required this. At the time there were no plans to rescope, but if the need arose, particularly in relation to transport and rail, it would be considered.

Potential Implications from the Wylfa Recommendations Report

The Applicant was considering implications from the Wylfa Newydd Nuclear Power Station Recommendation Report which had been published following the withdrawal of the application, particularly in relation to the status of supporting policy, Sites of Special Scientific Interest (SSSI) and implications for integrity of the network. The Inspectorate advised any areas of concern highlighted by the Examining Authority (ExA) should be fully considered by the Applicant in the context of future applications of this type. This would provide the ExA with a greater degree of confidence at any Examination. The Applicant wanted to ensure key areas of focus were not lost under the volume of evidence. With a lack of strong supporting policy, the burden of evidence was greater. A means of supporting the ExA to navigate through levels of information was identified by the Applicant as a lesson learned and this was discussed with the Inspectorate in the meeting. The Applicant was considering summary focused documents providing a wider overview and signposting to background documentation. These would provide justifications, but conclusions could be easily drawn out from supporting documentation where required.

The Inspectorate advised a key consideration of Project Speed was how to deal with systems and improve accessibility of information as quickly as possible. There was a short discussion about the published Wylfa recommendation report in the context of the National Policy Statement (NPS).

The Inspectorate highlighted a recent press release regarding the Environment Bill new powers to make amendments to the Habitats Regulations. A green paper was due

but timeframes were uncertain. This could provide changing policy background for the Applicant to consider. The Applicant would be lobbying for updated NPS in the upcoming consultation.

Update from PINs

The Inspectorate advised the Applicant to monitor any Brexit related legislative changes and the potential for a requirement for biodiversity net gain. The Applicant noted the challenges of delivering net gain in the marine environment. In the longer term, the Inspectorate intended to update Advice Note 16 to clarify the process for making post submission changes.

Project Speed should be monitored, as it included enhanced pre-application support. It is intended to make the overall process more efficient and effective, with a greater emphasis on risk management at the consenting stage. Early engagement with contractors to shape the project was desired. It was acknowledged that the timeliness of agreements with stakeholders could impact on pre-application engagement.

AOB

- The Applicant confirmed it would review the project page and advise the Inspectorate of any required changes.

Summary of actions/follow-up

The following actions were agreed:

- The next meeting would be arranged for mid-end of Q3 2021.