The Planning Inspectorate
Yr Arolygiaeth Gynllunio

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

The Examining Authority's written questions and requests for information (ExQ1)

Issued on 21 April 2021
Responses are due by Deadline 2: Wednesday 2 June 2021

PART 1 OF 6

G. 1 General and Cross-topic Questions
Ag.1 Agriculture and soils
AQ.1 Air Quality
Al.1 Alternatives
AR.1 Amenity and recreation

ExQ1	Question to:	Question:
G.1	**General and Cross-topic Questions**	
G.1.0	The Applicant	**Limits of deviation** As drafted the DCO has no limitation on the depth to which works could be undertaken. Please explain how this aligns with the assessment carried out within the ES. In order to reflect the assessment within the ES does the DCO not require a maximum depth of excavation – with a potential for a limit of deviation? If this is not considered to be necessary, please explain how the ES has assessed the potential effects of unlimited excavation.
	Response	
G.1.1	The Applicant	**Plans** The Planning Statement, Plate 3.2, identifies the nominated site area for Sizewell C from NPS EN-6. Please provide a set of the Figures from the original Government Appraisal of Sustainability for the site, and an overlay of the DCO Application site highlighting any additional land included or excluded from that assessed including identification of the temporary construction area.
	Response	
G.1.2	The Applicant	**Plans** On an appropriately scaled ordnance survey plan show the land within the DCO for the main development site and the lines of latitude and longitude referred to in paragraph C.8.88 of NPS-6 Vol II.
	Response	
G.1.3	The Applicant	**Local and Parish Council Boundaries** A number of local and parish councils have made Relevant Representations. To assist in a full understanding of their relationship to the sites, provide a plan showing the

ExQ1	Question to:	Question:
		geographical boundaries of County, District, Town and Parish Councils that have made Relevant Representations.
	Response	
G.1.4	The Applicant	**Policy approach** The Planning Statement, section 1.7, provides a summary of the Applicant's approach to legislation and policy. Section 3 sets out those matters in more detail. Please provide an update to and/or expansion of that approach including reference to any subsequent Government responses or publications and the changes made to the original application.
	Response	
G.1.5	The Applicant	**Policy approach** The Planning Statement, paragraph 3.9.11, identifies matters identified in the NPSs as not relevant for the decision-maker, principally because they have already been considered by the Government or because they are subject to control through other regimes. Please explain further why those matters should not be regarded as relevant considerations?
	Response	
G.1.6	The Applicant	**Policy approach** The Planning Statement, paragraph 3.9.13, states that: "*The principle of a new nuclear power station at Sizewell, therefore, has been accepted and that acceptance is important and relevant and continues to carry significant weight.*" Please explain further why that 'in principle' acceptance and the overall policy approach of the NPSs should continue to carry significant weight?
	Response	

ExQ1	Question to:	Question:
G.1.7	The Applicant	**Policy approach** The Planning Statement, paragraph 11.1.5, makes reference to the consideration of alternative energy sources and sites by Government in developing national policy and states that they do not need to be considered again in the determination of this application. Please provide an update to include reference to the National Infrastructure Strategy (NIS) and National Infrastructure Commission (NIC) Government response statements.
	Response	
G.1.8	The Applicant	**Policy approach** The CCC's 6th Carbon Budget December 2020, recommended pathway requires a 78% reduction in UK territorial emissions between 1990 and 2035 and sets out a number of key recommendations including for electricity generation and in relation for uncertainties that need to be resolved. Please comment on the implications of that report for the proposed development and the role of nuclear in electricity generation generally.
	Response	
G.1.9	The Applicant	**Policy approach** The Government recently provided a Response to the CCC's 2020 Progress Report to Parliament and also announced a 10 point plan for a 'Green Industrial Revolution'. Please comment on that response and announcement with particular reference to the role of nuclear power generation of the type proposed by the scheme as part of that plan?
	Response	
G.1.10	The Applicant	**Policy approach** The Planning Statement, section 3.8, considers whether there has been a change in circumstances since the EN-6 site specific assessment. Please identify and list all changes

ExQ1	Question to:	Question:
		to the site area/circumstances for the Sizewell C Project application compared to what was considered by EN-6.
	Response	
G.1.11	The Applicant	**Policy approach** The Planning Statement, paragraph 3.6.4, draws support from the Secretary of State's decision in respect of a DCO application for a new gas-fired power station at Drax: (i) Please provide an update in the light of the Court of Appeal judgment dated 21 January 2021 in the case of R (oao) Client Earth and Secretary of State BEIS (1) and Drax Power Ltd (2)? (ii) Please comment on what represents a realistic, and not an exaggerated, view of the weight to be given to 'considerations of need' in this particular case?
	Response	
G.1.12	The Applicant, SCC, ESC	**Policy approach** The Planning Statement, paragraph, 3.9.2, states that it is appropriate to treat EN-1 and EN-6 as providing the primary policies relevant to the determination of the application. Likewise, section 3(10)(b), paragraph 3.10.2, refers to EN-1 (paragraph 4.1.6) as stating that other matters which the decision-maker may consider both important and relevant to its decision making include development plan documents or other documents in the local development framework. However, it goes on to say that in the event of a conflict between the NPS and local policy, the NPS prevails for the purposes of decision making given the national significance of the infrastructure: (i) Does that correctly reflect the position where both the NPS and the development plan fall within the scope of s105(2)(c)? (ii) Alternatively, in such a case, do NPS policies not "*sit alongside*" other national and local planning policies?

ExQ1	Question to:	Question:
		(iii) How should the weight to be attributed to those matters and the question of primacy be assessed by the decision-maker in each case?
	Response	
G.1.13	The Applicant, SCC, ESC	**Policy approach** The Applicant's Planning Statement, paragraph 3.10.13, sets out a number of regional or other policy documents which are relevant to the Sizewell C Project and have been considered within the ES technical assessments. The Applicant indicates that this is not a complete list. Are there any other policy documents that should be drawn to the ExA's attention to at this stage?
	Response	
G.1.14	SCC, ESC	**Policy approach** If not already provided, please submit complete copies of all relevant development plan and emerging policies and indicate in LIRs whether the status of any of those plans has changed.
	Response	
G.1.15	The Applicant, SCC, ESC	**Policy Approach** The ESC Local Plan was adopted towards the end of 2020, please advise on the current position in respect of the policies that should now be considered and whether this change affects the assessment of policies set out by the Applicant.
	Response	

ExQ1	Question to:	Question:
G.1.16	The Applicant, ESC	**Policy approach** The Applicant's Planning Statement section 3.10(b), paragraph 3.10.8, states that where the strategies of the Local Plan relate to generic issues such as the protection of the environment, the relevant policy tests are those set out in the NPS. Likewise, paragraph 3.10.11 states that for Policy SP13 of the emerging local plan, which sets out a series of matters against which the Council believes that major infrastructure proposals should be considered, the NPSs would prevail in the event of any conflict with local and national policy: (i) Does that reflect the correct position and is the primacy of the NPSs agreed between ESC and the Applicant? (ii) If not, please identify and explain any areas of disagreement?
	Response	
G.1.17	The Applicant, MMO	**Policy approach** The Planning Statement, section 3(10)(c), paragraph 3.10.19, refers to EN-1 (paragraph 4.1.6) which states that "*The IPC must have regard to the MPS and applicable marine plans in taking any decision which relates to the exercise of any function capable of affecting the whole or any part of the UK marine area. In the event of a conflict between any of these marine planning documents and an NPS, the NPS prevails for purposes of IPC decision making given the national significance of the infrastructure*." Given that the decision in this case would be made pursuant to s105 PA 2008 and not s104 PA 2008, should the NPS still prevail in the event of a conflict or is the weight to be attributed to those matters a question for the decision-maker to assess in the light of the particular circumstances of each case?
	Response	

ExQ1	Question to:	Question:
G.1.18	The Applicant	**Policy approach** The Planning Statement, paragraph 3.9.15, and Tables 3.2 and 3.3 provide an NPS tracker. The Applicant is requested to provide a more comprehensive NPS Accordance Table (NPS Tracker) for both EN-1 and EN-6 setting out the relevant NPS paragraph number, the requirement of the NPS, the compliance with the NPS by way of reference to submitted documentation and summary explanation, together with any subsequent update. The updated tracker to be submitted at each Examination deadline as specified in the Examination Timetable. This should record any changes and supplements to the Applicant's position on NPS compliance demonstrated by submissions during the Examination.
	Response	
G.1.19	The Applicant	**Need** The Planning Statement, section 3.5, sets out why the Applicant considers that EN-1 and EN-6 establish an urgent need for new nuclear power generation in the UK. This is disputed by a number of IPs. For example, the relevant representations of Leiston Labour Party [RR-0678], Mark Hoare [RR-0752], Friends of the Earth Grassroots Nuclear Network [RR-0400], Stowarzyszenie 'Wspólna Ziemia' (Association Common Earth) [RR-1163], Swilland and Witnesham Grouped Parish Council [RR-1198], and Stop Sizewell C (Theberton & Eastbridge Action Group) [RR-1162] advocate the use of other technologies as being preferable. Likewise, Together Against Sizewell C (TASC) [RR-1231], contends that there is no NPS which establishes the "*need*" for a new nuclear power station post 2025, or the appropriateness of SZC for that purpose, when judged against the reasonable alternatives. The Applicant is requested to provide further justification and explanation in the light of these comments for its stance that the principle for the need for new nuclear plants such as Sizewell C is established in EN-1 and that significant weight should be attached to the statements of need set out in EN-1 and EN-6.

ExQ1	Question to:	Question:
	Response	
G.1.20	The Applicant	**Need** The Planning Statement, section 3.7, considers the EN-1, EN-6 site specific assessment and amongst other things, asserts that, in principle, Sizewell C is identified as a site suitable for the development of a new nuclear power station. The relevant representation of Walberswick Parish Council [RR-1257] submits that this potential suitability is no longer valid since it was based on an ability to use a sea-based transport strategy. Please provide a specific response to that matter in the light of the changes to the original application.
	Response	
G.1.21	The Applicant	**Need** The Planning Statement, paragraph 7.2.11, states that based on current grid intensity the operation of Sizewell C would displace the equivalent of its construction emissions within the first 6 years of operation. The representation of Ian Marshall [RR-0490], states that "*the carbon footprint of Sizewell C's construction will have an adverse impact on carbon targets; it cannot positively contribute to UK's carbon neutral timetable until 2040 at the earliest*". Please comment on that assertion and set out the anticipated timetable for the displacement of construction emissions and the achievement of a positive contribution to the UK carbon neutral timetable.
	Response	
G.1.22	The Applicant	**Need** The Planning Statement, paragraph 7.2.12, compares the lifecycle GHG emissions with lifecycle emissions from other sources. The representations of IPs such as East Suffolk Council on behalf of Green, Lib Dem & Independent Group [RR-034], assert that nuclear

ExQ1	Question to:	Question:
		power compares unfavourably, in terms of GHG emissions, to wind power. Please explain further the derivation of the figure of 4.5g CO2e/kWh for lifecycle GHG emissions for the scheme.
	Response	
G.1.23	The Applicant	**Need** The Institute for Resource and Security Studies [RR-0499] states that it is untrue that Sizewell C 's CO2 equivalent emissions would be "*similar to wind and lower than solar* ". When the carbon footprint of its full uranium 'fuel chain' is considered - from uranium mining, milling, enrichment (which is highly energy intensive), fuel fabrication, irradiation, radioactive waste conditioning, storage, packaging to final disposal – nuclear power's CO2 emissions are between 10 to 18 times greater than those from renewable energy technologies. Please comment on the criticisms made and indicate whether the comparisons made by the Applicant take account of the factors mentioned and, if not, why not?
	Response	
G.1.24	The Applicant, Relevant local planning authorities	**Benefits - Economic** The Planning Statement, paragraph 7.2.18, states that home-based jobs generated by the project would equate to around 1% of all employment in Suffolk. This is regarded by the Applicant as a significant increase in employment and a major beneficial change to employment in the area: (i) What reliance can be placed upon the estimate that around 2,000 home based workers would be employed on the main development site at peak? (ii) What weight can be placed upon such relatively temporary employment benefits in the overall balancing exercise?

ExQ1	Question to:	Question:
	Response	
G.1.25	The Applicant	**Benefits - Economic** The Planning Statement, paragraph 7.2.20, states that the project would also create extensive supply chain opportunities: (i) What reliance can be placed upon the experience of development at Hinkley Point C by way of a comparator for such opportunities given the different location and circumstances of the Sizewell site? (ii) What is the likelihood of a similar level of spending on the regional supply chain at Sizewell C taking place and how would that be secured?
	Response	
G.1.26	The Applicant	**Benefits - Education, Jobs and skills** Please provide further explanation and details to support the claim set out in the Planning Statement, paragraph 7.2.33, that the economic effects of Sizewell C Project on skills, employment and the labour market would be substantial given the relatively short-term nature of many of those economic effects.
	Response	
G.1.27	The Applicant, Relevant local planning authorities	**Benefits – Tourism** The Planning Statement, section 7.2 (e), explains the provision of the proposed Tourism Fund and what that is anticipated to achieve: (i) Please explain further why the provision of such a fund could be relied upon to mitigate the potential for adverse impacts on tourism as anticipated by the ES distinguishing between construction and operational impacts? (ii) Please list the locations of particular concern and explain how the provision of a Tourism Fund would specifically assist those particular aspects of the tourist economy most likely to suffer an adverse impact?

ExQ1	Question to:	Question:
	Response	
G.1.28	The Applicant	**Indicative Construction Programme [APP-599]** The early years assessment of traffic is done for an assumed year of 2023. On the indicative programme the years are not referenced. Annotate the years on the programme so it can be easily referenced to other submission documents.
	Response	
G.1.29	The Applicant	**Construction Phases** Figures 2.2.34 to 2.2.38 in [AS-191] show Construction Phases 1 to 5. They do not appear to relate to the Implementation Plan provided in [APP-599]. Provide: (i) Information on other construction phases, given temporary access and haul roads are still in place in Phase 5; and (ii) Cross reference these documents so that the construction phases can be identified in the Implementation Plan.
	Response	
G.1.30	The Applicant	**Main Platform - Underground Construction** Provide long and cross sections of the main development platform showing the cut-off wall extent and also any deep excavations proposed, including marine tunnelling shafts.
	Response	
G.1.31	The Applicant	**Main Platform - Underground Construction** Explain how dewatering will be undertaken for the revised marine tunnelling area outside of the cut off wall.
	Response	

ExQ1	Question to:	Question:
G.1.32	The Applicant	**Permanent SSSI Crossing** In paragraphs 2.2.135 and 2.2.136 of [AS-181] the crossing bridge is said to be 30m long and 45m wide, in paragraphs 2.7.7 and 2.7.9 of [AS-202] the crossing bridge is said to be approximately 40m long and 40m wide and in paragraph 3.2.3 of the FRA Addendum [AS-157] the bridge is said to be 30m wide. In the plan SZC-SZ0100-XX-000-DRW-100205 [PDA-005] it is 40m long and 30m wide. Confirm the following: (i) The length of the proposed bridge (north /south); and (ii) The width of the proposed bridge at soffit level (east/west). Please update the plans to record the conclusion.
	Response	
G.1.33	The Applicant	**Permanent SSSI Crossing** Explain in detail why the width of the crossing needs to be around 40m at crest level given only the permanent access road will remain at operation.
	Response	
G.1.34	The Applicant	**Permanent SSSI Crossing** A number of IP's have referred to a crossing option of a three span bridge, that was considered at Stage 2 consultation. This is outlined in Appendix D7 [APP-072]. In Table 7.2 of that document it sets out the relative merits of a number of options including a three span bridge. This three span bridge option is stated to have the least land take from the SSSI and also has the least width of 35.5m, which includes the temporary bridge that would be ultimately removed. The current proposal has a final footprint width of 70m. This width is greater than any option in that previous consultation and presumably has a higher land take from the SSSI especially as there would be no removal of temporary incursion into the SSSI. Provide: (i) Explanation in detail why the three span bridge approach in the Stage 2 consultation is no longer being proposed, given the implications for the SSSI set out in Table 7.2 and Table 7.3; and

ExQ1	Question to:	Question:
		(ii) The estimated land take of the current single span bridge proposal.
	Response	
G.1.35	The Applicant	**Permanent SSSI Crossing** Paragraph 2.7.8 of [AS-202] states "*The carriageway would have an approximate width of 12m and require approximately 3m high safety barriers on either side*." Explain the following: (i) Whether the carriageway width of 12m is in its usual meaning the vehicle running width or includes the width of the footways on either side; and (ii) Why there is a requirement for a safety barrier of 3m high on either side of the carriageway.
	Response	
G.1.36	The Applicant	**Permanent SSSI Crossing** Figure 2.2.16 in [AS-190] seems to show that the carriageway and the top of the embankment crossfall towards the sea. The road level in paragraph 3.3.4 is stated to be 7.3m AOD. Is this proposed level at the lowest point of the road, which in the plate would be the seaward side? Is this interpretation correct?
	Response	
G.1.37	The Applicant	**Permanent SSSI Crossing – Adaptive Sea Defence** Paragraph 2.2.134 of [AS-181] states that by 2090 the maximum crest height of the SSSI crossing is likely to need to be increased to 10.5m AOD. Provide: (i) A section similar to the adaptive design shown in Figure 2.2.25 in [AS-190] showing how the adaptive design may be constructed on the SSSI crossing; (ii) An explanation of the monitoring process to ensure the adaptive defence is delivered when required and how this process is secured within the DCO;

ExQ1	Question to:	Question:
		(ii) A description of how the works required to deliver the adaptive defences are secured within the DCO; and (iv) An explanation as to whether consideration has been given to construct the SSSI crossing at the 10.5m AOD height at the start of the project.
	Response	
G.1.38	The Applicant	**Permanent BLF** Paragraph 3.4.66 of Appendix 2.2B [AS-202]. Provide: (i) The approximate size of the ground beams; and (ii) The approximate size of the cross beams;
	Response	
G.1.39	The Applicant	**Permanent BLF** Paragraph 3.4.68 of Appendix 2.2B [AS-202] states that the platform may require reinstallation following storm events or at the beginning of each summer period during construction use. In this scenario is it assumed that platform elements could be lost to the sea?
	Response	
G.1.40	The Applicant	**Permanent and Temporary BLF – Diversion of Coastal Paths** Paragraph 15.5.11 to 15.5.20 [APP-267] sets out the potential implications for the Suffolk Coast Path, Sandlings Walk and the future route of the England Coast Path. Diversions are explained and shown in The Access and Rights of Way Strategy, Appendix 15I [APP-270]. The introduction of the new temporary beach landing facility is likely to affect the periods for which diversions would be in place. Set out the approximate length and frequency of closures associated with: (i) Construction of the permanent beach landing facility; (ii) Construction of the temporary beach landing facility;

ExQ1	Question to:	Question:
		(iii) Operation of the permanent beach landing facility during construction; (iv) Operation of the temporary beach landing facility when conveyor belt is in use, if closure of path beneath is required; and (v) Operation of the permanent beach landing facility during operation.
	Response	
G.1.41	The Applicant, Essex & Suffolk Water Company	**Water Supply** In [AS 189] you indicate that the provision of the preferred pipeline may have adverse effects in respect of noise, air quality and terrestrial ecology. Please explain how mitigation could be secured for these operations when the pipeline would not appear to be part of the DCO application.
	Response	
G.1.42	The Applicant	**Draft DCO** In [AS148] Table 2 refers to how Article 3 and 4(1)(a) set vertical limits to control the parameters of development. (i) Please explain how this would be achieved for each of the associated development sites where there are no parameters plans and are not specifically covered by these articles except for Work No. 4C, Work No. 11 and Work No. 12. (ii) Is it not fairer to say that there are no vertical limits of deviation in these locations as parameter plans have not been provided and as the DCO is currently drafted? As this document is intended to be a signposting document to aid the public's understanding of the DCO, is this a fair representation to them?
	Response	

ExQ1	Question to:	Question:
G.1.43	The Applicant	**Vertical Limits of Deviation** In [APP 451] SLR, Noise and Vibration para 4.6.40 the ES seeks to explain that a parameters approach has been adopted, and this is duplicated in para 4.6.37 of [APP 415] (TVB Noise and Vibration) . Both Chapters appear to rely on a limitation of vertical deviation of 1m. Please show where this is set out and secured in the DCO.
	Response	
G.1.44	The Applicant	**Park and Ride Sites (Parameters)** In [APP 384 and APP 354] for the Southern and Northern Park and Rides respectively there appears to be no reference to any form of vertical limit of deviation or what parameters the development would be undertaken within. Are these two elements of the scheme to be treated differently from other aspects of the proposed development?
	Response	
G.1.45	The Applicant, All relevant local authorities, EA	**Code of Construction Practice** The CoCP [AS 273] sub heading m) indicates SZC Co. would hope to lead on complaints. Please explain how this would be undertaken to respect privacy and comply with the GDPR as well as enforcing authorities' responsibilities to investigate complaints.
	Response	
G.1.46	The Applicant, Network Rail	**Green Rail Route and Land East of Eastlands Industrial Estate (LEEIE)** (i) In the event the Saxmundham to Leiston branch line is modified as proposed and both the LEEIE and Green Rail Route are established could they both be operational at the same time? (ii) Please explain whether this is possible and if not what would be in place to prevent it? (iii) Has the ES assessed the possibility of both operating together?
	Response	
G.1.47	The Applicant	**Main Development Site**

ExQ1	Question to:	Question:
		Please will the Applicant confirm that the Main Development Site as defined in the ES glossary [APP-005] is exactly the same as the Main Development Site as defined in the dDCO (both the original [APP-059] and the current version). The wording is different. If there are differences, please supply plans setting them out and an explanation.
	Response	
G.1.48	The Applicant	**Main Development Site** Please will the Applicant state whether or not the Works numbers 2, 3 and 4 are wholly located on the Main Development Site as defined in the dDCO and that the only works to be carried out on the Main Development Site as defined in the dDCO are Works No.s 1-4.
	Response	
G.1.49	The Applicant	**Plans** The Main Development Site Temporary Construction Area – General Arrangement Sheet 4 of 4 indicates the eastern extent of the proposed green rail route, this however, extends beyond the area defined in the Works Plans as Work No. 4B. Please clarify the position or provide corrected plans.
	Response	
G.1.50	The Applicant	**Flood Defences** In Table 2.3 Parameters for other development on the main platform. You specify the maximum height of the sea defence as 14.2m AOD. This is explained in the subsequent paragraphs 2.4.6 and 2.4.7. (i) Is the intention to construct the flood defence to the greater height from the outset? (ii) If not, when would you anticipate this would be done and how would this be secured?
	Response	
G.1.51	The Applicant, Network Rail	**Freight Trains**

ExQ1	Question to:	Question:
		(i) Please advise of the stages to go through to confirm that freight trains could begin to deliver materials to both Land East of the Eastlands Industrial Estate (LEEIE) and the Main Development Site (MDS) using the Green Rail Route. (ii) Please set out what you consider to be a realistic time frame for the delivery and facilitation of both options in the event the DCO were to be granted.
	Response	
G.1.52	The Applicant	**Accommodation Strategy** (i) Please provide a plan showing how the site would be laid out within the Land to the East of the Eastlands Industrial Estate which demonstrates that the 400 caravans you propose can be accommodated and facilitate appropriate separation and circulation spaces as required. (ii) Please advise what within the DCO triggers the delivery of and secures the provision of the caravan site.
	Response	
G.1.53	ESC, SCC, EA, Natural England	**Code of Construction Practice (CoCP)** The CoCP would be an important part of the mitigation strategy for dealing with and controlling potentially adverse effects from the various construction activities. Do you consider that as drafted it is sufficiently robust and precise and consequently enforceable?
	Response	Currently we consider that some of the potential adverse effects to the natural environment relevant to our remit can be adequately mitigated through the provisions within the CoCP where we consider what is proposed to be sufficiently robust and precise (i.e. issues 1, 2, 4, 6, 12, 14 and 16 which are marked '**green**' in column G of the Statement of Common Ground (SoCG) between EDF Energy and Natural England for the reasons set out in columns D and E). In these instances, there is clearly a dependency that the respective mitigation as set out in the CoCP will be rigorously implemented and maintained. With regards the other potential adverse effects to the natural environment relevant to our remit (i.e. those marked as '**amber**' or '**red**' within column G of the SoCG), we do not consider that the Applicant has yet provided sufficiently robust and

ExQ1	Question to:	Question:
		precise mitigation/compensation, either through the provisions within the CoCP or elsewhere; the reasons for this are outlined further in the SoCG (column D), our Relevant Representations (our ref: 306236, dated 30th September 2020) and our Written Representations (our ref: 350822, dated 2nd June 2021). In regard to enforcement we defer to the competent authorities who would be responsible for securing, monitoring and enforcing the measures outlined in the CoCP.
G.1.54	The Applicant	**Code of Construction Practice** Draft DCO Requirement 8 says that the work to be undertaken should be in general accord with the Construction Method Statement (CMS) - but this document is not referenced in the Mitigation Route Map - so it is not clear where the CMS fits in respect of the mitigation or the Code of Construction Practice. Please explain how the various documents are intended to operate together and how the different controls within them are secured. In addition the ExA notes that [APP-184] is updated by appendix 2.2.B of [AS-202]. Should the CMS as defined in the dDCO refer to [AS-202] section 3.4 and not [APP-184] if the change request is accepted?
	Response	
G.1.55	The Applicant	**Construction Shift Patterns** (i) Please provide a breakdown of the numbers of staff anticipated to be arriving and leaving the site during each of the construction phases of the project. Linking this information to the indicative working patterns identified in Table 3.1 [APP-184] would assist in the understanding of movements on and off the site. (ii) Please include the mode of travel you have assumed for them to arrive and leave by with assumed numbers by each mode. (iii) How does the DCO secure the shift pattern assumed?

ExQ1	Question to:	Question:
	Response	
G.1.56	The Applicant	**EQS** There are many references, notably in the ecology parts of the ES, to EQSs. "EQS" is defined in the Glossary [APP-005] as "*Concentration of a specified contaminant considered to be none harmful to the environment, agreed at a European level under the Environmental Quality Standards Directive*". Please will the Applicant explain the legal and policy consequences of a breach of an EQS. Does it vary depending on the directive / law in which the EQS is being used? Please will the Applicant also clarify the definition. Should "none harmful" be "non-harmful"?
	Response	
G.1.57	The Applicant	**Legislation** Section 3 of the Planning Statement [APP-590] entitled Legislative and Policy Context after a description of policy and some parts of the Planning Act 2008, then, in a paragraph entitled "Other legislative requirements", refers the reader to the Legislation and policy context sections of the ES at Chapter 1 of each volume for the relevant law, and to the Schedule of Other Licences, Consents and Agreements [APP-153]. In fact the ExA has found the lists near the opening of the chapters of the volumes, for example in section 7.2 of the main site terrestrial ecology chapter [APP-461]. They in turn refer the reader to Volume 1 Appendix 6 [APP-171]. Whilst this is helpful to a point, the documentation does not spell out how the legislation applies and the steps the Secretary of State and the ExA are expected to take. For example, the ExA has been unable to find any reference to ss.28G and 28I of the Wildlife and Countryside Act 1981 and the duties they contain. In contrast, there is a mention of the approach to ss.40 and 41 of the Natural Environment and Rural Communities Act 2006, though the relevant parts of the Convention on Biodiversity 1992 are not referred to. Nor does, for example, Appendix 6J state how the various international conventions and treaties have been incorporated into the laws of England and Wales. Appendix 6R,

ExQ1	Question to:	Question:
		whilst it refers to the Marine and Coastal Access Act 2009, does not deal with the duties under ss.125 and 126. Returning to the topic chapters of the ES, having once listed the legislation they do not refer to it again. Please will the Applicant prepare a statement of the legislation and international obligations which apply, explaining the actions and steps which the ExA and SoS should take to comply with them.
	Response	
G.1.58	The Applicant	The ES contains many statements and promises at various places that certain steps or actions or mitigation will be delivered. For example, at paragraph 14.7.46 of [APP-224] there is a reference to a Recreation and Amenity Strategy. The conclusion at para 14.7.67 relies on the delivery of embedded mitigation. Para 14.7.79 states that if monitoring indicates exceedance of a threshold, then additional mitigation measures would be adopted. At para 14.7.136 funding for alternative fen meadow compensation is referred to. At para 14.7.276 a management strategy is stated to be in place. There are many other examples in other chapters of the ES. However, the ES does not appear to the ExA to set out where these things are secured in the dDCO, by which Requirement, or under other documents regulating the development. How does the Applicant propose that the ExA can be assured that all these matters will have been secured properly in the dDCO and other documentation regulating the development, should the SoS decide to grant the Application?
	Response	
Ag.1	**Agriculture and Soils**	
Ag.1.0	ESC, Natural England	**Approach**

ExQ1	Question to:	Question:
		Are you satisfied with the overall assessment approach and findings in respect of Agriculture and Soils?
	Response	Based on the information provided with the application documents, it appears that the proposed development comprises 583.28 ha of agricultural land, including 143.3 ha classified as 'best and most versatile' (BMV) (Grades 1, 2 and 3a in the Agricultural Land Classification (ALC) system). We understand that, of the 143.3 ha of BMV land which will be affected by the proposals during construction (10-12 years), 67.6 ha of this will be permanently and irreversibly lost following removal and reinstatement of temporary development at the end of the construction phase. The land take figures provided in *6.11 Volume 10, Cumulative and Transboundary Effects, Chapter 3 Assessment of Project-wide Effects* show discrepancies between individual ES Soil chapter. We advise that the Applicant should provide simple breakdowns in this summary for each of the individual components. For example, total agricultural area impacted by scheme (split by scheme component and by ALC grade), total area of BMV agricultural land (split by component) and total BMV agricultural area permanently and temporarily required for the development (split by component). The main impact on BMV appears to be the in relation to the ancillary development rather than the main development site. The loss of BMV land can only be considered temporary if it can be restored back to its original quality – given some of the development proposed (e.g. rail works involving cut and fill earthworks or roadways involving compacting basal layers and the application of tarmac, paving etc) is somewhat doubtful and greater justification is required as to how the soil will be restored back to its original quality post development. Furthermore, it is not clear how the route options or site design has been devised to help minimise this loss.

ExQ1	Question to:	Question:
		Nevertheless, having reviewed the ALC surveys provided within APP-278 and the assessment conclusions provided within APP-577, we agree with the general conclusion that effects in this regard would be **major adverse (significant).** However, having reviewed the ALC survey approach and methodologies, we have the following concerns: i) It is not clear whether suitably qualified and experienced individuals have undertaken the survey work ii) Representative soil pits have been dug to support the ALC grades applied which means it is unclear how the applicants have accurately assessed key ALC metrics such as subsoil structure (for wetness and droughtiness assessment) or subsoil stone content and rooting for which is also a component of soil droughtiness assessment. iii) The laboratory assessment of soil particle size lacks rigour given the range of soil types and survey locations. Where particle size assessment to inform grading has been carried out it is not clear how the results relate back to the individual auger borings as the laboratory and field assessment of soil texture do not always closely match, potentially effecting the reliability of the findings. iv) The ALC surveys do not cover the whole project area
Ag.1.1	The Applicant	**Impact Assessment** In chapters [APP-277], [APP-371], [APP-402], [APP-435], [APP-470], [APP-502], [APP-531] and [APP-563] a table is included titled 'Assessment of magnitude of impact on soils and agriculture' which defines high, medium, low and very low magnitudes of impact: (i) Please confirm whether each of the criteria listed in the table is to be met for the magnitude to be allocated? (ii) Please provide detailed justification for how the magnitude of impact of the loss of Best and Most Versatile land is determined. How is severance, whether temporary or

ExQ1	Question to:	Question:
		permanent, taken into consideration, particularly associated with smaller agricultural holdings? (iii) How does the methodology assess smaller agricultural or other holdings for which a permanent or long-term loss or degradation of <10ha of BMV land, and/or loss of <5% of farmed land and/or no severance would be seen by the owners and/or occupiers as having more than a very low impact?
	Response	
Ag.1.2	The Applicant	**Impact Assessment** The following areas have not been surveyed due to lack of access: (i) 14.5ha of the SLR (ii) 3.15ha of the TVB (iii) 14.4ha of the MDS Please explain why access was not possible.
	Response	
Ag.1.3	The Applicant	**Impact Assessment** Please provide an update as to whether questionnaires have been completed with landowners at Theberton Hall Farm, Yew Tree Farm and Theberton House Estate [APP-470]. What assumptions were made to ensure that the lack of information did not affect the conclusions of the assessment?
	Response	
Ag.1.4	ESC, Natural England	**Impact Assessment** The temporary compounds associated with the Saxmundham to Leiston branch line rail improvement works have not been included in the agriculture and soils assessment [APP-563]. Please confirm if you are satisfied with this approach?
	Response	From the description given within APP563, we understand that this aspect of the application is likely to affect approximately 2 ha of BMV agricultural land (four temporary

ExQ1	Question to:	Question:
		satellite compounds, each approximately 0.5ha in size). We consider that these are unlikely to lead to significant long-term loss of BMV agricultural land as a resource for future generations. Document APP-541 states that, with regards the temporary compounds "*The parking space and comfort facility would be stored on geotextile matting without the need to removal topsoil from the satellite compounds be secured to the ground by steel piles with limited soil disturbance… All temporary satellite compounds associated with the construction of the proposed rail improvement works would be removed and the land reinstated to its former use*". We are therefore satisfied that these could be removed in the future with no permanent loss of BMV agricultural land likely to occur, provided the development is undertaken to high standards, and remedial treatment is carried out.
Ag.1.5	The Applicant	**Impact Assessment** Paragraph 10.6.7 of [APP-563] states that the effect on two of the four land holdings would be significant. Paragraph 10.7.5 later states that three farm business would experience a significant effect. Please clarify the number of land holdings which would experience a significant effect.
	Response	
Ag.1.6	Mollett's Partnership [RR—0812] Finn Dowley [RR-0382] LJ and EJ Dowley Farming Partnership [RR-0697] Justin Dowley [RR-0638] Myles Dowley [RR-0866] Miss Frances Paul on behalf of Mrs J F Flick [RR-0806]	**Effect on Business Operations** Please provide more detail in respect of your concern on the impact that the Proposed Development may have on your business.

ExQ1	Question to:	Question:
	NJ Bacon Farms [RR-0867] Ward Farming Business [RR-1259]	
	Response	
Ag.1.7	CLA County Land [RR-0029]	**Effect on Business Operations** Please explain in greater detail your concern that the Proposed Development would result in the fragmentation of farms and other rural businesses due to new infrastructure and the overall impact.
	Response	
Ag.1.8	The Applicant	**Effect on Business Operations** What consideration has been given to the effect on the health and wellbeing of animals housed or grazing close to the Proposed Development including through noise and dust? What measures could be put in place to mitigate any impacts and how could this be secured through the DCO?
	Response	
Ag.1.9	The Applicant	**Mitigation** Paragraphs 17.7.5 of [APP-277], 10.7.5 of [APP-531], 10.7.3 of [APP-371] and [APP-402, 10.7.5 of [APP-563] and 10.4.59 of [APP-502] state that the impact on the landholding(s) would not be significant. However, further consultation with the landowner(s) is proposed to reduce impact on the farm business. Please expand on what the consultation will consist of, when this will occur and what specific measures are to be implemented to reduce impact? How will such measures reduce the level of impact?

ExQ1	Question to:	Question:
	Response	
Ag.1.10	ESC, Natural England	**Outline Soil Management Plan** Are you satisfied with the approach and content of the outline Soil Management Plan [APP-278]? Please provide specific comment regarding whether soils would be suitable for the required end use and the proposed soil restoration methods?
	Response	We advise that if the development proceeds, the developer uses an appropriately experienced soil specialist to advise on, and supervise, soil handling, including identifying when soils are dry enough to be handled and how to make the best use of the different soils on site. The outline Soil Management Plan (OSMP) (APP-278) already draws on the Defra Construction Code as a source of key guidance and confirms that detailed Soil Resources Plans will be produced by the Contractor for each part of the Sizewell project in line with the Defra Code. However, the OSMP needs to be clearer that the aim is for BMV agricultural land to be returned to its original quality and all soils to be suitable for the planned end use. For example, this could be actioned by a target specification for the restored soils according to location and soil types, end use and required ALC grade. It is expected that soil data collected as part of the ALC surveys will be re-used to develop the Soil Resources Plans. This soil data should be supplemented, where necessary, to provide coverage for all soils including those in non-agricultural use. There should be least one soil observation per ha for all soils, including on parts of the main site where ALC surveys have been carried out at a semi-detailed level. Where information on soil nutrients has not already been collected, this should also be carried out. All soils should only be handled in a dry and friable condition, and it is expected that soil handling will be confined to the drier summer period to minimise risk of soil damage. Soil handling methods should normally be as specified as in the Defra Construction Code of

ExQ1	Question to:	Question:
		Practice for the Sustainable Use of Soils on Construction Sites (including accompanying Toolbox Talks). To avoid risk of soil damage and compaction, bulldozers (as currently proposed in the OSMP) should not normally be employed for soil stripping or replacement for soils being reused. Soil stockpiles should not exceed 3m in height for topsoils and 5m for subsoils. Soils should also be stored 'like on like' with topsoil stored on topsoil, and subsoil on subsoil.
Ag.1.11	The Applicant	**Outline Soil Management Plan [APP-278]** (i) Please provide confirmation as to which stakeholders would be consulted with regarding possible cessation of works due to wet weather working. (ii) Please confirm how the Soil Management Plan and the review/approval role by relevant consultation bodies would be secured through the DCO? (iii) How will soils that are to be re-used for landscape restoration to be kept free of foreign matter or other materials which would render the soils unsuitable for re-use? A list of general principles relating to stockpile location and stability are detailed in paragraph 6.6.3: (iv) What measures would be employed to manage topsoil and subsoil stockpiles throughout their lifetime to maintain stability and integrity?
	Response	
Ag.1.12	The Applicant	**Soil Management** In [RR-0304] ESC comment that the modelling of emissions from stockpiled materials, as set out in the Environmental Statement, is subject to significant uncertainty and should not be considered as providing definitive results. Please provide a response to this concern.
	Response	
Ag.1.13	The Applicant	**Soil Management**

ExQ1	Question to:	Question:
		ESC note that dust nuisance is likely to be minimal with the proposed mitigation in place [RR-0304]. ESC has however requested that stockpiles and earth bunds are turfed and fenced/screened in locations which are within 350m of sensitive human health and ecological receptors to minimise wind whipping of loose bund or stockpile material. Please provide a response to this request including confirmation of how any such commitments would be secured.
	Response	
Ag.1.14	The Applicant	**Soil Management** Paragraph 1.2.3 of Appendix 12A [APP-213] states that surface strip material from Zone A is anticipated to have low organic content and therefore would not be separated into top/sub soil. Paragraph 6.3.2 of Appendix 17C [APP-278] states that separate stockpiles will be created for different types of topsoil and subsoil. Please confirm if soils are to be separated?
	Response	
Ag.1.15	The Applicant	**Dust Management** Please provide a response to the issues raised regarding dust management for spoil heaps and stockpiles [RR-0960, RR-0181, RR-1230, RR-0636, RR-577, RR-1162, RR-319].
	Response	
Ag.1.16	The Applicant	**Drainage** How has the size and locations for the drainage treatment areas/other drainage infrastructure been considered to minimise the effect on operational agricultural land?
	Response	
Ag.1.17	The Applicant	**Drainage** How will any affected field drainage on agricultural land be reinstated post construction phase? How will this be secured as part of the DCO?
	Response	

ExQ1	Question to:	Question:
Ag.1.18	The Applicant	**Drainage** Paragraph 10.4.8 of [APP-531] states that as the site is quite low lying, adequate fall for field drainage may be problematic. Please confirm how this issue has been addressed.
	Response	
Ag.1.19	The Applicant	**Consultation** Paragraph 17.3.30 [APP-277] refers to landowner interviews. Please confirm how many landowners were not interviewed (Paragraph 17.3.30 [APP-277)? Please confirm why it wasn't possible to interview all landowners?
	Response	
Ag.1.20	The Applicant	**Consultation** In response to [RR-0878], please confirm how NE advice and consultation responses, relating to soils and agriculture, has been considered in the drafting of the dDCO?
	Response	
Ag.1.21	ESC, Natural England	**Code of Construction Practice** The below issues may increase effects on soils and agricultural land required for reinstatement of land, landscape planting areas, land outside the site boundary and soils required for reinstatement of land required temporarily: (i) ground contamination, soil erosion and silt-laden runoff; (ii) hydrological or hydrogeological changes; and (iii) noise and dust Are you satisfied with the measures detailed within the CoCP [AS-273] to manage/reduce the risk of the above occurring?
	Response	The Outline Soil Management Plan (see above under Natural England's response to question Ag.1.10) has been developed by the Applicant to feed into the Code of Construction Practice (CoCP). In addition, the CoCP also contains control measures under other topic headings for geology, soils and land contamination, and for groundwater and surface water which include measures to mitigate soil and agricultural impacts such as contamination, hydrology, noise and dust which we consider to be satisfactory.

ExQ1	Question to:	Question:
Ag.1.22	The Applicant	**Code of Construction Practice** In [RR-0304] ESC requested that the CoCP should specify that dust deposition monitoring is required when soil stripping is undertaken within proximity of sensitive receptors. Please provide a response.
	Response	
Ag.1.23	The Applicant	**Code of Construction Practice** [RR-1099], [RR-1101], [RR-1100], [RR-1098] request that a record of condition and soil statement is included within the CoCP. Additional requests have also been made for more detail regarding the measures to be put in place to bring soil back to its original condition and quality, the need for a pre-construction soil statement and an aftercare plan. Please provide a response.
	Response	
Ag.1.24	The Applicant	**Water Supply** [RR-0215], [RR-0366], [RR-0424], [RR-0437],[RR-0891], [RR-0937], [RR-1122], [RR-1098], [RR-1099], [RR-1100], [RR-1122] commented on the provision of water supplies for agricultural businesses. Please provide a response to the below: (i) What measures would be put in place to ensure that private water supplies for agricultural businesses are not adversely affected by the Proposed Development (ii) What measures would be put in place to monitor any effects during the construction phase? (iii) What measures would be put in place to monitor any effects post construction? (iv) How would any remedial action (such an alternative supply) be provided if private supplies are adversely affected, including through supply levels and contamination?
	Response	

ExQ1	Question to:	Question:
Ag.1.25	Catherine Bacon [RR-0184] NJ Bacon Farms [RR-0867] NFU [RR-0885] Clarke & Simpson on behalf of Family Mellen [RR-0241] Ward Farming Ltd [RR-1259] Mollett's Partnership [RR-0812] Savills (UK) Ltd on behalf of David and Belinda Grant [RR-1098] Savills UK (Ltd) on behalf of Nat & India Bacon [RR-1100] Savills UK (Ltd) on behalf of Trustees of AW Bacon Will Trust Myles Dowley [RR-0866] Justin Dowley [RR-0638] Emma Dowley [RR-0367] Finn Dowley [RR-0382] LJ & EJ Dowley Farming Partnership [RR-0697] Dowley Family Business [RR-0319] Savills UK (Ltd) on behalf of Justin & Emma Dowley [RR-1099]	**Water Supply** Please provide information, including annotated maps, confirming whether your agricultural business(es) rely on private boreholes for water supply. Please also indicate whether you rely partly or solely on such supplies.
	Response	
Ag.1.26	The Applicant	**Water Supply** Has Parkgate Farm constructed the large irrigation pond detailed in paragraph 10.4.31 of [APP-435]? If so, have alternative crops been grown other than those considered in the

ExQ1	Question to:	Question:
		assessment and has the land remained in arable production? If changes have been made, do they have an impact on the findings of the assessment?
	Response	
Ag.1.27	Catherine Bacon [RR-0184] NJ Bacon Farms [RR-0867] NFU [RR-0885] Clarke & Simpson on behalf of Family Mellen [RR-0241] Ward Farming Ltd [RR-1259] Mollett's Partnership [RR-0812] Savills (UK) Ltd on behalf of David and Belinda Grant [RR-1098] Savills UK (Ltd) on behalf of Nat & India Bacon [RR-1100] Savills UK (Ltd) on behalf of Trustees of AW Bacon Will Trust [RR-0003] Myles Dowley [RR-0866] Justin Dowley [RR-0638] Emma Dowley [RR-0367] Finn Dowley [RR-0382] LJ & EJ Dowley Farming Partnership [RR-0697] Dowley Family Business [RR-0319] Savills UK (Ltd) on behalf of Justin & Emma Dowley [RR-1099]	**Land Ownership and Severance** Please provide information, including annotated maps if possible, to illustrate where agricultural land may be severed by the Proposed Development.

ExQ1	Question to:	Question:
	Response	
Ag.1.28	The Applicant	**Best and Most Versatile land** NPS EN1 (paragraph 5.1.080) states that *"Applicants should seek to minimise impacts on the best and most versatile agricultural land (defines as land in grades 1,2 and 3a of the Agricultural Land Classification and preferably use land in areas of poorer quality (grades 3b, 4 and 5)…"*. Please explain how the test in paragraph 5.10.8 of the NPS is satisfied in the respect of the location of the Northern Park and Ride, the SLR and the TVB.
	Response	
Ag.1.29	The Applicant, ESC, Natural England	**Best and Most Versatile land** Paragraph 17.6.6 of [APP-277] confirms that an area of 14.4ha has not been surveyed. Please can the Applicant detail why the area was unable to be surveyed. Do ESC and NE agree with the assumption that the un-surveyed area is unlikely to be Best and Most Versatile land?
	Response	It is stated in APP-277 that "*An area of 14.4ha (3.87% of the total site area) was not surveyed. This relates to land that was brought into the site boundary following completion of the detailed surveys (the change in site boundary also explains why detailed ALC survey data is shown for land which now lies outside the site boundary)…This land lies at the northern edge of the site in an area provisionally mapped as Grade 4 land on freely draining sandy soils. Areas adjacent to the un-surveyed land have been mapped in detail as Grade 4, with the grade limited by droughtiness. Based on experience from the other ALC surveys in this area, it is assumed that the un-surveyed land would not be BMV land*" The 14.4ha of land appears to fall within the area previously surveyed by AMEC in 2011 and mapped as Subgrade 3b (see [APP-278] Appendices 17A - 17C) . We advise that it is therefore reasonably likely that this is not BMV land given the light sandy nature of the soils recorded at that location.

ExQ1	Question to:	Question:
Ag.1.30	The Applicant	**Agricultural Liaison Officer** Please provide a response regarding the need for the appointment of an Agricultural Liaison Officer [RR-1099].
	Response	
Ag.1.31	The Applicant	**Grazing land** In relation to the proposed sites for fen meadow habitat Table 1.1 of Appendix 17B [APP-278] states that following completion of the works, it is anticipated that grazing would continue, albeit with a possible reduction in density. Please confirm whether grazing would continue and specify if grazing density would be lost? If a loss is to occur, please confirm by how much.
	Response	
Ag.1.32	The Applicant	**Grazing land** Please comment regarding the concern over potential damage to Minsmere Sluice and subsequent damage to grazing land [RR-0319].
	Response	
Ag.1.33	The Applicant	**Access** Table 10.9 of [APP-470] confirms that Fordley Hall Farm, Old Abbey Farm, Trust Farm, Hawthorn Farm, Dove House Farm and Theberton Hall Farm will be required to use the public highway. Please provide specific information relating to the location and anticipated level of use of the public highway.
	Response	
Ag.1.34	The Applicant	**Access** In respect of Farnham Hall [APP-435], how much longer would journey times to the fields within the landholding east of the new road be?
	Response	
Ag.1.35	The Applicant	**Access**

ExQ1	Question to:	Question:
		Table 10.9 of [APP-470] confirms that Kelsale Manor will experience severance in the area to the north of the Sizewell Link Road. Please detail what restricted access would be experienced by the landowner?
	Response	
Ag.1.36	ESC, Natural England	**Materials Management Strategy** Are you satisfied with the approach and content of the Material Management Strategy regarding soils and agriculture [AS-202]?
	Response	As set out in the Defra Construction Code of Practice for the Sustainable Use of Soils on Construction Sites, a Soil Resource Plan should feed into a Materials Management Strategy (MMS) to describe how the applicants intend to manage excavated materials. Given that descriptions of soil resources and their management will be a part of the Soil Management Plan (currently outline) and that the applicants state that the Outline Soils Management Plan is a key overarching document feeding into their (original) MMS, Natural England is content with the approach and current content of the MMS regarding soils and agricultural land, provided the approach and content is maintained in updated versions.
Ag.1.37	The Applicant	**Committed Developments** Please confirm what are the two committed developments within 700m of the Freight Management Facility, as detailed in paragraph 10.4.26 of [APP-531]. Please confirm why they do not have the potential to materially alter baseline conditions.
	Response	
Ag.1.38	The Applicant	**Land to East of Abbey Lane** Mr John Poll has confirmed [AS-307] that he rents approximately 20 acres of land to the east of Abbey Lane which would be lost to the proposed rail line. Mr Poll contends that this area has not been identified as agricultural land which he farms. Please confirm whether this land has been included within the assessment?
	Response	

ExQ1	Question to:	Question:
AQ.1	**Air Quality**	
AQ.1.0	The Applicant	**Methodology/Construction Traffic and Air Quality** Please confirm that the emissions from traffic operating within the site during construction has been included in the assessment of air quality affects arising from the main development site and the associated sites. Please set out where this information can be found within each chapter.
	Response	
AQ.1.1	ESC, EA, Natural England	**Air quality receptors** Are you satisfied that all potential sensitive receptors have been taken into account in the Air Quality Assessment (AQA), and with the Applicant's identification of worst-case locations for air quality?
	Response	The correct distance criteria have been used according to the Environment Agency approach to combustion and all sites of concern have been considered. The in-combination assessment contained within the "off-site development assessment" lacks clarity regarding the approach used to identify the relevant developments. No actual quantification has been undertaken, namely for Sport Facilities at Leiston and in-combination impacts for construction/operation phases in particular relating to traffic emissions.
AQ.1.2	ESC, EA	**PM 2.5** (i) Are you satisfied that potential impacts of PM2.5 concentrations have been fully taken into account in the ES and appropriately assessed as a fraction of PM10 particulate concentrations? (ii) Do you consider using PM_{10} as a surrogate for $PM_{2.5}$ an acceptable methodology?
	Response	
AQ.1.3	ESC	**Dust emissions**

ExQ1	Question to:	Question:
		Do you agree with the findings of the ES that the only potential source of significant air pollution would arise from construction dust?
	Response	
AQ.1.4	The Applicant	**Dust Emissions** It is recognised within the Air Quality chapters that the development activities could give rise to dust emissions: (i) Please explain where in the Air Quality chapter or elsewhere there is an assessment of the potential impacts upon agriculture as implied by the Agriculture Chapter. (ii) Please explain where the potential effects in terms of crops and animals have been considered and where any necessary mitigation has been set out. (iii) Please explain where any mitigation, should it be necessary, is delivered through the DCO.
	Response	
AQ.1.5	The Applicant	**Dust Emissions** In light of the concern raised by the NFU [RR-805] please respond setting out how the effects on agriculture, and crops has been assessed and mitigated to acceptable levels
AQ.1.6	The Applicant	**Dust emissions (Baseline)** (i) Please advise how you selected the sites for measuring the current dust levels. (ii) Please explain the reasoning behind there being no monitoring being undertaken at Land East of the Eastlands Industrial Estate, Valley Road or Bucklewood Road.
	Response	
AQ.1.7	ESC	**Dust emissions** Are you confident the baseline monitoring locations chosen for assessing the significance of dust emissions arising from the main development site would satisfactorily provide

ExQ1	Question to:	Question:
		sufficient information such that appropriate standards can be monitored managed and mitigated to safeguard health and amenity for local receptors?
	Response	
AQ.1.8	The Applicant	**Dust emissions** In section 12.5.3 [APP-212] in seeking to minimise construction dust effects on sensitive receptors, iii suggests access points into sites are located as far from sensitive receptors as possible. Explain how this correlates with the junction/access into Land East of the Eastlands Industrial Estate and the proximity to LE7 Common Farm Cottages.
	Response	
AQ.1.9	The Applicant	**Dust emissions** Please provide a plan identifying the location and extent of the bunds referred to in 12.5.4 [APP–212] or advise where this can be found.
	Response	
AQ.1.10	The Applicant	**Dust Monitoring** Please explain the approach to determining the location of dust monitoring stations, and in particular how during the different construction phases how ongoing monitoring would ensure dust emissions remain below the predicted thresholds and sensitive receptors are protected.
	Response	
AQ.1.11	The Applicant, ESC	**Dust Monitoring** (i) A High Risk of dust spoiling and medium risk to human health is identified from activities undertaken on Site E yet no dust monitoring stations are identified in close proximity – please explain why this is the case? (ii) How will sensitive receptors be safeguarded; and (iii) the work monitored; and (iv) standards enforced?

ExQ1	Question to:	Question:
	Response	
AQ.1.12	The Applicant, ESC	**Dust Monitoring** (i) As no monitoring has been carried out to understand base levels of dust particles in the vicinity of construction site C – what confidence do you have that the effects of the construction activities on this site would remain at acceptable levels? (ii) How can this be demonstrated when the base line is an important part of the initial consideration?
	Response	
AQ.1.13	The Applicant, ESC, PHE	**Temporary Accommodation** (i) In light of the close proximity of the accommodation campus to both the active working site but also the stockpiles of materials, what safeguards are in place to ensure appropriate levels are monitored and maintained for the future occupiers of the campus. (ii) Are the Council/PHE satisfied the relationship between the accommodation campus and the stockpiles/working areas can achieve an appropriate living environment to protect human health?
	Response	
AQ.1.14	The Applicant, ESC, EA, PHE	**Air Quality Assessment** Please respond to each of the concerns expressed by Laurence Moss [RR 673] and in light of them whether there are any outstanding concerns in this regard.
	Response	
AQ.1.15	The Applicant	**Air Quality Assessment** Please respond in light of the concerns raised by ESC [RR 342] regarding the potential release of carbon monoxide and formaldehyde from the diesel generators. If these are to be scoped out of the assessment, please provide a full justification for this approach.

ExQ1	Question to:	Question:
	Response	
AQ.1.16	The Applicant, ESC, SCC	**Air Quality** [RR 804 and RR 820] both express concern that the increased emissions from increased traffic along the A12 could have a disproportionate effect on the health of students at Farlingaye High School. Please respond to this concern.
	Response	
AQ.1.17	ESC, EA	**Air Quality** Do you agree that paragraph 5.2.9 of EN-1 does not apply as the Applicant suggests in the Planning Statement as "there would be no substantial changes in air quality levels"?
	Response	
AQ.1.18	ESC, EA, PHE	**Air Quality Receptors** Are you satisfied that all potential sensitive receptors have been taken into account in the Air Quality Assessment and with the Applicant's identification of worst case locations for Air Quality?
	Response	
AQ.1.19	ESC	**Approach** (i) Is the Council satisfied with the overall approach of the Applicant to dealing with Air Quality? (ii) Do the Council have any specific criticisms it would like to make?
	Response	
AQ.1.20	PHE	**Approach** Are you satisfied that the Air Quality Assessment has responded fully and addressed all matters raised by PHE at the scoping stage?
	Response	
AQ.1.21	ESC, The Applicant	**Additional Information**

ExQ1	Question to:	Question:
		Additional information was requested by ESC as referred to in ESC RR at paras 1.84 and 1.87: (i) Has this information been provided to the Examination? (ii) If so where can it be found?
	Response	
AQ.1.22	ESC, SCC	**Air Quality** Can the relevant public health authorities confirm that they consider the effects on air quality from the additional traffic along the A12 have been adequately assessed and confirm that they would not result in significant adverse effects along this transport corridor as suggested by RRs 804, 820 amongst others.
	Response	
AQ.1.23	ESC	**Air Quality** (i) Are you concerned that the scheme may result in the failure to comply to any statutory air quality limit? (ii) If this is the case please provide details of the concerns, the limits that apply and the area(s) this would cover. (iii) If answering the above in the affirmative do you consider additional mitigation could be offered that might resolve these issues, what would this entail and how could it be delivered?
	Response	
AQ.1.24	The Applicant	**Combined Heat and Power Plant (Accommodation Campus)** The ES does not fully explain what type of plant has been assessed within the ES. It refers in various paragraphs to different elements. Paragraph 12.3.14 indicates it to be a gas fuelled plant, with Table 12.11 indicating location, flue height and emissions. Paragraph 12.5.3 ii refers to an optimised stack height while Table 12.3.14 appears to set the height?

ExQ1	Question to:	Question:
		(i) Please clarify the situation. (ii) Please provide the details of the type of plant assessed within the ES and how this would be delivered through the DCO to ensure it fell within those parameters.
	Response	
AQ.1.25	The Applicant	**Combined Heat and Power Plant/back up energy centre** In the event this plant was to be retained as a backup power supply for emergencies during operation of the power station as referred to in the ES. (i) Would all or some of the diesel generators still be required? (ii) Has the ES assessed the effects of the diesel generators running as well as the CHP and or energy centre/back up such that the potential cumulative effects have been fully set out? Please advise where the alternative assessments can be found.
	Response	
AQ.1.26	The Applicant	**Combined Heat and Power Plant** Paragraph 12.5.8 refers to the campus energy centre: (i) Please confirm that this is the combined heat and power plant, if not please provide details of where this has been assessed within the ES. (ii) What effect does 'designed, maintained and operated within the Medium Combustion Plant Directive' requirements have, please clarify whether this would be covered by the other licence requirements set out in Table 1.1 of the Other Licences and Consents Document? (iii) Has this operation regime been assumed within the ES assessment? How would this be delivered through the DCO?
	Response	

ExQ1	Question to:	Question:
AQ.1.27	The Applicant	**Combined Heat and Power Plant** Following receipt of the explanation of the assessment of the CHP/back-up generator in correspondence dated 12.01.21 in response to PD 05 there remains some uncertainty as to what has been assessed. It is understood that the CHP may not be utilised, however an appropriate assessment of the CHP and the alternative still needs to be clearly described so assessment of likely effects is contained within the ES if it is to be delivered through the DCO. In response [APP 184] Description of Construction and [APP-180] Description of Permanent Development were referred to. In Table 2.7 of Vol 2 Chapter 2 [APP-180] Description of Permanent Development it states the parameter for the back-up power generation plant in Zone 1M as a maximum height of 36m (plus 3.5m tall stack). This would appear to exceed the construction parameter plans as listed in Schedule 6 of the dDCO (drwg no. 10092) which specifies a maximum height of 35m, it also exceeds the height of the stack as set out in Table 12.11. The height of the back-up generator and stack appear to exceed the construction parameter plans [APP-022] which indicate a maximum height of 35m. The operation parameter plans for this area appear to be higher as defined in Table 2.7 linked to the dDCO. Please clarify how something could be operationally higher than the limit for construction?
	Response	
AQ.1.28	The Applicant	**Back Up Generator** In the event the CHP is not utilised and a back up generator is subsequently provided for the operational period: (i) What form of generator would it be and where are the details for this set out within the ES chapters for noise, air quality, and landscape? (ii) Explain why it would be appropriate and necessary to site a permanent building potentially up to 35m in height (plus 3.5m stack) within the AONB, when you advise a stack height of just over 12m results in adequate emissions. (iii) How would this sit with the aims and purposes of the AONB?

ExQ1	Question to:	Question:
	Response	
AQ.1.29	The Applicant	**Combined Heat and Power Plant** Appendix 12F provides an assessment of the CHP emissions. It does not however specify what form of plant was utilised to generate the data. (i) What type of plant does this assess, running what fuel and with what assumed flue height/location? (ii) How would this be delivered through the DCO?
	Response	
AQ.1.30	The Applicant	**Accommodation Campus** It is understood that alternative forms of power plant are still being considered to support the accommodation campus as reference is also made to air source heat pumps. (i) As alternatives are being sought what process would prevent more than one alternative being provided? (ii) Has a cumulative assessment been carried out in the event that more than one power source were to be provided?
	Response	
AQ.1.31	The Applicant	**Combined Heat and Power Plant** The position is further complicated by the information set out in the Noise Chapter of the ES which states "*The final designs for the proposed CHP, electrical sub-station and back-up generator (including component parts and sound power data) are not available at this time."* [APP156] para 11.6.165. This suggests the CHP and back-up generator may be different things and it makes it more difficult to understand what has actually been assessed. If the CHP is not utilised what back up energy system has been assessed and where can the details of this be found?

ExQ1	Question to:	Question:
	Response	
AQ.1.32	The Applicant	**Combined Heat and Power Plant** It is important to understand how the concerns highlighted in Q 1.17-1.24 knock on, if at all, to the assessment within the other chapters of the ES in particular, Noise and Vibration, Heritage, Landscape, Ecology, Agriculture. In answering the above questions please address any knock on effects which may be relevant to these aspects of the scheme.
	Response	
AQ.1.33	The Applicant	**Accommodation campus** As can be seen from the previous questions there is a great deal of uncertainty over what has been assessed in respect of the power source for the accommodation campus during construction and what would be in place post construction to support operation: (i) Please provide a clear explanation of the alternatives considered and set out clearly where they have been assessed within the ES. (ii) Please explain how the alternatives would be delivered, monitored and controlled through the DCO such that they remain within the assessment parameters covered by the ES.
	Response	
AQ.1.34	ESC, SCC, PHE, EA	**Dust Soiling** (i) Are you satisfied with the suggested mitigation to control the levels of dust arising from the development? (ii) If not what additional mitigation would you wish to see supplementing the Dust Management Plan, Outline Dust Management Plan or Code of Construction Practice?

ExQ1	Question to:	Question:
	Response	
AQ.1.35	ESC, SCC, PHE, EA, Natural England	**Dust Soiling** (i) Are you satisfied with the suggested monitoring of dust emissions from the development? (ii) If not what additional mitigation would you wish to see and how do you consider this should be secured?
	Response	In the context of our remit, Natural England is satisfied that impacts from dust on internationally designated sites (Special Areas of Conservation (SACs), Special Protection Areas (SPAs) and Ramsar sites) and nationally designated sites (Sites of Special Scientific Interest (SSSIs) can be adequately mitigated through the provisions of the Outline Dust Management Plan and Code of Construction Practice provided these are rigorously implemented, maintained and monitored as outlined.
AQ.1.36	The Applicant	**Dust Soiling** In light of the comments from ESC in [RR-0342] can you confirm that the CoCP will address the need for dust monitoring during soil stripping to protect sensitive receptors? If you don't agree with this approach, please explain why.
	Response	
AQ.1.37	The Applicant	**Dust Soiling** Please explain how the monitoring referred to in paragraph 12.6.8 [APP 212] would be secured.
	Response	
AQ.1.38	The Applicant	**Dust Emissions** Minsmere Levels Stakeholders Group [RR-803] consider that fugitive dust from the borrowpits and spoil heaps would have the great potential to adversely affect both ground water and surface water run-off. Please respond to these specific concerns.
	Response	

ExQ1	Question to:	Question:
AQ.1.39	The Applicant	**Dust Emissions** Estimates of quantities of material extracted from the main development site during construction are provided within the Air Quality Chapter: (i) Please explain how these quantities have been determined with cross reference to relevant sections of the ES or other application documents as appropriate (ii) Does the dDCO not need to specify a maximum depth of excavation to ensure that these quantities are a fair reflection of the activities proposed for which consent is sought? And to safely link back to the assessment of effects assessed by the ES.
	Response	
AQ.1.40	The Applicant, ESC, SCC	**Mitigation** (i) The Applicant suggests in paragraph 14.7.79 [APP-224] that if exceeded of dust levels occurs additional mitigation would be adopted – please explain what this might entail – particularly in light of the commitment within the CoCP to best practice? (ii) How would this additional mitigation be secured? (iii) In the event the threshold of 0.5g/m2/day had been exceeded – what would the consequence be? E.g. would work need to cease until the threshold level had fallen below the agreed level? Please explain the practicalities of what would occur on the ground and how this would be monitored, and the agreed level reached.
	Response	
AQ.1.41	The Applicant, ESC	**Dust Emissions (Rail)** (i) ESC in the [RR-0342] at paragraph 2.207 – please clarify if you are seeking screens/fences in relation to general earthworks across the main development site and associated development sites. (ii) Have further discussions progressed identifying the areas of concern? Please advise the ExA where these are and whether an agreed approach to protecting these receptors has now been reached?

ExQ1	Question to:	Question:
	Response	
AQ.1.42	The Applicant, ESC, PHE	**Human Health (particulate matter)** Paragraph 12.6.11 of [APP-212] suggests that there could be a risk to human health if long term dust generating activities increase the baseline level within a receptor area. Do you consider the mitigation identified would be sufficient to avoid adverse effects to human health?
	Response	
AQ.1.43	The Applicant, Natural England, ESC	**Ammonia Deposition** It has been suggested that the ES fails to deal with ammonia deposition [RR-908] as would appear to be advocated by the Institute of Air Quality Management's 2020 Guidance and would also need to be carried out to comply with Natural England Guidance. Please respond to these specific concerns.
	Response	There is growing evidence to support the significance of ammonia as a source of pollution from vehicle emissions. Ammonia is a source of nitrogen deposition and, in the context of our remit, can act in-combination with NOx to increase deposition experienced on a designated site. There is not currently an agreed government / peer reviewed approach on how to model ammonia from vehicle emissions. However, there is a recently developed ammonia emission calculator known as CREAM which has been developed by Air Quality Consultants (AQC). Given that ammonia from vehicle emissions is a source of nitrogen deposition not yet accounted for in road traffic assessment, it is recommended that it cannot be discounted from risk assessment, just because there is not an agreed national peer reviewed approach. CREAM is therefore currently the "Best Available Tool". To date Natural England has advised that the impacts of ammonia from vehicle emissions should be considered at the appropriate assessment stage, particularly where case specific circumstances would benefit from such an analysis. This is the recommended interim approach until the importance of this source is better understood and peer reviewed

ExQ1	Question to:	Question:
		assessment tools are available. The long-term aim will be to require ammonia from vehicles to be assessed at the in-combination stage of Screening.
AQ.1.44	The Applicant	**Darsham Parish Council** The Parish Council have indicated concern about the effects of the closure of the level crossings and the diversion of traffic this causes, with the resultant increase in air pollution particularly from HGVs. Please advise where the consideration for effects on NO_x, CO_2, and $PM_{2.5}$ and PM_{10} levels from diversions is set out.
	Response	
AQ.1.45	The Applicant, ESC	**Stratford St Andrew AQMA** Please advise on the latest position in respect of the assessment of air quality in the Stratford St Andrew AQMA and whether the assessment is now considered robust indicating whether there remain concerns on the assessment undertaken or whether the additional sensitivity testing has now resolved any concerns in this area.
	Response	
AQ.1.46	The Applicant, ESC, SCC	**Stratford St Andrew AQMA** In paragraph 2.153 of the Council RR concern was expressed in respect of the speed of traffic continuing to exceed the speed limit and accelerating such that there remained concerns about the level of NOx. Does this concern remain?
	Response	
AQ.1.47	The Applicant, ESC	**Stratford St Andrew and Woodbridge AQMA** (i) In light of the proposed development do you agree that both AQMAs would remain within legal limits assuming the worst-case scenarios for traffic movements? (ii) Is there an agreed management and monitoring approach through the lifetime of the project? (iii) How will traffic from other projects be taken into account to ensure that air quality standards will be maintained?

ExQ1	Question to:	Question:
		(iv) In the event there is congestion on the A12 what would be in place to monitor this, and ensure air quality remained within acceptable levels within Woodbridge and Stratford St Andrew AQMAs but also would not adversely affect other areas? (iv) What would be in place to secure appropriate mitigation?
	Response	
AQ.1.48	The Applicant	**Air Quality Monitoring** (i) Please confirm the commitment to undertake air quality monitoring and the timing of when this would commence for the main development site and all the associated development sites both prior to, and during construction and subsequent operation. (ii) In light of the concerns raised by ESC over NO_2 levels in Stratford St Andrew AQMA, please advise how you would propose to monitor the air quality levels in this area and elsewhere to ensure standards were maintained and no breaches of standards occurred.
	Response	
AQ.1.49	The Applicant	**Non Road Mobile Machinery (NRMM)** ESC have requested the adoption of low emitting plant and an assessment both alone and in combination of impacts on both human health and ecology from NRMM and other sources. (i) Please advise whether there is a commitment to low emitting plant and if so how this would be delivered. (ii) Has an assessment now been undertaken of the potential effects of NRMM and other sources as requested by the Council?
	Response	
AQ.1.50	EA	**Concrete Batching Plants**

ExQ1	Question to:	Question:
		Are the EA satisfied with the level of information on concrete batching plants and are you satisfied sufficient dust controls are/would be in place to meet appropriate safety standards to protect both human and ecological receptors?
	Response	
AQ.1.51	ESC, EA, Natural England	**Haul Routes** (i) The applicant has indicated that haul routes would be hard surfaced 'where practicable' – do you consider this approach to be adequate to safeguard sensitive receptors? (ii) Are there specific locations you consider that a more robust approach should be required, or should a more robust approach be provided across the main development site and associated development sites?
	Response	We are currently satisfied with the locations of haul routes in respect to sensitive receptors and consider the mitigation proposed in the CoCP and Outline Dust Management plan sufficiently robust.
AQ.1.52	The Applicant	**NO_2 Emissions** A resident of Leiston [RR-204] expresses concern that the development would lead to adverse NO_2 emissions from HDVs, please respond to this specific concern.
	Response	
AQ.1.53	The Applicant	**Traffic emissions at Yoxford** Dr David Perry [RR-0323] expresses concern that idling traffic particularly HGVs at the Yoxford Roundabout would result in adverse effects in the locality and result in adverse effects at the local hotel. Please respond to this specific concern.
	Response	
AQ.1.54	The Applicant	**Mitigation** Please explain how the various elements of mitigation relate to each other, and how they are secured by the dDCO. In particular how the Outline Dust Management Plan (oDMP), Dust Management Plan (DMP) relates to the Construction Environmental Management Plans (CEMP) and the Code of Construction Practice (CoCP).

ExQ1	Question to:	Question:
		Please also set out which document would have precedence in the event of a conflict.
	Response	
AQ.1.55	The Applicant	**Mitigation** Table 12.17 of [APP-212] Refers to LE25 – The Round House: (i) How would any specific mitigation be delivered to protect the amenity and living standards of this property such that appropriate air quality standards were maintained? (ii) How would this be enforced?
	Response	
AQ.1.56	The Applicant	**Early Years** B1122 Action Group [RR-0124] express concern that the level of traffic generated during the early years creates an unreasonable burden on the local community in terms of traffic, noise and air quality. Please address this particular concern and explain how the effects during early years could be considered reasonable in light of the recognised need to mitigate for similar levels of traffic later.
	Response	
AQ.1.57	The Applicant	**Southern Park and Ride** Campsea Ashe Parish Council [RR-0170] express concern that the assessment of effects from the Southern Park and Ride have not been adequately addressed. Please respond to these specific concerns
	Response	
AQ.1.58	The Applicant	**Rail Emissions** (i) Please advise on any likely effects of trains that are waiting to move onto or off site, or waiting on the line and what impact if any this may have on sensitive receptors. (ii) How might this be controlled, should it be necessary?

ExQ1	Question to:	Question:
	Response	
AQ.1.59	The Applicant	**Back Up Generators** Whilst it is understood that these are an essential part of the safety systems which would be in place to support the overall safe operation of the site, please explain: (i) Whether a cleaner alternative to diesel generators has been considered, and if so why this has been discounted. (ii) What mechanisms would be in place to ensure that the generators would operate as cleanly as possible and therefore be as sustainable as possible in the long term.
	Response	
AQ.1.60	Natural England, ESC, EA	**Back Up Generators** [APP 212] Paragraph 12.6.65 indicates that the NO_x level would be 428% of the critical level at Sizewell Marshes SSSI and that daily exceedances would also occur at other sensitive ecological receptors: (i) Do you agree that the short term exposure is less important? (ii) Is the level at 428%, albeit likely to be for a short period, tolerable such that any sensitive receptor exposed to these levels of NO_x would be expected to recover?
	Response	It is the case that short-term exposure tends to be given less weighting in an assessment than the annual average. The applicant provides an argument regarding the realistic operational hours of the diesel generator G and likelihood of worst-case MET data co-occurring. Whilst it is reasonable to make an argument as to why the daily NOx exceedance is not of concern in this specific case, this must be underpinned by clear evidence. The applicant has gone some way toward doing this, but it lacks clarity and detail. Reliance is placed upon the rate of recovery in the justification however no evidence as to the time taken for the specific habitat type to recover (which will vary) is provided. Given the extremely high process contribution and exceedance the applicant must provide reassurance that this will not cause long term damage to the site and each of its notified features. This argument needs to be much clearer to justify such a large exceedance.

ExQ1	Question to:	Question:
AQ.1.61	Natural England, ESC, EA	**Back Up Generators** [APP 212] Paragraph 12.8.3 indicates that there could be significant adverse effects from NO_2 concentrations, and this could exceed air quality strategy objectives: (i) Please comment on this assessment and whether you regard this as reasonable in light of the likelihood of these circumstances occurring as being 'once in the lifetime of a fleet of nuclear sites'. (ii) Even in accepting this is an unlikely scenario would it lead to an exceedance of any statutory limits?
	Response	Loss of off-site power is not assessed for ecological impacts. Given the significant emissions of NO2 (a source of N) evident from the human health assessment, it should also be considered for ecological receptors. The applicant states "once in the lifetime of a fleet of nuclear sites" which lack clarity and is not quantified. This should be compared the daily NOx maxima.
AQ.1.62	The Applicant	**Back Up Generators** It is indicated that the back-up generators would operate a maximum of 720 hours in any one year (paragraph 14.7.245) [APP-244]. Whilst this might be regarded as a conservative estimate it is not something that could be limited. In these circumstances where you have already identified exceedances of NOx is it justifiable to say the addition generated by this development is 'not significant'? Please also explain what guidance or precedents you rely upon to support this position.
	Response	
AQ.1.63	The Applicant	**Background Levels** The data provided suggests that in future years there will be reductions in NO_2, NO_{10} and $PM_{2.5}$ figures - because of overall falls in emissions more generally - is there an assessment that shows the relative effects of this scheme and what the levels might be without it taking place?
	Response	

ExQ1	Question to:	Question:
AQ.1.64	The Applicant	**Two Village Bypass - Foxburrow Wood** It is suggested by The Woodland Trust [RR 1213] that a buffer zone of at least 30m would be required to ensure that the woodland would be adequately protected in line with standing advice from Natural England: (i) Please advise whether the design and layout of the road accommodates such a buffer; and (ii) If it does how this would be secured; and (iii) If it does not, why it does not.
	Response	
AQ.1.65	The Applicant	**The Round House** The Round House (Receptor LE25) is indicated to be subject to activity specific mitigation to protect air quality during construction, but it is also indicated to be subject to compulsory acquisition. The property is in close proximity to both construction works and large areas for storing spoil, please advise how you anticipate ensuring the property and it's occupiers could be adequately protected from the onsite construction activities when in such close proximity to this residence or do you anticipate that it would not be occupied throughout the duration of the works? If so, how would that be secured?
	Response	
AQ.1.66	The Applicant, ONR, Environment Agency, Natural England, PHE	**Tritium Gas** Please comment on the concerns raised in [RR-785] in respect of the potential release of tritium gas and any controls that would be in place to safeguard human health and ecology.
	Response	On this issue we defer to Environment Agency who have Habitats Regulations Assessment (HRA) guidance for radioactive substances. Tritium gas is readily absorbed by the body and distributed so could be of concern for wildlife at the least.

ExQ1	Question to:	Question:
AQ.1.67	The Applicant, SCC	**Mitigation** In the Air Quality Chapter [APP-212] you refer to primary mitigation as 'minimising' freight movements on roads in light of the other delivery methods envisaged via rail and sea. (i) Is it really fair to say these movements would be minimised when to date neither the rail nor sea alternatives are confirmed, or to what degree they could operate?
	Response	
AQ.1.68	The Applicant	**Mitigation** In terms of tertiary mitigation please advise what is meant by the following terms: (i) 'as far as practicable' (first bullet point para 12.5.4 [APP-212]) and how you would expect this to be secured? (ii) 'additional mitigation as necessary' (third bullet point of para 12.5.4 [APP-212]) and how you would expect this to be secured? It seems that to be enforceable and to ensure the mitigation to be appropriate a standard needs to be defined against which the construction activities can be assessed, please explain where this standard can be found and how it is secured and would subsequently be monitored.
	Response	
AQ.1.69	ESC, SCC	**Mitigation** The Outline Dust Management Plan [APP-213] would be an essential part of the mitigation required to control construction activities on site. Do you consider it sufficiently precise that it would be enforceable?
	Response	

ExQ1	Question to:	Question:
AQ.1.70	The Applicant	**Mitigation – Earth Bunds** A 5m high bund is proposed along the southern boundary of the temporary construction area: (i) Is this indicated on any of the plans to be approved? – if so please provide the number. (ii) The ES relies on this as tertiary mitigation and it is assumed it would be secured through the CoCP – is this correct? (iii) What mechanism ensures it is provided in a timely manner to achieve the mitigation it would offer?
	Response	
AQ.1.71	The Applicant	**Code of Construction Practice (CoCP)** Is there a definition of 'plant with significant dust rising potential'? Should there be a threshold specified so this term is fully understood?
	Response	
AQ.1.72	The Applicant, ESC, SCC	**Code of Construction Practice** The CoCP contains general phrases such as 'where possible' and 'will seek to ensure'. In such circumstances how would the local authorities be able to enforce compliance?
	Response	
AQ.1.73	The Applicant	**Northern Park and Ride – Air Quality/Noise** Within the Equality Statement [APP-158] a high potential for adverse effects from the Northern Park and Ride is indicated. Please advise where these concerns are set out in the corresponding air quality and noise chapters and how they might be mitigated to ensure there would not be a significant effect.
	Response	
AQ.1.74	The Applicant	**Bus Fleet** (i) Is the bus fleet proposed to operate to and from the main development site and associated sites intended to be electric, zero emission or ultra low emission?

ExQ1	Question to:	Question:
		(ii) Please advise on the types of bus to be employed and the effect on emissions/air quality. (iii) How might any commitment to electric, zero emission or ultra low emission be secured?
	Response	
AQ.1.75	The Applicant	**Conveyor on BLF** It is not clear from the information provided how the conveyor system on the BLF would be powered. Please explain where this is set out in the ES. If it is to run via a non mains generator please explain how this would be delivered through the DCO and the mechanism for ensuring any environmental effects were not significant.
	Response	
AQ.1.76	The Applicant, ESC (part ii), SCC (part ii)	**Mitigation** The revised Mitigation Route Map [AS 276] has added for the Main Development Site *" Use of contractor vehicles as far as practicable that meet the Euro VI emissions standards and Euro V standards (98/69/EC) as a minimum, unless otherwise agreed with the local authority.* • *Use of non-road mobile machines as far as practicable and available that meet the Stage IV engine standards of the NRMM Emission Standards Directive to minimise NOx and particulate emissions on site."* (i) This wording is not consistent across the main development site and other associated sites – is there a reason for this? (ii) Do the Councils consider that as reworded this is sufficiently robust?
	Response	

ExQ1	Question to:	Question:
AQ.1.77	The Applicant	**CoCP** Table 4.1 [AS 273] requires an adequate water supply to be made available to suppress dust/particulate matter. The latest information provided with the ES Addendum appears to prefer the provision of a water supply which does not form part of the dDCO. Please explain the rationale for this approach and how the ExA can be assured adequate water supplies would be available in a timely manner to ensure dust and particulate matter is limited to agreed levels.
	Response	
AQ.1.78	The Applicant, ESC, SCC	**CoCP** Table 4.2 refers to regular inspection and monitoring and this terminology is used in several places. Regular could ostensibly be once a year, While, it is assumed this is not the intention is there a more precise term that could be used to ensure maintenance and monitoring is undertaken expeditiously?
	Response	
Al.1	**Alternatives**	
Al.1.0	The Applicant	**General assessment principles** Having regard to NPS EN-1, Section 4.4: (i) Please identify all legal and policy requirements relating to the assessment of alternatives applicable to this project and summarise the Applicant's compliance with those requirements; (ii) Please identify any such legal or policy requirements where compliance has not yet been agreed with the relevant statutory regulator? For example, in relation to the Habitats Directive, the Water Framework Directive or flood risk.
	Response	

ExQ1	Question to:	Question:
Al.1.1	The Applicant	**General assessment principles** The Planning Statement, paragraph 7.3.35, explains that SZC Co. has not considered any alternatives for elements of the Sizewell C Project which have been determined through other processes, policies or legislation, including the proposed siting of Sizewell C. Please identify all elements including any associated development for which alternatives have not been considered, providing reasons for each element in that category.
	Response	
Al.1.2	The Applicant	**General assessment principles** The Planning Statement, paragraph 7.3.33, states that EN-6 clarifies how alternatives should be considered in the context of applications for new nuclear power stations. EN-6, paragraph 2.4.5, explains that in addition to the consideration of alternative sites, an assessment was undertaken as part of the Nuclear Appraisal of Sustainability (AoS) to consider whether the objectives of this NPS could be delivered using alternative options. It concludes that: "*It is the Government's view that none of the alternative options looked at can be relied upon to deliver the objectives of this NPS by the end of 2025*": Given that it is accepted those objectives cannot be delivered by the current scheme within that timescale, what reliance can be placed upon the EN-6 approach to alternative options?
	Response	
Al.1.3	The Applicant	**General assessment principles** The Planning Statement, paragraph 7.3.34, refers to EN-6, section 2.4, which outlines how alternatives were considered through the nomination process that led to confirmation in EN-6 of the eight sites for new nuclear power stations. It states that there is nothing in the consultation on the new NPS or the Government's July 2018 response which suggests that the Government's position on this has changed. The representations of Ian Marshall [RR-0490] and Walberswick Parish Council [RR-1257], submit that this conclusion is out of

ExQ1	Question to:	Question:
		date. Please comment on the criticisms made in those representations and provide further justification to support the view that the proposed siting of Sizewell C should not have been reconsidered for this application?
	Response	
AI.1.4	The Applicant	**General assessment principles** The Government response: consultation on the siting criteria and process for a new national policy statement for nuclear power with single reactor capacity over 1 gigawatt beyond 2025 July 2018 Annex II, paragraph II.4 states that : "*Government's approach therefore is to carry the list of potentially suitable sites in EN-6 through to the new NPS. This will be subject to confirmation from the current developers associated with each potentially suitable site that they wish it to remain listed in future and subject to those sites meeting the strategic criteria as well as demonstrating they are credible for deployment by 2035. The finalised strategic siting criteria at Annex I are based on the original Strategic Siting Assessment (updated to be consistent with current law and policy and to take account of the views received as part of this consultation)".* Please explain further: (i) How the scheme would comply with the strategic siting criteria set out in Annex I, paragraph 1.14, in relation to the flooding, tsunami, storm surge and coastal processes aspects of nuclear safety and security; and (ii) the credibility of this particular scheme for deployment by 2035.
	Response	
AI.1.5	The Applicant	**Site specific assessment – change in circumstances** The Planning Statement, paragraph 3.8.9, indicates that further details of the evolution of the main development site boundary and the alternatives considered by SCZ Co. are provided at Volume 2, Chapter 6 of the ES: (i) Please provide a separate summary of those changes and the justification for them. (ii) Explain further why the changes to the nominated site area and the siting of the

ExQ1	Question to:	Question:
		temporary construction area in close proximity to the main construction area do not represent a change in circumstances?
	Response	
Al.1.6	The Applicant	**Reactor design** The NPS EN-6 Vol I, Section 2.6, considers the Regulatory Justification process and the planning regime. It explains that in October 2010 the Secretary of State published his decisions that two nuclear reactor designs, Westinghouse's AP1000 and Areva's EPR, are justified and that Justification is a separate regulatory process. However, given the period that has elapsed since the Regulatory Justification decision and the criticisms raised by IPs in relation to reactor design, should requirements be attached to draft DCO to the effect that the order is conditional on the existence of a valid Regulatory Justification decision?
	Response	
Al.1.7	ONR	**Reactor design** The Office for Nuclear Regulation (ONR) [RR-0911] explains that in June 2020, NNB Generation Company (SZC) Ltd applied for a nuclear site licence to allow it to install and operate two EPR™ reactors at the Sizewell C site. The design of the proposed twin reactor development at Sizewell C is closely based on that for the power station that is currently under construction at Hinkley Point C. ONR carried out an assessment of the generic EPR design in 2012 and concluded that it could be safely constructed and operated in the United Kingdom. Whilst the ExA appreciates that the ONR is currently assessing the nuclear site licence application, does it have any concerns at this stage in the light of experience and development of the EPR reactor since 2012 at Hinkley Point C?
	Response	

ExQ1	Question to:	Question:
Al.1.8	The Applicant	**Strategic alternatives for accommodation infrastructure** The Planning Statement, Appendix A - Site Selection Report sets out SZCs approach to site selection. Section 2.2 considers the strategic alternatives for accommodation infrastructure. This is further explained in the Accommodation Strategy. Please explain in detail: (i) Why it was considered that an off-site campus would be unlikely to make a significant difference in terms of any localised community or environmental impacts around the main development site; and (ii) Why the delivery of permanent housing was not considered as a reasonable alternative to the on-site campus?
Al.1.9	The Applicant	**Strategic alternatives for accommodation infrastructure** The Planning Statement, paragraph 7.3.36, indicates that appropriate strategic options have been considered by SZC Co. for the accommodation of workforce. In addition, the Planning Statement, Appendix A - Site Selection Report, section 3 sets out the sets out the site selection process for development on the main development site. Section 6 considers the temporary construction area including c) the on-site campus location. However, there is criticism raised by IPs of the site selection process that led to proposal for the Eastbridge Lane site to accommodate a worker campus including by the Theberton and Eastbridge Parish Council [RR-1214] which states that justifications for selecting the single Eastbridge Lane site are poorly evidenced. (i) Please provide further justification of the selection of the Eastbridge Lane site; (ii) Explain in further detail, how that decision has taken on board responses to the Stage 1 consultation process including the concerns raised by the nearby communities of Theberton and Eastbridge; (iii) What consideration and weight was given to those community concerns, as opposed to the logistical benefits of an 'on-site' campus?
	Response	

ExQ1	Question to:	Question:
Al.1.10	The Applicant, SCC	**Strategic alternatives for the movement of freight** The Suffolk County Council [RR-1174] states that the Council does not support the Applicant's proposed freight transport strategy as it stands, and considers that it is still reasonably achievable to increase the proportion of rail and potentially sea-borne deliveries. In the light of the Applicant's strategic assessment of alternatives, and the Applicant's subsequent Changes to the original application, please indicate: (i) Why it is considered that an increased proportion of rail transport and sea-borne transport can be achieved without causing undue delay to the construction programme? (ii) Whether the changes to the application have overcome the SCCs concerns in this respect?
	Response	
Al.1.11	The Applicant	**Strategic alternatives for the movement of freight** The ES 6.2 Volume 1 Chapter 4 – Project Evolution and Alternatives, sets out the strategic alternatives that have been considered by SZC Co. and how these have guided the evolution of the proposed development. In relation to the movement of freight, this explains why the option of a wide jetty was rejected including the assessment of the potential delay to the construction programme. In the light of the changes to the application including in relation to sea-borne deliveries: Please explain why the amended proposal would be acceptable in environmental terms compared to options previously considered for sea-borne deliveries and how the potential delay to construction and any other disadvantages previously identified associated with sea-borne deliveries would be overcome.
	Response	

ExQ1	Question to:	Question:
Al.1.12	The Applicant	**Strategic alternatives for the movement of freight** The ES 6.3 Volume 2 Chapter 6 – Main Site Development, Alternatives and Design Evolution, paragraph 6.2.98, sets out the principal reasons why SZC Co. has chosen not to proceed with the two jetty options which are informed by design development and environmental work since Stage 2 and SZC Co.'s experiences from the construction of Hinkley Point C. Please provide an update in the light of the changes to the application and distinguish the current proposal from the jetty options previously rejected with particular regard to underwater noise, seasonal controls on construction activity, and the potential for delay to the construction programme and the commencement of operation of the power station.
	Response	
Al.1.13	The Applicant	**Strategic alternatives for the movement of freight** The ES 6.2 Volume I, Chapter 4 – Project Evolution and Alternatives, paragraph 4.3.66, states that the BLF is now to be the only marine based capacity promoted: Please explain how the findings and conclusions expressed in the ES submitted in support of the application are compatible with the ES Addendum information relating to Change 2, in that previously the BLF was the "only capacity promoted" and now it is two BLFs and jetty components including the previous concerns expressed as to potential delay to the overall time taken to construct the power station caused by the implementation of those measures?
	Response	

ExQ1	Question to:	Question:
AI.1.14	The Applicant	**Strategic alternatives for the movement of freight** The ES 6.2 Volume I, Chapter 4 – Project Evolution and Alternatives Paragraph 4.3.63 states that the level of uncertainty of the works needed to deliver the rail-led option would affect SZC Co.'s ability to secure the necessary funding for the Sizewell C Project, and the ability to demonstrate to the Government that the Sizewell C Project can be deployed in time to meet the urgent need for new nuclear power generation. Paragraph 4.3.64 concludes that on the basis of these concerns, the works needed to support a rail-led strategy would not be deliverable. Instead, an integrated strategy was developed to seek to secure the best deliverable rail outcome, whilst addressing the concerns expressed in relation to the road-led strategy: (i) Please provide further details of the reasons for the uncertainty surrounding the deliverability of the works associated with the rail-led option and why it was considered that these could not be overcome within the required timescale? (ii) Please provide further details to explain the complex nature of those rail works, and how this is overcome by the changes to the application? (iii) Please explain how the findings and conclusions expressed in the ES submitted in support of the application are compatible with the ES Addendum information relating to Change 1? In particular, why is it now considered that the changes in relation to the use of rail are now regarded as being deliverable?
	Response	
AI.1.15	The Applicant	**Site selection for the Freight Management Facility** The Planning Statement, Appendix A - Site Selection Report, section 8, sets out the site selection process for the Freight Management Facility (FMF). The representation of Highways England [RR-0468] points out that the facility would be located to the east of the A14 Orwell Bridge which is susceptible to periods of disruption and closures to traffic during inclement weather. It seeks clarity around the proposed FMF location including whether viable alternative locations west of the A14 Orwell Bridge have been identified, and the criteria used to select the proposed location. Please summarise the selection criteria and explain: (i) The consideration given to the likelihood of closures of the Orwell Bridge in the site

ExQ1	Question to:	Question:
		selection process; (ii) the consideration of viable alternatives west of the Orwell Bridge.
	Response	
Al.1.16	The Applicant	**Site selection for the Two Village Bypass** The Planning Statement, Appendix A - Site Selection Report, section 6, sets out the site selection process for the Two Village Bypass. This is also noted in the Site Selection Report, paragraph 6.4.70, and the reasons for rejection of that proposal are set out in subsequent paragraphs. The representation of Farnham with Stratford St Andrew Parish Council [RR-0379] expresses concern as regards the route alignment for the bypass of Farnham and Stratford St Andrew villages. There are also objections from a number of local residents including Ashtons Legal on behalf of Farnham Environment Residents & Neighbours (FERN) and others [RR-0108 to RR-0117]: (i) Please respond in detail to the criticism made by the Parish Council and other IPs to the proposed alignment of the new road including any change to the Ancient Woodland designation, the impact upon the properties at Farnham Hall and the benefit of facilitating a future four village bypass. (ii) Please provide a larger scale plan of Plate 6.1: A12 Four village route options with the proposed Two Village Bypass route overlaid to aid comparison of those schemes.
	Response	
Al.1.17	The Applicant	**Site selection for the Two Village Bypass** The ES 6.6, Volume 5 Two Village Bypass, Chapter 3 Alternatives and Design Evolution, paragraph 3.2.25, refers to analysis which suggested that congestion was only likely within Farnham due to the narrowing of the road at the Farnham bend. At Stage 2 of the consultation Stratford St Andrew was also added to the bypass options so at to remove

ExQ1	Question to:	Question:
		Sizewell C traffic congestion from both villages. The Appraisal of Sustainability (AoS) for the Sizewell Site (DECC, 2010) noted the Four Village Bypass as one of the key transport interactions for the proposed Sizewell C development. Please explain in detail the reasons for concluding that congestion was only likely to occur at the bend and that the impact of Sizewell C traffic would not be sufficient to justify a bypass of all four villages.
	Response	
Al.1.18	The Applicant	**Site selection for the Two Village Bypass** The ES 6.6, Volume 5 Two Village Bypass, Chapter 3 Alternatives and Design Evolution, paragraph 3.3.25, indicates that the alternative alignment put forward by the Parish Council was reviewed at the Stage 4 consultation stage, taking into account the impacts on woodland, environment and nearby receptors as well as operational matters, but it was not considered to be a better solution. Please explain: (i) The operational matters that weighed upon that decision. (ii) The additional average journey time that users of the alternative alignment would be likely to take compared to the proposed route and the existing routes. (iii) Justification for the conclusion that the proposed route would be likely to encourage road users to bypass the current A12 route through Stratford St. Andrew and Farnham compared to the alternative route.
	Response	
Al.1.19	The Applicant	**Site selection for the Two Village Bypass** The ES 6.6, Volume 5 Two Village Bypass, Chapter 3 Alternatives and Design Evolution, paragraph 3.3.27 states that the alternative alignment would be closer to Walk Barn Farm than the SZC Co. proposal is to any neighbouring property. Nonetheless the proposed route would pass close to the Farnham Hall complex. Please provide in summary a comparison of the distance of the two routes from residential properties in the vicinity; the

ExQ1	Question to:	Question:
		numbers of residences in the various locations; the anticipated noise impact upon those residents and any impact upon heritage assets.
	Response	
Al.1.20	The Applicant	**Site selection for the Two Village Bypass** The Consultation Report Appendix G records concern that the two village bypass would damage Grade II listed buildings and other heritage assets in the area. The response indicates that potential loss of heritage significance through change to setting would be addressed through mitigation measures including standard CoCP measures to minimise noise and air quality effects (construction phase). (i) Please explain in detail why such measures are not proposed for the operational phase and identify the mitigation that is proposed for that phase? (ii) Specifically in relation to ES Vol 5 Chapter 4 Noise and Vibration para 4.7.12, how would further consideration of measures that could be implemented to further reduce traffic noise at detailed design stage be secured, and what type of measures are anticipated?
	Response	
Al.1.21	The Applicant	**Site selection for the Two Village Bypass** The ES 6.6, Volume 5 Two Village Bypass, Chapter 3 Alternatives and Design Evolution, paragraph 3.3.28, refers to the potential impact of the alternative alignment upon Friday Street Farm. Please explain further by reference to a plan the various impacts that would result from the alternative alignment upon the separate areas of the business mentioned.
	Response	

ExQ1	Question to:	Question:
Al.1.22	The Applicant	**Site selection for the Two Village Bypass** The ES 6.6, Volume 5 Two Village Bypass, Chapter 3 Alternatives and Design Evolution, paragraph 3.3.29, refers to the potential impact of the alternative alignment upon Foxburrow Wood ancient woodland and Palants Grove: (i) Please explain in detail the perceived difficulties in maintaining a 15m buffer to Foxburrow Wood and why this could not be overcome? (ii) Provide an update as to the status of Foxburrow Wood and Palant's Grove as ancient woodland. (iii) The extent of the County Wildlife Site that would be lost as a result of the alternative alignment.
	Response	
Al.1.23	The Applicant	**Site selection for the Southern Park and Ride** The Planning Statement, Appendix A - Site Selection Report, section 5, sets out the site selection process for the Southern Park and Ride (SPR). The representation of the Hacheston Parish Council [RR-0447] suggests that the SPR should be situated further south on the A12 at Martlesham where an under-used Park and Ride exists. Please indicate whether consideration has been given to the specific alternative site proposed by the Parish Council and, if so, the reasons for rejection.
	Response	
Al.1.24	The Applicant	**Site selection for the Southern Park and Ride** The Site Selection Report, paragraph 5.4.7, indicates that for the Stage 1 consultation, Option 1 – Wickham Market was considered to be in the optimal position: (i) Please explain further why that was considered to be the case, in particular by way of comparison with a site located further south on the A12. (ii) Please explain further why Options 2 and 3 were considered to have the potential to

ExQ1	Question to:	Question:
		cause greater issues in terms of congestion, access and highway safety compared to Option 1.
	Response	
Al.1.25	The Applicant	**Site selection for the Southern Park and Ride** The representation of Great Glemham Parish Council [RR-0438], submits that the SPR facility should be situated alongside the FMF at Sevenhills to reduce pressure on Wickham Market. What assessment has been made of existing pressures on Wickham Market and the impact that the proposed park and ride facility would have on those pressures in comparison to a location beside the FMF?
	Response	
Al.1.26	The Applicant	**Site selection for the Southern Park and Ride** The ES 6.5 Volume 4 – Southern Park and Ride, Chapter 3 Alternatives and Design Evolution, paragraph 3.2.22 states that Option 2 (Woodbridge) and Option 3 (Potash Corner) were both considered to be potentially suitable sites in transport terms but would have been in less optimal locations. These would have had the potential to cause greater issues in terms of congestion, as well as access and highway safety when compared with Option 1 (Wickham Market). This is expanded upon in paragraph 3.2.26. Please explain further these potential transport issues identified with Options 2 and 3 and why Option 1 was considered to be preferable in highway safety terms?
	Response	

ExQ1	Question to:	Question:
Al.1.27	The Applicant	**Site selection for the Sizewell Link Road** The Planning Statement, Appendix A - Site Selection Report, section 7, sets out the site selection process for the Sizewell Link Road (SLR). The Aldringham-cum-Thorpe Parish Council [RR-0019] is critical of the location of the SLR junction and submits that it is too far north for traffic from the south and does not provide the necessary relief to the existing road network further south. The Site Selection Report Table 7.1 provides a comparison between various route options including those further to the south of the chosen route. However, the impact on traffic relief to the existing road network is not considered in this analysis. The initial need for the road to alleviate traffic impacts is identified in paragraph 7.4.10 but consequently the route options presented do not consider any traffic network analysis of the various route options. Given the report suggests that traffic analysis has been undertaken on the various route options considered, this analysis should be submitted to support the option appraisal of alternatives. If this has not been undertaken the Applicant should explain how it can therefore conclude that the selected alignment offers the best route choice in terms of network management.
	Response	
Al.1.28	The Applicant	**Site selection for the Sizewell Link Road** The Planning Statement, Appendix A - Site Selection Report, paragraph 7.4.14, Route W is described as *"requiring engineering works to traverse the landform which would have had a significant adverse effect on the existing landscape character and there was the potential for the significant (sic) of several heritage assets to be affected adversely as a result of the route's alignment."* Yet in Table 7.1 in comparison with Route Z, the preferred option, there is very little difference in the summary presented in that table between the two options in terms of Landscape and Heritage. Given the level of engineering operations required to traverse the landform in the design progressed the Applicant is asked to explain in more detail why the Route W options have been discounted for the reasons set out in Table 7.1?
	Response	

ExQ1	Question to:	Question:
AI.1.29	The Applicant	**Site selection for the Sizewell Link Road** It is a working assumption of the Transport Assessment that 85% of the HGV traffic travelling to the Main Development Site is coming from the south. Please additionally set out the proportion of the remaining other Sizewell C related traffic (i.e. construction and operational workers, LGVs, etc) that will be travelling to the selected route of the SLR from the south?
	Response	
AI.1.30	The Applicant	**Site selection for the Sizewell Link Road** The Site Selection Report, paragraph 7.4.27, recognises that Route W located to the south of Saxmundham was best placed to intercept the Sizewell C HGVs from the south. However, it is asserted that it would not have as effectively relieved B1122 communities of traffic as more northerly routes. Please explain the basis of that assertion and why greater weight was not placed upon the relief from HGVs and other traffic travelling from the south?
	Response	
AI.1.31	The Applicant	**Site selection for the Sizewell Link Road** The ES 6.7 Volume 6 Sizewell Link Road Chapter 3 Alternatives and Design Evolution, paragraph 3.2.46, states that the W route could have had an adverse effect on the setting of the existing heritage assets including Hurts Hall and Leiston Abbey as they are situated approximately 450m north and 300m north of Route W respectively. Please provide further details of those heritage impacts and the landscape impacts and explain why they could not have been satisfactorily mitigated?
	Response	

ExQ1	Question to:	Question:
Al.1.32	The Applicant	**Site selection for the Sizewell Link Road** The ES 6.7 Volume 6 Sizewell Link Road Chapter 3 Alternatives and Design Evolution, paragraph 3.3.21, confirms that once operational, the SLR would be open to general traffic during and after the construction of Sizewell C. The Consultation Report, section 8.10 - Changes to the Sizewell C Project in response to the Stage 4 consultation, indicates that a decision was made at that stage to propose the SLR as a permanent facility, rather than temporary. However, the Consultation Report Appendix G Stage 4 Issues Table f Sizewell Link Road/Theberton Bypass – records general support for removal of the SLR following the construction phase and for the land to be restored. Please explain in further detail the assessment of the consultation responses on this topic which led to the decision to permanently retain the SLR and how that reflects the Stage 4 consultation responses.
	Response	
Al.1.33	The Applicant	**Site selection for the Sizewell Link Road** The Suffolk County Council [RR-1174] submits that the SLR should not be permanent and instead be removed after Sizewell C construction is completed for the reasons set out in paragraphs 40 and 41 of its representation. It submits that the retention of the SLR would cause a greater permanent residual landscape and ecological impact than a temporary solution, as well as resulting in permanent loss of agricultural land. Since there is no strategic transport case for permanent retention of the SLR the Council requests the road to be removed after the construction period: (i) Please provide a detailed response to these concerns relating to the need to retain the SLR on a permanent basis at this location. (ii) Whilst the proposed development would help to reduce the amount of traffic on the B1122 through Middleton Moor and Theberton during the peak construction phase of the Sizewell C Project, is it necessary for it to remain to achieve a reduction in traffic during the operational phase? And (iii) Please identify and explain the advantages and disadvantages of retention of the road versus its removal?

ExQ1	Question to:	Question:
	Response	
Al.1.34	The Applicant	**Site selection for the Sizewell Link Road** The representation of Ward Farming Ltd [RR-1259] is critical of the process whereby the SLR route was selected. Please respond specifically to the criticisms made by Ward Farming Ltd including of the Aecom report commissioned by EDF.
	Response	
Al.1.35	The Applicant, SCC	**Electrical connection to the National Grid substation** The Suffolk County Council [RR-1174], submits that the provision of four additional tall pylons with overhead lines on the development site would have considerable additional detrimental impact on the Suffolk Coast and Heaths AONB. The review on behalf of the Council by Pöyry Energy Limited (AFRY) indicates that the use of Gas Insulated Lines (GIL) to connect to the National Grid (NGET) substation is a feasible alternative to overhead lines and pylons. This technical report has been supplied to the applicant for consideration: (i) Please explain further on whether GIL would provide a viable and less impactful alternative in this location? (ii) If not already submitted, please provide a copy of the AFRY technical report.
	Response	
Al.1.36	The Applicant	**Electrical connection to the National Grid substation** The ES Appendix 8.4 A Site Selection Report indicates that the 4 and 5 pylon and undergrounding options were assessed at Stage 4. The four pylon option was the preferred option. (i) Notwithstanding the details provided in the Site Selection Report, please explain further the safety issues and significant safety and programme-related risks associated with the construction and operation of an underground cable option that specifically apply to this location? (ii) Why could any adverse impact on the SSSI not be satisfactorily overcome by mitigation?

ExQ1	Question to:	Question:
	Response	
AR.1	**Amenity and recreation**	
AR.1.0	The Applicant, ESC, SCC	**Alde Valley Academy Leiston** The off-site sports facilities are regarded as an important mitigation in assisting the assimilation of the workforce into the area. As currently set out the facility would not appear to have a time frame for delivery, or in light of the ESC [RR-0342] resolved potential drainage concerns: (i) Please advise on the latest position in respect of the progress of the S106, surface water management issue identified, and what the timeframe for delivery of this facility would be. (ii) In order to achieve the necessary mitigation what timeframe for delivery would be required?
	Response	
AR.1.1	The Applicant, ESC, SCC, Leiston and Sizewell PC.	**Alde Valley Academy Leiston** (i) In the event that the sports pitches and supporting facilities are not in place in a timely manner would the effect on the local community be regarded as significant in your view? (ii) What time frame of delivery needs to be stipulated to avoid such effects?
	Response	
AR.1.2	The Applicant	**Land East of Eastlands Industrial Estate (Accommodation)** The application anticipates accommodation for up to 600 workers being available: (i) Has a plan been provided showing the layout for the site? Please clarify where this can be found and how this would be delivered through the DCO?

ExQ1	Question to:	Question:
		(ii) How confident can the ExA be that this provision would be forthcoming in a timely manner, and be retained, and optimally occupied throughout the construction period. (iii) Reference is made by ESC [RR-0342] to the possibility the site may be laid out with mobile homes. These require very different space requirements and no doubt would offer very different levels of accommodation. In light of this suggestion what confidence can the ExA have in the mitigation suggested within the ES being delivered? (iv) In light of reference to two alternatives please explain what has been assessed within the ES and what would be delivered through the DCO.
	Response	
AR.1.3	The Applicant	**Mitigation** In light of the comments from ESC in their [RR-0342] is it agreed a financial contribution to the Suffolk Coast RAMS is an appropriate way of mitigating for the recreational disturbance likely to arise from the accommodation campus as suggested by ESC?
	Response	
AR.1.4	The Applicant	**Land East of Eastlands Industrial Estate** The temporary construction area may be raised by as much as 5.5m above existing ground levels; please explain: (i) What implications this has for the noise assessment and in particular in respect of the properties in close proximity on Valley Road. (ii) Paragraph 3.4.208 of [APP-184] indicates that the topsoil would be set back so as to not harm residents – how has the effect been assessed?
	Response	
AR.1.5	The Applicant, ESC, SCC	**Consultation Group** [APP-267] paragraph 15.3.12 appears to indicate that the consultation group included a single commercial fisherman: (i)Is this correct?

ExQ1	Question to:	Question:
		(ii) Were they representing the wider industry or a representative organisation? (iii) Are the Councils satisfied that the makeup of the group was representative of all interests?
	Response	
AR.1.6	The Applicant	**Clarification** [APP-267] paragraph 15.5.33 final bullet point refers to Appendix 2C should this be 2B?
	Response	
AR.1.7	SCC	**Public Rights of Way** (i) Are the Council satisfied with the Rights of Way and Access Strategy (Appendix 15I) of [APP-270] and the future intention to submit a Footpath Implementation Plan for approval? (ii) Does the Council consider all parties with protective characteristics have been fully considered in this strategy? (iii) And the approach justified?
	Response	
AR.1.8	The Applicant, AONB Partnership, ESC, SCC	**AONB** The AONB Partnership set out detailed concern [RR-1170] with regard to the assessment of and significance of effects on the AONB and its statutory purposes: (i) Can the Applicant please respond in full to these concerns in respect of recreation and amenity? (ii) Can the Applicant also set out the effects on the AONB and its value as a recreational and amenity area through each of the construction, operational and decommissioning phases.

ExQ1	Question to:	Question:
		(iii) Do the Councils and AONB Partnership consider the ES has fully recognised the benefits of the AONB as a recreational and amenity area and provided for appropriate mitigation?
	Response	
AR.1.9	SCC, ESC	**AONB PROW** Do the Councils agree with the views as expressed by the AONB Partnership [RR-1170] that the loss of the open access adversely affects the purpose of the AONB and that the limitation of the PROW in the area particularly the coastal path have not been sufficiently mitigated?
	Response	
AR.1.10	SCC, ESC	**Accommodation Campus** Are the Councils concerned in respect of the location of the proposed accommodation campus and the potential effect it could have on the tranquillity of the AONB or residents of Eastbridge?
	Response	
AR.1.11	SCC, ESC	**Coastal Path** Do the Councils consider that the assessment of effect on the National Coastal Path and the mitigation during: Construction; Operation; and Decommissioning are adequate to safeguard the amenity and recreational value they provide? For assistance, paragraph 15.5.11 to 15.5.20 [APP-267] sets out the potential implications for the Suffolk Coast Path, Sandlings Walk and the future route of the England Coast Path. Diversions are explained and shown in The Access and Rights of Way Strategy, Appendix 15I [APP-270].

ExQ1	Question to:	Question:
	Response	
AR.1.12	The Applicant, ESC, SCC, National Trust, RSPB	**Displacement of Tourists/Visitors** The National Trust [RR-877] and RSPB [RR-1059] indicate that they do not consider the displacement of tourists and visitors from the current pattern of visiting has been undertaken in a way which could be regarded as precautionary, it could therefore underestimate the effects on both the National Trust land at Dunwich, and the RSPB Minsmere site but also elsewhere: (i) Please respond to this concern. (ii) The National Trust and RSPB are seeking a commitment to mitigation, monitoring of activity and potential compensation – please advise on any progress that has been made in this regard.
	Response	
AR.1.13	SCC	**PROW** Does the Council consider the strategy for the PROW network has sufficient detail and the impacts throughout the construction and subsequent operation of the proposed development are fully understood?
	Response	
AR.1.14	The Applicant, SCC	**PROW** The Ramblers Association [RR-1005] have expressed concern regarding the impacts on the local PROW network. Please respond to the concerns identified.
	Response	
AR.1.15	The Applicant, SCC	**PROW** [RR-809] Miss Maria Toone and [RR-765] Martin Freeman have both expressed concern in respect of the potential safety risks for horse riders by diverting Bridleway 19. Please

ExQ1	Question to:	Question:
		respond to these concerns and explain how the diversion would address the safety concerns for horse riders, cyclists, and other highway users.
	Response	
AR.1.16	The Applicant, ESC	**Aldhurst Farm** (i) Please explain how the Aldhurst Farm compensatory land is intended to be managed going forward so that the ecological benefits it is intended to bring can be safeguarded. (ii) In the event that public access is to be provided to the area beyond just the PROW whether this leads to a conflict with conservation of any species on the site and how this would be monitored and managed.
	Response	
AR.1.17	The Applicant	**Aldhurst Farm** The proposed parking would appear to be at the behest of a third party – please advise what is in place to secure delivery of the parking indicated.
	Response	
AR.1.18	ESC, SCC, English Heritage	**Leiston Abbey** The Applicant concludes that the effects of construction and operation on Leiston Abbey in amenity and recreation terms would [APP-267 para 15.6.98] be significant. (i) Is this conclusion agreed? (ii) Is the assessment on potential visitor numbers during construction and subsequent operation conservative and therefore fairly predicts the significance of effect in this respect?
	Response	
AR.1.19	ESC, SCC	**Community Impact Report (CIR)**

ExQ1	Question to:	Question:
		The CIR indicates that there would be a significant adverse effect on the amenity of pedestrians and cyclists using the B1122 during the early years of construction (Table 2.2 of [APP-156]). Could this be mitigated to reduce this effect, if so how could this mitigation be secured?
	Response	
AR.1.20	ESC, SCC	**Recreational Receptors** Do the Councils agree that the only recreational receptors significantly affected by the works on the main development site during construction would be as set out in para 15.3.55 of [APP-267] or are there other areas of concern that should be identified?
	Response	
AR.1.21	The Applicant, Relevant local authorities (iv only)	**Methodology** (i) In light of the complexity of the assessment and the time period over which the construction would last would it be reasonable to assume that the significance of effect could be greater than that which has been concluded? (ii) What degree of confidence is there in the assessment? (iii) As there is not an agreed methodology for assessing such affects and it is reliant upon professional judgement – has an independent review been undertaken of the findings? (iv) Do the Councils agree with the methodology and the significance of effect found by the Applicant with regard to impacts upon recreation and amenity?
	Response	
AR.1.22	The Applicant, SCC, ESC	**Southern Park and Ride** As part of the proposal to improve access to the Southern Park and Ride it is suggested [RR-762] that this may require traffic regulation orders to remove on street parking along the B1078. (i) Is this correct?

ExQ1	Question to:	Question:
		(ii) If so, how many parking spaces would be removed? (iii) Where is it anticipated the residents using these spaces would park in the event that this is undertaken? (iv) What assessment has been undertaken to ensure no one with protected characteristics would be adversely affected by such a proposal?
	Response	
AR.1.23	The Applicant, ESC, SCC	**Southern Park and Ride** A number of RRs including [RR-521, RR-588, RR-762 and RR-898] indicate that the location of the P&R would adversely affect Wickham Market during construction and subsequent operation as a consequence of the additional traffic. (i) Please advise how the effects on the character and amenity of the town and its residents have been considered in selecting the location for the P&R and (ii) what mitigation if any would be secured to ensure that the effects are kept below a significant level?
	Response	
AR.1.24	The Applicant, SCC, ESC	**Sizewell Link Road** A number of residents including [RR-749] have expressed concern that the closure of Pretty Road would result in significant problems of severance, causing significant difficulties for accessing services in Saxmundham. Please respond to this concern.
	Response	
AR.1.25	The Applicant, SCC	**Two Village Bypass** Residents of Marlesford and Glemham including [RR-1018, RR-758] express concern regarding the adverse effect increased traffic would have from the proposed development, in combination with the positioning of the Southern Park and Ride. This combined with the

ExQ1	Question to:	Question:
		lack of a bypass to the villages, could result in unacceptable impacts in terms of access to the A12 and severance from the facilities on the southern side of the A12. Please respond to these concerns setting out how you consider the effects are mitigated.
	Response	
AR.1.26	The Applicant	**Northern Park and Ride** The Equality Statement [APP-158] paragraph 1.6.16 identifies that the Sai Grace Ashram has the high potential to be adversely affected by the Northern P&R. (i) Please explain where in the Noise and Air Quality Chapters this concern has been explained. (ii) What mitigation could be offered and secured to protect the environment of the property and its residents.
	Response	
AR.1.27	ESC, SCC	**Public Sector Equality Duty** A number of RRs including [RR-681, 0790, 993] have been received identifying people with protected characteristics who indicate they would be disadvantaged by the proposed development. (i) Do the Councils consider adequate regard has been made to people with protected characteristics in identifying impacts and subsequently setting out appropriate mitigation? (ii) If in answering the above in the negative, what additional work should be undertaken to improve the assessment? (iii) What additional mitigation might be available?
	Response	
AR.1.28	ESC, SCC	**Parking Provision**

ExQ1	Question to:	Question:
		Do the Councils consider that the parking details set out in paras 3.4.143, 155, 178, 204 [APP-184] proposed is sufficiently clear and robust to avoid potential problems of fly parking such that this would avoid the need for additional provision/ mitigation/monitoring of parking and be regarded as appropriate?
	Response	
AR.1.29	The Applicant, ESC, SCC	**Leiston** Leiston cum Sizewell Town Council [RR-679] express a variety of concerns about the broader impacts upon the town of the proposed development beyond those considered in the ES assessment. Please respond to these concerns and advise what progress has been made in any joint working in particular on the broader cultural issues identified, town centre improvements sought, and enhanced cycle provision.
	Response	
AR.1.30	The Applicant, ESC, SCC	**Leiston** The Town Council [RR-679] indicate they intend to stop vehicular traffic along Valley Road. Please respond to this proposal and what implication if any it might have for the development in the area.
	Response	
AR.1.31	The Applicant, ESC, SCC	**Leiston** Please respond to the Town Council concerns [RR-679] about improvements required for cyclists safety at the Kenton Hills /Lovers Lane junction, and the need to provide appropriate surfacing for walkers along the beach during construction activities.
	Response	
AR.1.32	The Applicant, SCC	**Lorry Park/Freight Management Facility** [RR-226] raises concern over the potential adverse effects on the health and wellbeing of cyclists as a result of the proposed lorry park. Please respond to the concerns.
	Response	

ExQ1	Question to:	Question:
AR.1.33	The Applicant, ESC, SCC	**Leiston** The Town Council express concern [RR-679] that the mitigation for impacts from a large influx of predominantly male workers has not been fully addressed, with the only specific mitigation proposed the sports facilities at the Academy. The concerns in respect of the potential community impacts are much broader than just the effects on sports provision. Please respond to these concerns and explain how the ES has considered the broader community effects of a large influx of workers and what mitigation would be secured to address these community effects.
	Response	
AR.1.34	The Applicant	**Translation Services** It is indicated that Tier 1 Contractors [Table 9.49 APP-195] would be required to have translation services. (i) How is this to be secured? (ii) Please explain the rationale for this service only being provided by Tier 1 contractors. (iii) What proportion of the workforce would be provided by Tier 1 contractors?
	Response	
AR.1.35	English Heritage	**Leiston Abbey** [APP-577] sets out a summary of project wide effects at the Abbey, do you agree with the overall conclusions? What effect do you consider this would have on visitors to Leiston Abbey and would you regard the effect as significant?
	Response	

ExQ1	Question to:	Question:
AR.1.36	ESC, SCC, The Applicant (part (iii) only)	**Beach Landing Facility (BLF) Coastal Path** (i) The BLF would affect the use of the coastal path, [APP-267, APP-270, AS-181] do you consider the mitigation proposed adequate during construction and operation of the proposed development? (ii) Would the route under the BLF or which is proposed to cross the BLF access road require to be surfaced in any way to ensure access for all? (iii) What surface would each of the two alternatives along the beach be?
	Response	
AR.1.37	National Trust, The Applicant (part (ii) only)	**Displacement of Visitors** (i) Please explain where the figure of 88,000 additional visitors as specified by the National Trust [RR- 877] originates (ii) Does the Applicant agree this would represent a reasonable figure for additional visitor numbers?
	Response	
AR.1.38	The Applicant	**Parking** To assist in understanding the breakdown for a typical day of construction, for each phase please provide a breakdown of the number of workers on each site and where you anticipate they would have parked in advance of arriving at either the main development site or associated sites.
	Response	
AR.1.39	The Applicant	**CoCP** Table 7.1 Code of Construction Practice Part B [APP-615] advises that advance notification would be given of the diversion of PROW in accordance with section 4 of Part A please provide a clear description/explanation of what this refers to.
	Response	

ExQ1: 21 April 2021
Responses due by Deadline 2: 2 June 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 written questions and requests for information (ExQ1)

Issued on 21 April 2021
Responses are due by Deadline 2: Wednesday 2 June 2021

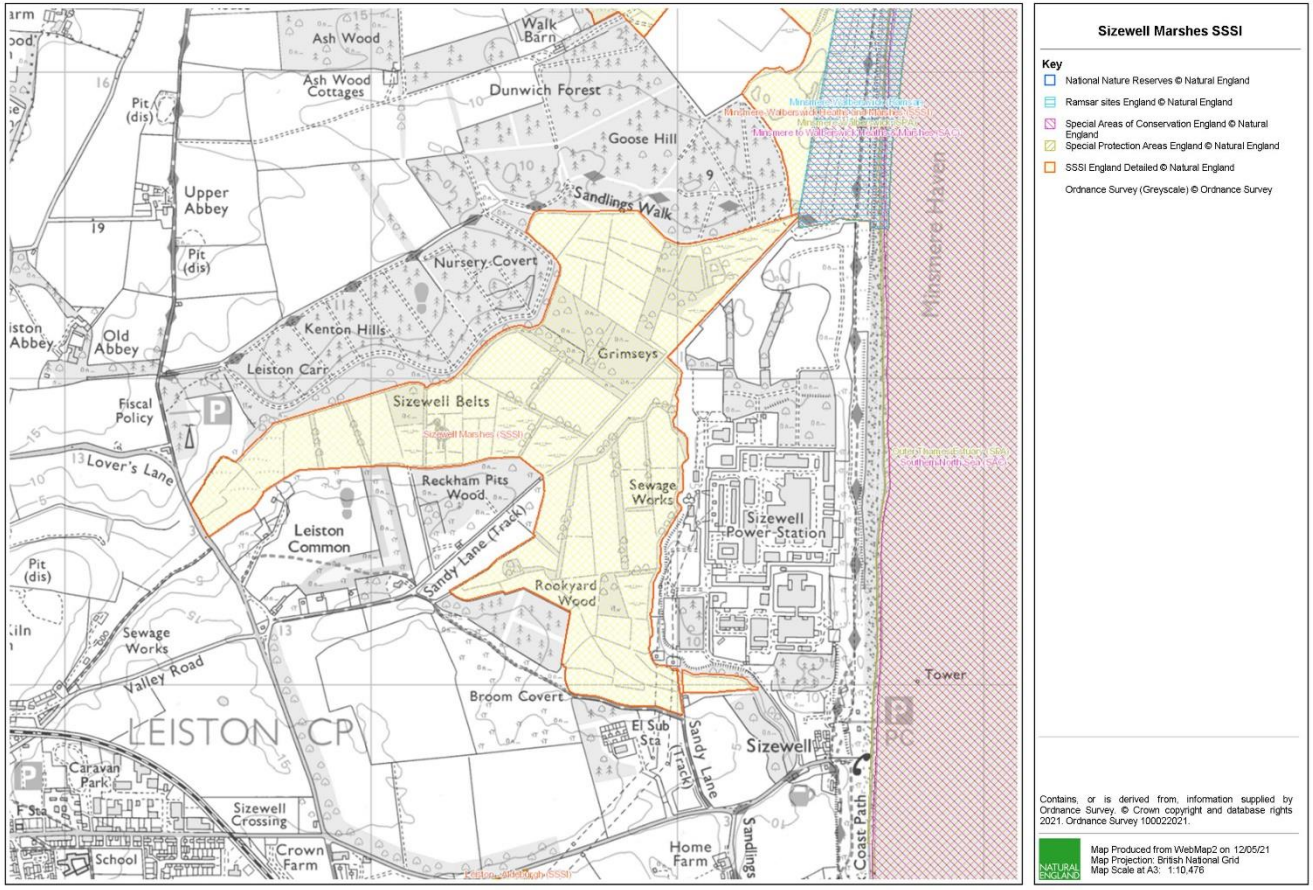
ExQ1 PART 2 OF 6

Bio.1 Biodiversity and ecology, terrestrial and marine
Part 1 - Biodiversity and ecology (terrestrial & marine) – General
Part 2 - Biodiversity and ecology (terrestrial) - Main Development Site
Part 3 -Biodiversity and ecology (terrestrial) - Northern Park and Ride
Part 4- Biodiversity and ecology (terrestrial) – Southern Park and Ride
Part 5- Biodiversity and ecology (terrestrial) - Two Village Bypass
Part 6 - Biodiversity and ecology (terrestrial) - Sizewell Link Road
Part 7 -Biodiversity and ecology (terrestrial) - Yoxford Roundabout
Part 8 - Biodiversity and ecology (terrestrial) - Freight Management Facility ("FMF")
Part 9 - Biodiversity and ecology (terrestrial) - Rail
Part 10 - Biodiversity and ecology (marine) - General
Part 11 - Biodiversity and ecology (marine)-Plankton
Part 12- Biodiversity and ecology (marine) - Benthic Ecology
Part 13- Biodiversity and ecology (marine) - Fish
Part 14- Biodiversity and ecology (marine) - Marine Mammals
Part 15- Biodiversity and ecology (marine) - Indirect Effects and Food Webs
Part 16- Biodiversity and ecology (marine) - Mitigation
Part 17- Biodiversity Net Gain
HRA.1 Habitats Regulations Assessment (HRA)

ExQ1	Question to:	Question:
Bio.1	**Biodiversity and ecology, terrestrial and marine**	
Part 1 - Biodiversity and ecology (terrestrial & marine) - General		
Bio.1.0	The Applicant, Natural England, MMO	Please would the Applicant, NE and the MMO agree and provide a short explanatory document, with plans to bring together information on the terrestrial and marine SSSIs, SACs, SPAs, Ramsar site(s), MCZs and other non-statutory designations they consider are of relevance to this application. (If the parties disagree on which are relevant, the sites should still be included but clearly marked to show which party considers site to be relevant.) The information in Figures 8.2.1 – 8.2.3 of the oLEMP [APP-588] is helpful in this regard and could be used as a starting point. It however only covers the surroundings of the Main Development Site and there are some aspects not clearly labelled (see below). The ExA would like to have all in one place: (i) the spatial extent of each designated area, in relation to the others and the Application Site (if this could be done by transparent overlays capable of being read as hard copies and electronically that could be very helpful), (ii) the reasons for the designation of each site, (iii) a brief explanation for the discontinuities within some of the designations (for example why the Minsmere to Walberswick Heaths and Marshes SAC has five separate adjacent but not adjoining areas). Some areas are designated under more than one provision. For example the Minsmere-Walberswick Heath and Marshes SSSI is also covered by a SAC, and SPA and a Ramsar designation. Are the areas co-extensive (so that the same tests apply across the whole area) or are there parts which are, say, a SAC but not a Ramsar site? The labelling questions are as follows: (a) Fig 8.2.2: (i) is the SSSI covering the area north of the Main Development Site boundary going north to a campsite, northwest towards Potton Halls Fields SSSI and then back south near Middleton and Eastbridge part of the Minsmere-Walberswick Heaths and Marshes SSSI?

ExQ1	Question to:	Question:
		(ii) where is the northern limit of the Sizewell Marshes SSSI? It appears to touch the area we describe in (i).
	Response	The Applicant has agreed to produce the requested document which we will provide further comment on if deemed necessary at deadline 3. Part I of our Written Representations (Our Ref: 350822, dated 2nd June) lists all of the internationally and nationally significant sites for which we have outstanding concerns. Below we outline the reasons for designations for the Minsmere to Walberswick site. iii) Designations differ geographically due to the presence or absence of the features for which they are designated. The areas are predominantly co-extensive but not completely and there are differences in the features for which they are designated. The SAC features are annual vegetation of drift lines, European dry heath and perennial vegetation of stony banks (European Site Conservation Objectives for Minsmere to Walberswick Heaths & Marshes SAC - UK0012809 (naturalengland.org.uk)). The SPA is designated for important bird species (European Site Conservation Objectives for Minsmere-Walberswick SPA - UK9009101 (naturalengland.org.uk). The Ramsar designation is related to Minsmere to Walberswicks status as an internationally important wetland site which contains a mosaic of marine, freshwater, marshland and associated habitats, complete with transition areas in between. It contains the largest continuous stand of reedbeds in England and Wales and rare transition in grazing marsh ditch plants from brackish to fresh water in addition to a number of nationally scarce plants (https://jncc.gov.uk/jncc-assets/RIS/UK11044.pdf). The SSSI is designated for a mosaic of habitats including tidal mudflats, reedbed, shingle beach, grazing marsh and heathland in addition to important bird species (https://designatedsites.naturalengland.org.uk/PDFsForWeb/Citation/1000721.pdf). The Minsmere – Walberswick SPA and Ramsar sites are both geographically identical and the SAC has some very minor extensions to the south-western boundary, conversely, the SPA and Ramsar feature areas of marshland north of Dunwich and around the Blyth

ExQ1	Question to:	Question:
		estuary. The Minsmere – Walberswick SSSI covers the same geographic areas as the Ramsar, SAC and SPA designations but also extends further to the north, west, south-west and south. i) Yes ii) The northern limit of Sizewell Marshes SSSI and Minsmere to Walberswick SSSI do border each other as below:

ExQ1	Question to:	Question:
		
Bio.1.1	Natural England	At para 1.7 of its relevant representation [RR-0878] NE states that Pt I of the [RR-0878] sets out its view on "*the main issues which [NE] advises should be addressed*" by EDF Energy (the Applicant presumably) and the ExA. Please will NE clarify is there are any other issues arising from the change request.
	Response	Some of the Applicant's requested (now accepted) changes appeared to be in response to the outstanding concerns outlined in our Relevant Representations and, in our opinion, represented progress which is very much welcome (e.g. change to the SSSI crossing

ExQ1	Question to:	Question:
		design, change to the location of the Water Resource Storage Area, additional SSSI fen meadow compensation site, change to Sizewell B relocated facilities proposals etc.). Others presented us with additional and/or alternative issues to address rather than remove or lessen our previous concerns (e.g. additional Beach Landing Facility (BLF), change to transport delivery strategy, change to sea defence design, new temporary marine outfall etc.). These changes also brought into scope potential impacts to an additional designated site in Pakenham Meadows SSSI which needs to be assessed. These considerations were all set out in Natural England's response to the Applicant's informal consultation on the Proposed Changes (November – December 2020) (our ref: 335391, dated 18th December 2020). The main issues that remain outstanding in the context of our remit, including those which have arisen from the changes, are outlined in full within our Written Representation (our ref: 350822, dated 2nd June 2021) Our statutory advice regarding soils was not included in our Relevant Representations in error and has now been included under issue 63 within the project-wide impacts section of our Written Representations.
Bio.1.2	Natural England	Please will NE confirm that all the issues set out in Part II of its [RR-0878] are summarised in Part I. Please identify any which are not.
	Response	Natural England can confirm that all the issues set out in Part II of our Relevant Representations are summarised in Part I. However, we highlight that some points raised in our Relevant Representations have been superseded by updates to documents, and the Applicant's accepted changes. As such, our updated position in light of these will be presented in our Written Representations.
Bio.1.3	EA, The Applicant	At page 4 of its relevant representation [RR-0373] the Environment Agency states that its ability to review (and presumably advise on the new information) *"will depend upon the extent to which the applicant can provide information to resolve outstanding issues ahead of the examination period"*. Has the Agency now been provided with the necessary information and was it received before the Examination commenced? If this is dealt with in the SoCG please point the ExA to the relevant parts.
	Response	

ExQ1	Question to:	Question:
Bio.1.4	The Applicant, ESC	In its reply to [PD-009] ([AS-053]) Part G, Q3 the Applicant referred the ExA to the "SANDPITS – TARGETED SURVEYS SEPTEMBER 2019 TECHNICAL NOTE", which was included in ES Volume 2, Annex 14A3, which is a standalone confidential ecology survey report for the sandpits. The survey finishes as follows: *"The results from these surveys and any required mitigation arising will be delivered via the Construction Code of Practice and any subsequent protected species licensing and dedicated methods statements to be delivered along with the Construction Environmental Management Plan."* Given that the survey is confidential for reasons of nature conservation, what mechanism is to be used to inform the Undertaker (whose identity may change) and those enforcing the DCO and CCoP of the results and methods. The ExA imagines that there are other documents which are justifiably confidential in the NSIP process for which this is also a relevant question. Please will the Applicant answer for all such documents.
	Response	
Bio.1.5	The Applicant	Please will the Applicant provide a list and concise explanatory note of the reasonable steps it proposes in the application for the SoS to take in relation to this application, consistent with the proper exercise of the SoS's functions, to further the conservation and enhancement of the flora, fauna or geological or physiographical features by reason of which the site is of special scientific interest (s.28G Wildlife and Countryside Act 1981). The note should specify the relevant flora, fauna or geological or physiographical features, where the steps are described in the application documents, where they are assessed, and how they enable the SofS to meet their duty in s.28G. If the Applicant would prefer to do this in one note covering this and the next two questions that would be acceptable.
	Response	
Bio.1.6	The Applicant	Please will the Applicant set out in a concise explanatory note the steps which it considers the SoS should take in relation to this application to comply with their duties in s.40 of the Natural Environment and Rural Communities Act 2006 to have regard *"so far as is consistent with the proper exercise of those functions, to the purpose of conserving*

ExQ1	Question to:	Question:
		biodiversity". For the avoidance of doubt, this should include the United Nations Environmental Programme Convention on Biological Diversity of 1992.
	Response	
Bio.1.7	The Applicant	Please will the Applicant set out in a concise explanatory note the steps which it considers the SoS should take in relation to this application to comply with their duties in s.41 of the Natural Environment and Rural Communities Act 2006 (a) to take such steps as appear to the Secretary of State to be reasonably practicable to further the conservation of the living organisms and types of habitat included in any list published under this section, or (b) to promote the taking by others of such steps. The application affects a number of such organisms and habitats. The note should deal with each such organism and habitat, explain briefly the steps and conclusion which show that the duties will have been discharged and refer the ExA to the documents and paragraphs in the ES (and other application material) where the supporting evidence and conclusions are to be found.
	Response	
Bio.1.8	The Applicant	The Environmental Statement in relation to terrestrial ecology states on a number of occasions that a Shadow HRA Report assessment has been undertaken and also a Water Framework Directive compliance assessment also (together referred to in the question as "Reports"). Please will the Applicant confirm that: (i) the information, whether factual, professional, assessments or otherwise in the Reports has been fully and properly taken into account in the terrestrial ecology chapters of the ES and the biodiversity reports (ii) There are no likely significant environmental effects in the Reports which have not been addressed and described in the ES.

ExQ1	Question to:	Question:
	Response	
Bio.1.9	The Applicant	There are many cases, in every chapter of the ES on terrestrial ecology, where it is stated that primary and tertiary mitigation with the aim of reducing or lowering levels of environmental effects. Inevitably the lists of primary and tertiary mitigation vary from site to site and receptor to receptor. How can the ExA be sure that all the primary and tertiary mitigation listed is secured and will be delivered? Please will the Applicant also explain where and how the descriptions of such mitigation in the chapters is reconciled with the mitigation secured in the DCO and the s.106 agreement.
	Response	
Bio.1.10	The Applicant	[APP-224] para 14.4.15 (Terrestrial Ecology and Ornithology). The Ecological Clerk of Works. Please will the Applicant explain what authority the ECoW will have over the construction process and programme, their qualifications and the criteria they will use, and where these and the role of the ECoW are secured in the dDCO. This is a question which is relevant for all works where an ECoW is proposed and the Applicant should address it accordingly.
	Response	
Bio.1.11	The Applicant	In [APP-363] (Northern Park and Ride) – para 7.6.61 asserts that the potential operational inter-relationship effects of noise, lighting, air and water on IEFs are inherently considered. Please will the Applicant explain what they mean by this and how they are inherently considered. This phraseology appears in other terrestrial ecology chapters. Please will the Applicant list each occurrence and answer this question for each of them.

ExQ1	Question to:	Question:
	Response	
Bio.1.12	The Applicant	[APP-363] Northern Park and Ride – para 7.6.64. This assesses impacts on the bat assemblage as low magnitude, minor adverse, not significant. In para 7.3.28 we read the following sentence: "*To allow a consistent approach across all disciplines within this ES, the standard levels of significance defined in the CIEEM guidelines are set out in Table 7.9, alongside the equivalent definitions of effect used elsewhere in this ES. Therefore, as a deviation from the standard EIA methodology, minor effects identified within this chapter have been classified as significant at a local level".* To arrive therefore at the assessment in para 7.6.64 that the impact is "minor" the impact must have been "significant at the local level". The sentence in para 7.3.28 appears across the suite of terrestrial ecological assessments. The following questions are therefore relevant across them all. Applying "minor" to mean "significant at local level", should not the classification in para 7.6.64, as "minor adverse" therefore be "significant" rather than not significant? Or is the formulation at paragraph 7.3.28, and everywhere else where it appears, the wrong way round? As the ExA understands it, the Applicant has used the CIEEM guidelines. Para 7.3.28 and its reiterations elsewhere state that these classify significance running from significant at international level down to significant at local level, followed by "not significant" at the bottom. So if the impact on the bat assemblage is "minor adverse, not significant", does that not mean that "significant at the local level has been classified as minor"?

ExQ1	Question to:	Question:
		This issue occurs across all the chapters of the ES dealing with terrestrial ecology.
	Response	
Bio.1.13	The Applicant	[APP-394] (Southern Park and Ride) – para 7.6.46. This asserts that because effects on bats are individually not significant they would not create significant inter-relationship effects. The same conclusion is reached at para 7.6.54 in relation to decommissioning. Are these justifiable conclusions? Cannot plural non-significant effects result in one or more significant inter-relationship (or in combination) effect? If the answer is yes, please will the Applicant explain what the inter-relationship effects would be. This is another question which affects a number of documents in the terrestrial ecology chapters of the ES (e.g. [APP-425] paras 7.6.116 and 7.6.161 – the Two Village Bypass) and it should be addressed for each of the cases where it occurs.
	Response	

ExQ1	Question to:	Question:
Bio.1.14	The Applicant	[APP-425] (Two village bypass) – Table 7.4 - please will the Applicant explain why there is no Survey Area for the statutory and non-statutory designated sites. This question applies to this table wherever it appears in the terrestrial ecology chapters of the ES and should please be answered for each of them.
	Response	
Bio.1.15	The Applicant	[APP-425] (Two village bypass) – para 7.6.129 – air quality effects on Foxburrow Wood. The argument seems to be: (a) 95% of all UK woodlands experience nitrogen at above the critical load (para 7.6.127); (b) 50% of the area of 'unmanaged' woodlands and 60% of the area of unmanaged (sic) woodlands exceeds the critical load for acidity (para 7.6.128); (c) Therefore, as the results of air quality receptors near Foxburrow Wood are negligible the air quality impact is negligible and by implication the wood is not in the 95%, 60% or 50% areas. (i) There are two references to unmanaged woodlands in para 7.6.128. Should not one be to managed woodlands? If so, which? (ii) Please will the Applicant summarise the negligible results of air quality receptors and give the cross-references to where that is to be found in the ES, with paragraph numbers. (iii) Has the ExA correctly understood the argument? Should the conclusion at (c) be that a negligible increase when the woodland IS in the 95%/60%/50% categories is unimportant and not significant? If so, is that a valid conclusion or should not further loading be avoided? (iv) The statement at para 7.6.129 is repeated at other terrestrial ecology assessments (e.g. for the SLR, [APP-461] para 7.6.99. Please will the Applicant answer this question in relation to each occasion on which it appears, identifying the relevant paragraph number and the Chapter by subject and using its EL reference.

ExQ1	Question to:	Question:
	Response	
Bio.1.16	The Applicant	[APP-425] (Two village bypass) – para 7.7.8 – monitoring and bat boxes. This paragraph, which appears in several chapters, states: *"If bat boxes have not been occupied by year 5 following installation, consideration would be given to moving them to alternative sites nearby, to be determined by a licensed bat ecologist"*. It is one of a number of examples where the following questions arise: (i) where is this secured? (ii) what are the criteria? (iii) how are disputes settled? (iv) what happens if the boxes are not occupied in their new locations. Please will the Applicant address these questions for each place where these proposals are made in the ES and Application documentation.
	Response	
Bio.1.17	The Applicant	[APP-461] (Sizewell Link Road) Para 7.5.5 – "*Tertiary mitigation relevant to terrestrial ecology and ornithology is detailed In the CoCP (Doc Ref. 8.11)*". This statement appears in a number of chapters. (i) Does the CoCP describe the full extent of all tertiary mitigation relevant to terrestrial ecology and ornithology?

ExQ1	Question to:	Question:
		(ii) What is the position with tertiary mitigation as a result of legislative requirements? (iii) If not all tertiary mitigation is included in the CoCP, please will the Applicant provide a list and details for each terrestrial ecology and ornithology chapter.
	Response	
Bio.1.18	The Applicant	[APP-461] Sizewell Link Road – para 7.6.41 – great crested newt incidental mortality. This states that "*It is not possible to accurately quantify the magnitude of this effect from the available literature; however, it is unlikely that a large proportion of individuals within the existing population would be killed or injured" in the context of great crested newts*". The phrase occurs on a number of times in relation to newts throughout the ecological chapters of the ES. Please will the Applicant explain how it can conclude that the effect on a large proportion is "unlikely" if the magnitude is "impossible to accurately quantify".
	Response	
Bio.1.19	The Applicant	[APP-461] – Sizewell Link Road In para 7.6.83 dealing with the effect of light on bats of light, the ExA is told that some bats avoid lit areas; the prey of some bats – eg moths for barbastelle – may be negatively affected; and that artificial light may attract insects, thus depriving other areas. Then the ExA reads (para 7.6.84) "*For these reasons the bat assemblage in this location is likely to have a low sensitivity to increases in light levels*". Please will the Applicant unpack this conclusion which does not seem to follow from the preceding material. Is there other material in the ES which the ExA should consider?

ExQ1	Question to:	Question:
		There is similar but sometimes slightly different reasoning e.g. in the chapter on the freight management facility. Please will the Applicant address this question in relation to those chapters as well, pointing to each of the relevant paragraphs being referred to.
	Response	
Bio.1.20	The Applicant, Natural England, SCC, ESC	[APP-523] (Freight Management Facility) – para 7.4.6 – this includes the following statement, common to several chapters: *"CWSs support habitat types listed on Section 41 of the NERC Act".* Is this a statement of verified fact for each of the associated sites? Or is it a rule of thumb or practice in choosing sites as CWSs? Given that CWSs are non-statutory it would not appear likely to be a legal rule and therefore may not be true for all CWSs.
	Response	Within Natural England's Relevant Representations (PINS ref: RR-0878, our ref: 306236, dated 30th September 2020), we provided some general advice on the consideration of Section 41 priority habitats and species and regional and local sites of ecological importance (e.g. County Wildlife Sites) (Natural England issue reference 22, pp. 69-71). However, as highlighted in that response, we will only be providing detailed advice on statutory protected sites or where impacts may involve protected species for which Natural England will assess via its licensing process. In this matter Natural England defers to East Suffolk Council and Suffolk County Council.
Bio.1.21	The Applicant	[APP-555] Rail, para 7.2.5. National legislation and policies. This is a point of general application across the ecology parts of the ES. The Applicant refers to the "*UK Biodiversity Action Plan BAP (Ref 7.13) (now superseded by the 'UK Post-2010 Biodiversity Framework' (Ref 7.14))"*. Will the Applicant please explain why the former document is referred to if it has been superseded

ExQ1	Question to:	Question:
	Response	
Bio.1.22	MMO	At section 4.2 of its [RR-0744] the MMO comment extensively on BEEMS TR523 – Coastal Processes Monitoring and Mitigation Plan. Please will the MMO give the examination library and full application document citation for this document.
	Response	
Bio.1.23	Mrs Susan Eckholdt [RR-0861], The Applicant	In [RR-0861] Mrs Eckholdt states that the *"State of Nature" report "shows, in grim detail, that almost one in five plants are classified as being at risk of extinction, along with 15% of fungi and lichens, 40% of vertebrates and 12% of invertebrates*". Are any of the plants, fungi, lichens, vertebrates and invertebrates referred to present in the areas surveyed for the ES? Are they at risk of extinction and is the risk a likely significant effect of the project? If so, to what extent?
	Response	
Bio.1.24	Neil Mahler [RR-0881], The Applicant	In [RR-0881] Mr Mahler states: *"As the County Fungus Recorder for Suffolk I am aware of at least 3 rare species found recently in the area around Sizewell A,B & C.* *There are:* *1. Mycenastrum corium - Found at Sizewell Belts near Leiston Common - only other UK location for this fungus is a site in Scotland.* *2. Dendrothele naviculoefibulata - found at Kenton Hills and the only UK site. This is known from 1 other location, a site in France. It was new to science when discovered in 2005.* *3. Geastrum minimum - a rare earthstar fungus found in sand dunes on the beach below Sizewell B.* *EDF refused me permission to survey for fungi so really, nobody knows what other rare fungi are waiting to be discovered/destroyed in the area due to be affected."*

ExQ1	Question to:	Question:
		Please will the Applicant respond to Mr Mahler's RR and explain whether there will be significant effects on these species and where they are addressed in the ES.
	Response	
Bio.1.25	The Readhead Family [RR-1210], The Applicant	The Readhead Family [RR-1210] state *"Claims made by EDF that they will be able to pledge net biodiversity gains on the main development site do not provide detail on what losses they anticipate over the whole development area and how and when they expect to offer a net gain."*. (i) Please will the Applicant respond. (ii) Please will the Readhead Family indicate where the ExA can find the claims in the Applicant's submission to which they refer.
	Response	
Bio.1.26	Nigel Smith [RR-0904], The Applicant	In [RR-0904] Mr Smith says: *"Rejection of marine-led strategy – EDF has not tested any alternatives to the close pile pier it has rejected (described by one engineer as a sixteenth century solution)"*. Please will Mr Smith expand and clarify this point. Please will the Applicant explain its position.
	Response	
Bio.1.27	Andrew McDonald [RR-0060], The Applicant	Mr McDonald states in [RR-0060] *"Friends of the Earth estimate that, in addition to direct mortality, there would be a loss of bird life of up to 30% extending to 1 km either side of each new road".* Please will Mr McDonald state where this is to be found and if possible submit a copy of the document. Please will the Applicant comment.

ExQ1	Question to:	Question:
	Response	
Bio.1.28	Michael Taylor [RR-0792], The Applicant	Please could Mr Taylor expand and explain the points made in [RR-0792] on the headings (i) Cooling Water Systems and (ii) Ecology. Please use the document numbers from the Examination Library and give the relevant paragraph numbers.
	Response	
Bio.1.29	Stuart Checkley [RR-0997], The Applicant	In [RR-0944] Mr Checkley draws attention to effects of extracting water for concrete; SSSI crossing; dewatering of 30 m deep trench for foundations; cumulative Minsmere/Sizewell Marshes effects; - and questions whether they have been adequately assessed, or at all, especially in regard to water levels; he also says there is a current insufficiency of marsh harrier hunting grounds. Please will the Applicant comment.
	Response	
Bio.1.30	The Applicant	Many IPs have raised concern over the absence of design of the HCDF. Please will the Applicant either; (a) table the design, or (b) explain why it is acceptable to proceed on the basis of the descriptions provided in the Application, pointing exactly to the material on which the Applicant relies. If the Applicant chooses (b), please will it also supply plans, sections and elevations on an OS base of what could be constructed.
	Response	
Bio.1.31	The Applicant	A number of IPs raise issues in relation to the effect if the Two Village Bypass on Foxburrow wood, and emphasise the need to avoid ancient woodland (e.g. [RR-0117] from Mr Brindley). Please will the Applicant comment.
	Response	

ExQ1	Question to:	Question:
Bio.1.32	The Applicant, Natural England, ESC, SCC	Many IPs raise concerns about the shingle beach, including that it is a County Wildlife Site. Please will the Applicant and NE include in their SoCG the following: (a) a summary of the Applicant's view of the effects on the shingle beach; (b) a summary of NE's view of the same; (c) a statement of areas of disagreement; and (d) a statement of what measures should in the view of (a) the Applicant and (b) NE be taken to overcome any disagreement. It also supports dune and shingle habitats and an invertebrate assemblage of national importance, impacted by direct habitat loss as a result of land take for the main platform and new coastal defences. Can the Applicant point to evidence regarding the successful recreation of vegetated shingle and stabilised sand dunes across a heavily modified foreshore at Sizewell B, as described in ES paragraph 14.7.188? With 38.83ha of habitat loss from the CWS predicted, what is the total area (in ha) of replacement habitat to be provided? Can NE comment on the sufficiency of the Applicant's proposals to mitigate the impacts of habitat loss/change, as described in ES paragraphs 4.7.185 – 4.7.191? [APP-224] – Suffolk Shingle Beaches CWS. At para 14.7.190 it is said that there would be a permanent irreversible loss of an area of vegetated shingle and sand dune, assessed at para 14.7.191 as a moderate adverse significant effect. Earlier at para 14.7.188 it is explained that the surface will be safeguarded, stored and replaced. How is there a permanent non-reversible loss given that the habitat is to be reinstated – see e.g. the statement at para 14.7.193? If these matters are already addressed in the SoCG between the Applicant and Natural England which was required by the Procedural Directions in the Rule 6 letter, please say so and direct the ExA to the relevant section of that SoCG.

ExQ1	Question to:	Question:
		Unless these matters are addressed in the SoCG with ESC and SCC (in which case please respond directing the ExA to the relevant parts) please will the Applicant, ESC and SCC each please respond to this question. The ExA imagines that the Applicant's response may well be to refer the ExA to parts of the SoCG with Natural England, but that is not to limit how the Applicant may wish to respond.
	Response	Within Natural England's Relevant Representations (PINS ref: RR-0878, our ref: 306236, dated 30th September 2020), we provided some general advice on the consideration of Section 41 priority habitats and species and regional and local sites of ecological importance (e.g. County Wildlife Sites) (Natural England issue reference 22, pp. 69-71). However, as highlighted in that response, we will only be providing detailed advice on statutory protected sites or where impacts may involve protected species for which Natural England will assess via its licensing process. In this matter Natural England defers to East Suffolk Council and Suffolk County Council.
Bio.1.33	Dominic Woodfield [RR-0314]	In his [RR-0314] Mr Woodfield raises concerns on ecological issues and biodiversity net gain alongside Friends of the Earth (Suffolk Coastal). Please will Mr Woodfield submit a written representation setting out his objections as fully as possible. If Mr Woodfield would prefer to rely on the submissions by Friends of the Earth (Suffolk Coastal) please say so in reply to this ExQ.
	Response	

ExQ1	Question to:	Question:
Bio.1.34	Caroline Price [RR-0178], Natural England, The Applicant	In her [RR-0178] Ms Price draws attention to the Grayling butterfly which she says will be adversely affected by the changes to its habitat, the Sizewell Belts. Please will the Applicant and NE comment.
	Response	Within Natural England's Relevant Representations (PINS ref: RR-0878, our ref: 306236, dated 30th September 2020), we provided some general advice on the consideration of Section 41 priority habitats and species and regional and local sites of ecological importance (e.g. County Wildlife Sites) (Natural England issue reference 22, pp. 69-71). However, as highlighted in that response, we will only be providing detailed advice on statutory protected sites or where impacts may involve licensable protected species for which Natural England will assess via its licensing process. In this matter Natural England defers to East Suffolk Council and Suffolk County Council.
Bio.1.35	David P N Grant [RR-0287], The Applicant	In his [RR-0287] Mr Grant states: "*EDF has conducted 'surveys' (using ARCADIS) - these are of lamentable depth or quality. I have commissioned my own independent surveys of the same issues to demonstrate that EDF's are 'box ticking' at best. Substantial damage to wildlife habitats is inevitable if SLR proceeds on the current basis*". To enable the ExA to consider these points, please can Mr Grant submit his own surveys with a written representation. Please will the Applicant consider and respond either now or after written representations.
	Response	
Bio.1.36	Dr Annette Abbott [RR-0320], The Applicant	Will the Applicant comment on the relevant representation from Dr Abbott, [RR-0320] particularly what she writes in relation to the loss of 10ha of SSSI, M22 Fenland habitat, rare freshwater plants and insects sensitive to pH changes, detriment to "*rare Red listed birds, barbastelle and other bats, rare endangered insects such as white admiral butterfly and Norfolk hawkers and incredibly rare plants"*
	Response	Response
Bio.1.37	Alde and Ore Association [RR-1206], The Applicant	Please will the Applicant comment on [RR-1206] in particular its concerns in relation to the Orfordness Spit and contention that Great Sizewell Bay is not self-contained.
	Response	

ExQ1	Question to:	Question:
Bio.1.38	MMO, Natural England, The Applicant	(i) Please state the applicability of ss.125 and 126 of the Marine and Coastal Access Act 2009 and set out any marine conservation zones which are relevant to the Application. (The ExA note that Table 22.1 of APP-317 highlights Orford Inshore MCZ.) (ii) If there are any Marine Conservation Zones or ss.125 or 126 of the Marine and Coastal Access Act 2009 are otherwise engaged by the Application please set out (a) how, (b) the steps taken in relation to them and (c) the steps which the SofS should take. Please will the Applicant in answering draw attention to any provisions of the application documentation which address the question (iii) Please state whether or not any other provisions of the MCA 2009 are relevant and if so, how. (iv) Is the MMO content that there is no separate assessment for the Orford Inshore MCZ?
	Response	Natural England advises that there are no impact pathways from the proposed development to any Marine Conservation Zones (MCZs) including Orford Inshore MCZ. Had there been then we would have advised that an MCZ assessment under S126 of Marine and Coastal Access Act 2009 was undertaken. However, if the ExA would like further information on the regulatory requirements for MCZs under S126 of MCAA for marine sustainable development please see MMO website https://www.gov.uk/government/publications/marine-conservation-zones-mczs-and-marine-licensing
Bio.1.39	MMO, EA, The Applicant	Please will the MMO and Environment Agency explain what is the split and overlap of their functions in the sea. If the ExA has understood the landward limit of MMO responsibility correctly, this question is directed to the area seaward of Mean High Water Springs.
	Response	
Bio.1.40	Suffolk Coastal Acting for Resilience [RR-1172], The Applicant	[RR-1172] Please will Suffolk Coastal Acting for Resilience confirm that the examination library reference is [APP-312] for the documents referred to at para 5 of their relevant representation?

ExQ1	Question to:	Question:
		Please will Suffolk Coastal Acting for Resilience explain why they consider that the seven experts have not signed off the report of their views? Please will the Applicant comment on Suffolk Coastal Acting for Resilience's comment referred to above.
	Response	
Part 2 - Biodiversity and ecology (terrestrial) - Main Development Site **Please note. Owing to the length of [APP-171] and the multiple topics and effects it assessed, the ExA asked the Applicant in [PD-005] to identify each of the headings in a way which clarifies both the subject matter and how each section, sub-section, sub-sub-section and so on sits in relation to preceding sections. As the paragraphs already had a number system separate from the headings the ExA suggested a lettering system. The lettered headings version submitted by the Applicant is at [AS-033]. The full list of headings is at electronic pages 372-381 of [AS-033] (hard copy pages 366-375). References to lettered sections in the questions below on [APP-171] are to those sections.**		
Bio.1.41	The Applicant	[APP-171] (Vol 1 App 6J) is a helpful document assisting the ExA to check what law and policy has been addressed. (a) [APP-224] Vol 2 Ch 14. Please will the Applicant explain why Table 14.1, which lists the requirements of NPS EN-1 specific to the Main Site omits policies 4.2.1; 4.3; 4.10.2; 5.3.3; 5.3.4 despite their being listed in Table 1.1 of [APP-171] as having been addressed in Ch 14. The ExA wishes to understand the Applicant's approach. (b) [APP-224] Please will the Applicant explain why Table 14.2, which lists the requirements of NPS EN-6 specific to the Main Site, includes policy 3.9.3 but that was omitted from Table 1.2 of [APP-171]; omits 3.9.4 and 3.9.6 which were listed in Table 1.2 of [APP-171] as having been addressed in Ch 14; includes C.8.52 which was not in [APP-171], omits C.8.53 which was in [APP-171] and includes C.8.63 which was not in [APP-171].

ExQ1	Question to:	Question:
		(c) Please, for the policies which are not in Tables 14.1 and 14.2, will the Applicant submit equivalent statements to those which are addressed in those tables. Replacement tables may be a convenient way to do this. The Applicant will appreciate that differences between [APP-171] and the actual assessment chapters such as [APP-224] Vol 2 Ch 14 make the consideration of what law and policy has actually been addressed difficult. (d) Please will the Applicant check whether there are differences between Tables 1.1 and 1.2 of [APP-171] and the relevant tables in the chapters for terrestrial ecology on the Associated Sites and submit equivalent statements for any missing policies, as in (c) above.
	Response	
Bio.1.42	The Applicant	[APP-224], para 14.3.8. The Study area. The project will result in some development outside the order (or "redline") boundary, for example the highway improvements at the A140 / B1078 junction. Please will the Applicant indicate where their effects, ecological and otherwise, have been assessed.
	Response	
Bio.1.43	The Applicant	[APP-224] para 14.4.5 – tertiary mitigation within the EDF Energy estate. Please will the Applicant provide a plan showing the extent of this estate and confirm that it is all controlled by the Applicant. (The ExA notes that the Applicant is not EDF.) The ExA also notes that in their change consultation response [AS-307] - Section 1, paragraph 1.1.6 Natural England welcome ambition to manage the land within the Sizewell estate for re-wilding and environmental gain post-construction and wider ambition to expand and connect parcels of land beyond the estate. However, the EDF Energy estate appears to extend beyond the Order limits.

ExQ1	Question to:	Question:
		Please will the Applicant: (a) specify which land they consider is covered by the "ambition" statement, and (b) how they propose this ambition should be secured in the DCO. Please will Natural England do the same.
	Response	
Bio.1.44	The Applicant	[APP-224] para 14.4.7 – mitigation for the Sizewell B relocation works. Please will the Applicant specify where these are secured in the DCO.
	Response	
Bio.1.45	The Applicant	[APP-224] para 14.4.10 bullet 4 – primary mitigation. Where does the ExA find the criteria and methods, programmes and the like for the long term manipulation of the water levels? How are they secured, regulated and (if necessary) adjusted over time? Whose approval is necessary?
	Response	
Bio.1.46	The Applicant	[APP-224] para 14.4.10 bullet 4 – primary mitigation. Please will the Applicant state where the Eels Regulations Compliance Assessment 2019 referred to is to be found, and if not in the Application documentation, submit a copy.
	Response	
Bio.1.47	The Applicant	[APP-224] – para 14.4.10 bullet 5 – primary mitigation, the SSSI crossing. Please will the Applicant submit a set of drawings showing the location, plan, elevations, sections and design of the SSSI crossing, together with the context, ecological and landscape. It is appreciated that the design is a work in progress, but the location, plan, elevations and sections of what is proposed should be capable of being fixed now. If this has been done further to the Rule 17 letter of 25 February 2021 [PD-012] there is no need to duplicate the material. Please however submit any material not sent in response to

ExQ1	Question to:	Question:
		[PD-012] and also state the Examination Library reference(s) for the material which was submitted.
	Response	
Bio.1.48	The Applicant	[APP-224], para 14.4.11, bullet 1. Marsh harrier foraging habitat. Please will the Applicant set out the following in one document: (a) The significance of the marsh harrier – this should cover policy, legal, ecological and any other relevant aspects (b) How it is affected by the Proposed Development? (c) the areas over which it forages over the Minsmere South Levels and Sizewell Marshes SSSI and any other areas where its foraging, breeding or other activities are likely to be affected by the proposed development (d) where the permanent foraging habitat referred to in this bullet "is being established and enhanced within the northern part of the EDF Energy estate" (e) the need for and role of any other areas for marsh harriers which are proposed (including Westleton) (f) state clearly whether the fen meadow compensation areas at Halesworth and Benhall (and if the change request is accepted also at Pakenham) play any role in relation to the marsh harrier. (g) How the SofS should decide whether the area at Westleton is required and whether its compulsory acquisition is justified. (In this regard the Applicant is also referred to the Secretary of State's decision letter on Hornsea Three, Section 6.) (g) Any uncertainties over the success of replacement foraging (or other) areas for the marsh harrier and the probabilities of success (h) conclusions in relation to the marsh harrier and the relevant policy, legal and ecological aspects.

ExQ1	Question to:	Question:
		(i) For the avoidance of doubt, this document should cover but not be limited to s.40 of the Natural Environment and Rural Communities Act 2008, s.28G of the Wildlife and Countryside Act 1981, environmental assessment and the Habitats Regulations, EN-1 and EN-6.
	Response	
Bio.1.49	Natural England	[APP-224], para 14.4.11, bullet 1. Please will Natural England also set out its understanding of the position on points (a), (b) and (c) of the previous ExQ. The ExA would suggest that NE's position on the other points is set out in its comments on the Applicant's responses and dealt with in the SoCG which has been requested between the Applicant and NE on ecological matters.
	Response	Natural England have outlined our position on this issue in detail within our Relevant Representations (PINS ref: RR-0878, our ref: 306236, dated 30th Sep 2020') which we have included below: *The applicant is unable to demonstrate no adverse effect on the integrity of breeding SPA marsh harriers. The construction phase of the development is anticipated to result in the disturbance of breeding SPA marsh harriers causing displacement from their foraging habitat beyond the SPA on Minsmere South Levels, or the barrier effect of the construction phase preventing birds from accessing foraging habitats at Sizewell Marshes SSSI. Within the DCO application the applicant had considered that Stage II Appropriate Assessment has failed to exclude adverse effect on site integrity and following the completion of Stages III (no alternatives) and Stages IV (imperative reasons of overriding public interest), the need for compensation has been identified.*

ExQ1	Question to:	Question:
		The main topic of EDF's engagement with Natural England over SPA bird issues has been the issue of marsh harrier foraging, with the audit trail showing detailed consultation for over seven years. Specifically, the concern related to the disturbance of breeding SPA marsh harriers resulting in their displacement from their foraging habitat beyond the SPA on Minsmere South Levels, or the barrier effect of the construction phase preventing birds from accessing foraging habitats at Sizewell Marshes SSSI. *Marsh harriers have large foraging ranges and this issue affects foraging undertaken beyond the boundary of the SPA and not disturbance at nesting locations. For an impact to occur, firstly, marsh harriers would have to be excluded from areas of functionally linked land, in line with their predicted behavioural response to noise and visual stimuli, or experience reduced foraging success due to auditory screening / interference. Secondly, marsh harriers would have to be unable to compensate for this loss in foraging resource elsewhere within their home range. Thirdly, marsh harriers would have to be unable to provision their chicks with the same amount of food and, finally, this would have to result in a decline in productivity and a potential reduction in their SPA population. There is uncertainty associated with each of these stages. Nevertheless, as survey work to identify marsh harrier flight lines did reveal significant use in areas potentially exposed to development effects, and the precautionary principle requires impact to be excluded rather than demonstrated (and considering the problematic nature of the highly technical work that would be necessary for this assessment to be even attempted) the requirement for offsetting was agreed.* *As potential displacement was occurring beyond the SPA site boundary, it was possible for habitat creation / improvements required to offset this loss to also occur beyond the site boundary, yet still constitute mitigation if created within the foraging range of marsh harriers nesting at Minsmere. Optimal habitat for foraging marsh harriers is wetland, yet the applicant stated that the topography of the only area of land available was unsuitable ('Based on a review of the available data on the ground levels, the underlying geology and ground and surface water regimes in and around the mitigation area, it is concluded that it would not be feasible to create wetland across the majority of the mitigation area'). The applicant was unwilling to consider that if a Stage II Appropriate Assessment failed to exclude adverse effect on site integrity in the absence of sub-optimal terrestrial mitigation, following the successful completion of Stages III (no alternatives) and Stages*

ExQ1	Question to:	Question:
		IV (imperative reasons of overriding public interest) of an HRA, opportunities might then be sought elsewhere in order to create an optimal area of wetland habitat creation to secure the coherence of the network. *As the option for optimal like for like wetland habitat creation was not deemed possible by the applicant, Natural England engaged upon this basis in order to develop an experimental approach to terrestrial habitat creation that sought to maximise populations of those prey species found in drier habitats. As Terrestrial Habitat of this type has not been created before in order to support marsh harriers, to overcome any residual uncertainty, an option for adaptive management has been presented whereby additional habitat might be created should observed use by foraging marsh harriers fall short of predicted use.* *The submitted DCO and associated documents now show, however, that the applicant has indeed completed shadow HRA stages III and IV that reach favourable conclusions, removing the applicant's self-imposed constraint. If endorsed by the Secretary of State, this would facilitate the creation of optimal wetland habitat with additional biodiversity benefits, not only with potential to support marsh harriers, but also other species of breeding and non-breeding wetland birds. With minimal adaptations to habitat management, the original terrestrial area identified might instead help compensate for potential shortfalls in the approach towards Net Gain and terrestrial species of bird that Natural England has identified.* *N.B. There were considerable levels of engagement over the design phase of the proposed terrestrial compensation area. Despite engagement on the basis that alternative more beneficial options for optimal wetland habitat creation were not possible, and despite the experimental nature this approach (unlike wetland habitat creation), it is nevertheless deemed sufficient to prevent impact to foraging marsh harriers.* We continue to engage with the applicant on this issue through the Statement of Common Ground and while progress has been made, we are still waiting for further detail in order to evolve our position as outlined in our Written Representations (Our Ref: 350822, dated 2nd June) below:

ExQ1	Question to:	Question:
		We reiterate the comments above from our Relevant Representations and note that there remains outstanding information regarding the detailed design of the marsh harrier compensation area which is necessary for us to review in order to progress this issue.
Bio.1.50	The Applicant	[APP-224], para 14.4.11. Please will the Applicant supply a plan showing the location of the habitats to be created.
	Response	
Bio.1.51	The Applicant	[APP-224] para 14.4.11. Please will the Applicant summarise the roles played by Aldhurst Farm in mitigation, whether primary, secondary or tertiary.
	Response	
Bio.1.52	The Applicant	[APP-224] para 14.4.12. Please will the Applicant state where the monitoring and mitigation plan referred to is secured in the dDCO.
	Response	
The next set of questions address construction effects on plants and habitats, paragraphs 14.7.22 – 14.7.223		
Bio.1.53	The Applicant	[APP-224] para 14.7.24. The ExA notes that changing water quality is scoped out of assessment on plants and habitats in view of the Outline Drainage Strategy. Please will the Applicant indicate where the DCO ensures that the strategy is delivered.
	Response	
Bio.1.54	The Applicant	[APP-224] para 14.7.31 says marine piling for the BLF "is likely to be using a cantilever method from the HCDF (no effects on coastal geomorphology) or …". Please will the Applicant explain how the piling could be done from the HCDF. The ExA's understanding is that the HCDF is some way up the beach (see para 14.7.32).
	Response	

ExQ1	Question to:	Question:
Bio.1.55	The Applicant	[APP-224] para 14.47. Please indicate how the recreation and amenity strategy is secured.
	Response	
Bio.1.56	The Applicant	[APP-224] para 14.7.53, dealing with hydrological effects of construction on Minsmere. This refers to Figure 14B1-1 in Appendix 14B1 [APP-250] to show the areas that drain into the Minsmere New Cut. The ExA cannot see that Figure; indeed, Appendix 14B1 states that no figures are provided. Please will the Applicant supply the figure in its response as well as indicating where it is to be found in the suite of application documents, using the EL references.
	Response	
Bio.1.57	The Applicant, Natural England	[APP-224], section C.a.a.c, especially paras 14.7.62; 65 and 67. (a) It appears that avoiding hydrological effects on Minsmere European Site (sic) is dependent on careful monitoring and control measures. Please explain where these are described and how they are secured in the DCO and / or the s.106 agreement. This should include how they are to be funded. Cross-referencing to the Mitigation route map would also be helpful. Is "Minsmere European Site" (e.g in para 14.7.67) intended to refer to all the European designations – SAC, SPA and Ramsar? There are several uses of the phrase in the singular in the Chapter and in questions below. (b) Is NE content with these measures? (c) To what extent is the continued operation of the Minsmere Sluice needed? (d) The ExA notes that some IPs have suggested the lifetime of the sluice is shorter than the lifetime of the Proposed Development. Please will the Applicant and NE comment on that, indicating whether they agree and what action is needed in relation to that, if any, is needed to ensure the Proposed Development does not have any likely significant effect.
	Response	b) We have addressed groundwater impacts in relation to the Minsmere to Walberwick sites within our Relevant Representations (PINS ref: RR-0878, our ref: 306236, dated 30th Sep 2020):

ExQ1	Question to:	Question:
		"Drawdown during the construction phase is limited to the very southern edge of the site adjacent to the platform and is temporary in nature. *The drainage strategy and code of construction practice will mitigate against issues of increased discharge or run-off from the MDS during construction and operation. This also applies to the Sizewell Link Road. However, there is an important assumption here that the Drainage Strategy and Code of Construction Practice will be rigorously implemented. We recommend that these mitigation measures are secured in the requirements of the DCO. We advise that there is unlikely to be significant hydrological impacts on the following sites:* • *Minsmere to Walberswick Heath and Marshes SAC* • *Minsmere- Walberswick SPA* • *Minsmere- Walberswick Ramsar site* • *Minsmere- Walberswick SSSI"* d) The Minsmere Sluice is managed and maintained by the Environment Agency who would be best placed to answer this question.
Bio.1.58	The Applicant, Natural England	[APP-224], para 14.7.79 – dust deposition and Minsmere European Site. This states that there will be a dust management plan but that "If monitoring indicates exceedance of this threshold, then additional mitigation measures would be adopted". Should not the measures be specified, or criteria and a dispute resolution mechanism described? Where and how is this addressed in the DCO?
	Response	Natural England is satisfied with the mitigation measures outlined in the Outline Dust Management plan provided are sufficient if rigorously implemented and maintained.
Bio.1.59	The Applicant	[APP-224], para 14.7.83. Emissions from diesel generators. The acronym PEC does not appear in the Glossary [APP-005]. Is it intended to be Predicted Environmental Concentration?
	Response	
Bio.1.60	The Applicant	[APP-224], para 14.7.89. "However, given that Critical Levels are defined as "concentrations of pollutants in the atmosphere above which *direct* adverse effects on

ExQ1	Question to:	Question:
		receptors, such as plants, ecosystems or materials, may occur according to present knowledge …" (emphasis added). What consideration has been given to indirect effects? If none, please will the Applicant explain.
	Response	
Bio.1.61	The Applicant	[APP-224] para 14.7.103, acid deposition at Minsmere European Site. The ExA can see that 21% increase for a short time when background deposition already exceeds the Critical Load may not be significant. However, over a longer period at a lesser deposition that 21% may there not be effects. Please will the Applicant clarify where in the ES the evidence is set out on why there will be no LSE during other times – for example during operation.
	Response	
Bio.1.62	The Applicant	Sizewell Marshes SSSI - [APP-224] para 14.7.126 and [AS-006] para 5.4 – replacement table 14.10. Para 5.4 of [AS-005] (response to [PD-005]) states that temporary land take was underestimated by 0.4ha. However, replacement Table 14.10 indicates a total underestimate of 0.04ha. Will the Applicant please say which is correct and comment on the conclusion in the light of which is the correct figure.
	Response	
Bio.1.63	The Applicant	[APP-224] para 14.7 131. This states that 0.43ha of wet woodland beneath the pylons will be temporarily lost by coppicing. Where is the 0.43ha in Table 14.10, original and replacement?
	Response	
Bio.1.64	The Applicant	Please will the Applicant say whether any other parts of Chapter 14 [APP-224] are affected by these changes, for example para 14.8.17. If they are, please will the Applicant supply a

ExQ1	Question to:	Question:
		comprehensive list of the paragraphs and an explanation of the effect. Are any other application documents or additional submissions affected?
	Response	
Bio.1.65	The Applicant	[APP-224] para 14.7.134. Recreation of fen meadow habitat. Please will the Applicant explain the results of the further work to maximise the likelihood of successful fen meadow habitat. If successful establishment cannot be guaranteed, what does the Applicant propose? The ExA recognise that habitat proposed in the change request at Pakenham is what appears to be a fallback. If the change request in relation to Pakenham is accepted, what is the likelihood of success there and what is to happen if that also is unsuccessful? How should the SofS decide whether the area at Pakenham is required and whether their compulsory acquisition is justified. (In this regard the Applicant is also referred to the Secretary of State's decision letter on Hornsea Three, Section 6.) The Applicant and NE will be aware that this is fen meadow issue on which NE have stated in their relevant representation [RR-0878] that they have fundamental concerns which it may not be possible to overcome in the form of the proposals at 30 September 2020. The ExA has asked for an SoCG with NE to cover all matters raised by NE. There is clearly a significant difference between NE and the Applicant. The ExA hopes that NE and the Applicant can come to an agreed position. If the position leaves NE's concern in place the ExA expects the different positions to be fully explained and argued in the SoCG. To the extent that they are not, the response to these questions should set them out, but the ExA prefers to see the arguments in one place, rather than in several documents. The setting out of positions and arguments in an SoCG should not stop the parties from continuing to resolve issues and find common ground.
	Response	
Bio.1.66	The Applicant	[APP-224], para 14.7.138. Trampling effects on Sizewell Marshes SSSI. This states that at least 30% of recreational users would be displaced during construction to alternative sites away from the Sizewell area and refers to ExA to Book 5 Report 5.10

ExQ1	Question to:	Question:
		Shadow HRA Report. Please will the Applicant summarise the relevant information to which the ExA is being referred? In addition, please will the Applicant include in that summary the EL numbers and cross-references to paragraph numbers for easy navigation?
	Response	
Bio.1.67	Natural England	Please will Natural England set out their view on paragraph 14.7.146 of [APP-224] (effect of construction of the SSSI Crossing) and its significance and the replacement approach in the application as changed.
	Response	Natural England notes and welcomes the design change to a hybrid bridge with embankment SSSI crossing which presents an improvement compared to the previously proposed embankment with culvert in terms of ecological impacts, including to the SSSI where there would be reduced direct loss of habitat. However, we maintain our position that the project proposals should clearly follow the avoidance-mitigation-compensation hierarchy in terms of impacts to high value ecological receptors of national importance such as the SSSI and include consideration of less damaging alternatives where available, as per section 4.4. and paragraph 5.3.7 of NPS EN-1. While the applicant has improved the design for the SSSI crossing, we reiterate our previous advice that there remain potentially less damaging options for its design, including that of a three span bridge which was one of several designs initially proposed at pre-application. Progressing with a design option which goes against this principle of `least direct SSSI land take' is contradictory the protection afforded to SSSIs in England under the Wildlife and Countryside Act 1981 (as amended) to minimise damage the special interest of the site. Should the hybrid bridge with embankment design for the SSSI crossing be considered justifiable against possible alternatives, we advise that the design should be optimised to allow sufficient light penetration for invertebrate dispersal while retaining the positive aspects of the design change in terms of hydrology and reduced land take. We understand

ExQ1	Question to:	Question:
		that further information on this is to be provided by the applicant during the examination which will advise on in due course. In terms of the hydrological impacts of the SSSI crossing we do not consider it to have a significant impact in isolation. However, the cumulative impact of dewatering during construction has potential to significantly impact Sizewell Marshes SSSI and detailed mitigation proposals for water level management remain outstanding. For our complete advice on this issue see our Written Representations which address these issues under issues 11 (Ground and surface water impacts), 20 (Impacts on Area of Outstanding Natural Beauty) and 48-51 (Direct loss of SSSI).
Bio.1.68	The Applicant, Natural England, SCC	[APP-224] – Broadleaved and mixed woodland. Coronation Wood. Para 4.7.194 addresses effects arising from the felling of 7.3 ha of broadleaved woodland including Coronation Wood. Recent reports say that the Coronation Wood has now been felled. Is this the case? How does this affect the assessment of effects?
	Response	The felling of Coronation Wood was undertaken under a separate planning application granted by East Suffolk Council. Within Natural England's Relevant Representations (our ref: 306236, dated 30th September 2020), we provided some general advice on the consideration of Section 41 priority habitats and species and regional and local sites of ecological importance (e.g. County Wildlife Sites) (Natural England issue reference 22, pp. 69-71). However, as highlighted in that response, we will only be providing detailed advice on statutory protected sites or where impacts may involve protected species for which Natural England will assess via its licensing process. In this matter Natural England defers to East Suffolk Council and Suffolk County Council.
Bio.1.69	The Applicant	[APP-224] - Broadleaved and mixed woodland – air quality changes – para 14.7.199 – 202. Why has the Applicant focussed on Reckam Pits Wood? Para 14 .7.202 refers to "similar areas of broadleaved and mixed woodland". Does that cover the whole of the broadleaved and mixed woodland which is assessed?

ExQ1	Question to:	Question:
	Response	
Bio.1.70	The Applicant	[APP-224] – para 14.7.213 – daily critical levels. This appears to be the first mention of Daily Critical Levels. Please will the Applicant clarify the relationship between Daily and Annual and why Daily appears not to have not been relevant in earlier assessments in this chapter.
	Response	
Bio.1.71	The Applicant, Natural England, SWT	[APP-224] – Deptford Pink. At para 14.7.220 it is concluded: "As the translocation is not guaranteed to be successful the impact of the population loss of Deptford Pink would constitute a moderate adverse effect, which is considered to be significant". What steps can be taken to improve the success of the translocation process? What is the success rate likely to be? Does NE agree with the assessment of the significance in this paragraph?
	Response	Natural England has advised the applicant that the best course of action for the progression of this issue would be to for the applicant to submit a draft protected species licence application to Natural England for review. If agreed Natural England may provide a letter of no impediment (LoNI) to ensure the ExA has the required certainty in this regard. Further engagement on this issue will therefore be undertaken as part of the licensing process. Whilst we understand that the applicant will be submitting draft protected species licence applications in due course (timescales for each respective species to be confirmed) these remain outstanding at this time.
Bio.1.72	The Applicant	[APP-224] – Construction, Inter-relationship effects, paras 14.7.222 – 223. Please explain the level of significance of inter-relationship effects and how the manipulation of water levels referred to in para 14.7.223 is secured in the DCO / s.106 and the tests and criteria for intervention.
	Response	

ExQ1	Question to:	Question:
Bio.1.73	Natural England, ESC, SCC, SWT	[APP-224] paras 14.7.222 – 223. Do you agree with the list of inter-relationship effects, mitigation and proposals in these paragraphs? Will there be significant effects arising from inter-relationships if the mitigation and proposals are implemented? What is ESC's view as the authority which will be enforcing the mitigation proposals?
	Response	Whilst we acknowledge and welcome further botanical monitoring proposed in the upcoming TEMMP, the response relationship between plant communities both nitrogen oxide emissions and groundwater levels can take many years to be reflected by monitoring. Consequently, botanical monitoring may have limited effectiveness as the lag time between plant communities changing in response to stressors can lengthy by which time remedial action may become less effective as time goes on. Therefore, it is fundamental to ensure that both nitrogen oxide emissions and groundwater levels remain within acceptable thresholds throughout construction and operational phases by providing detailed mitigation plans for both issues which are rigorously implemented and maintained.
The next set of questions addresses operational effects on plants and habitats, paragraphs 14.7.224 – 14.7.269		
Bio.1.74	Natural England, ESC, SWT, RSPB	[APP-224] – para 14.7.227, hydrology and the effect of the SSSI Crossing. (a) Please will NE set out their view on what is said in this paragraph. Cross-referencing to NE's [RR-0878] and WR would be helpful, and to the SoCG. (b) Please will ESC SWT and the RSPB also comment.
	Response	Natural England is satisfied that hydrological impacts on Minsmere-Walberswick will not be significant during the construction and operational phases. We have addressed groundwater and surface water impacts in detail within our Relevant Representations under issue 1 and 11 which were marked "green" (PINS ref: RR-0878, our ref: 306236, dated 30th Sep 2020.) and consequently neither issue was brought forward within our SoCG or our Written Representations.

ExQ1	Question to:	Question:
Bio.1.75	The Applicant	[APP-224] para 14.7.233 – effects of coastal processes on Minsmere European Site. Please will the Applicant unpack and explain this paragraph in a short note. How does the exposure of the HCDF disrupt longshore sediment transport so as to affect Minsmere? How does natural shoreline regression erode Minsmere? If the exposure of the HCDF affects the shoreline regression at Minsmere (which appears to be the case from the statement that "*shoreline regression would eventually expose the HCDF and that during the later stages of station operation this may disrupt longshore sediment transport. Additional mitigation measures (beach management practices) are likely to be required*", why should there not be continued mitigation of the Minsmere shoreline? What are the beach management practices referred to as mitigation? How does natural regression and the effects of exposing the HCDF interact? Please explain what are the proposed mitigation measures referred to and how there will be no significant adverse effects.
	Response	
Bio.1.76	The Applicant	[APP-224] – para 14.7.236. The Applicant refers the annual mean and daily mean. Is this intended to be the same measure as the annual Critical Level and daily Critical level referred to in the preceding paragraphs? If not, please will the Applicant explain further and deal with the annual and daily Critical Levels. This is also relevant where this approach is taken elsewhere in [APP-224] such as at para 14.7.245, 253, 259. Please will the Applicant address this issue for those paragraphs and generally in [APP-224].
	Response	
Bio.1.77	The Applicant	[APP-224] – para 14.7.272. Please will the Applicant explain how it will choose between the three opportunities at para 14.7.271 and explain where the detail of those proposals is set out. In relation to the wet woodland strategy proposed in para 14.7.272, it seems to the ExA at this stage that this is likely to need to be secured by a requirement, which is likely to have to incorporate goals,

ExQ1	Question to:	Question:
		criteria and tests (and is likely to be complex). Please will the Applicant and Natural England, address this in the SoCG for Deadline 2. The ExA notes that the Mitigation Route Map [APP-616] MDS TE42 states that the Applicant "will develop further its wet woodland strategy in discussion with Natural England and other ecological stakeholders". Please will the Applicant and Natural England indicate progress on that, here or in the SoCG?
	Response	
The next set of questions address mitigation and monitoring for plants and habitats, paragraphs 14.7.270 - 280		
Bio.1.78	The Applicant, ESC, SCC, Natural England	[APP-224] para 14.7.274, para 14.7.280. Is there a threshold for requiring local mitigation measures? Who are the "local land managers"? What happens if they do not agree to the measures? Where is this secured? The ExA would like to understand the way in which the monitoring and any measures needed, depending on the results of the monitoring, are to be secured in the DCO / s.106, how the work is to be regulated, what are the current criteria and how they are kept under review if appropriate. The ExA would be grateful if ESC and SCC in particular would explain how they see enforcement working. NE should also give their view.
	Response	Where they relate to designated site mitigation, we would expect these measures to be captured in the Recreational Monitoring and Mitigation Plan (where we understand an updated will be submitted by the Applicant shortly) and managed strategically through the Suffolk Coast Recreational Disturbance Avoidance Mitigation Strategy by ESC and SCC. Our detailed comments on this are set out in our Written Representations (Our Ref: 350822, dated 2nd June) and SoCG.

ExQ1	Question to:	Question:
The next set of questions address Tables 14.12 and 14.13 – summary of effects, construction and operation respectively		
Bio.1.79	Natural England, SCC, ESC	Receptor – Sizewell Marshes SSSI – effect assessed as moderate adverse, significant (see also para 14.7.169), but with mitigation listed in table 14.12, stated to be minor adverse, not significant. Do NE, SCC and ESC agree?
	Response	We do not agree with the conclusion drawn here by the applicant. This is an ongoing area of concern for Natural England and one which we have engaged with the Applicant on within the Statement of Common Ground and have provided a detailed response within our Relevant (PINS ref: RR-0878, our ref: 306236, dated 30th Sep 2020) and Written Representations (Our Ref: 350822, dated 2nd June) There are inherent difficulties associated with re-creating both fen meadow (outlined in our response to question BIO.1.86 and under issue 49 of our Relevant Representations) and wet woodland (outlined under issue 50 of our Relevant Representations). This is compounded by the significant information which remains outstanding from the applicant as to whether the sites proposed are suitable for this type of habitat re-creation. We also understand that neither the fen meadow nor wet woodland habitat will be in place and functioning ecologically in advance of any loss occurring, as has been accepted by the Applicant as a principle at Aldhurst Farm with respect to SSSI reedbed and ditch habitats which would be lost. As a result, even if the proposed compensation approach is eventually agreed between all parties, the extent of these nationally important habitats will not be maintained throughout the lifetime of the project should it be consented, and we draw the Examining Authority's attention to this point. Given this lack of confidence in the outcomes of any compensatory fen meadow and wet woodland creation/restoration, based on both lack of detail on area needed/to be provided and techniques/methods, it is not possible to conclude that the direct loss of habitats from Sizewell Marshes SSSI is not significant.

ExQ1	Question to:	Question:
Bio.1.80	Natural England, SCC, ESC	Receptor - Sizewell levels and Associated Areas CWS and Southern Minsmere Levels CWS - direct land take habitat loss; moderate adverse, significant. No further mitigation is proposed. What is the view of NE, SCC and ESC?
	Response	Within Natural England's Relevant Representations (PINS ref: RR-0878, our ref: 306236, dated 30th September 2020), we provided some general advice on the consideration of Section 41 priority habitats and species and regional and local sites of ecological importance (e.g. County Wildlife Sites) (Natural England issue reference 22, pp. 69-71). However, as highlighted in that response, we will only be providing detailed advice on statutory protected sites or where impacts may involve protected species for which Natural England will assess via its licensing process. County Wildlife Sites fall outside of the remit of Natural England to provide advice upon. In this matter Natural England defers to East Suffolk Council and Suffolk County Council.
Bio.1.81	Natural England, SCC, ESC	Receptor – Suffolk Shingle, see also para 14.7.191, stockpiling and replacement of sand and shingle substrates. Moderate adverse effect, no further mitigation proposed. What is the view of NE, SCC and ESC?
	Response	Within Natural England's Relevant Representations (PINS ref: RR-0878, our ref: 306236, dated 30th September 2020), we provided some general advice on the consideration of Section 41 priority habitats and species and regional and local sites of ecological importance (e.g. County Wildlife Sites) (Natural England issue reference 22, pp. 69-71). However, as highlighted in that response, we will only be providing detailed advice on statutory protected sites or where impacts may involve protected species for which Natural England will assess via its licensing process. County Wildlife Sites fall outside of the remit of Natural England to provide advice upon. In this matter Natural England defers to East Suffolk Council and Suffolk County Council.
The next set of questions addresses invertebrates, section 14.8.		
Bio.1.82	The Applicant, Natural England	[APP-224] para 14.8.4. The invertebrate assemblages referred to in this para are described as "similar" to those of national importance described in the previous para. Is the ExA correct to deduce the para 14.8.4 assemblages are NOT of national importance. In view of para 14.8.5 which

ExQ1	Question to:	Question:
		draws attention to assemblages of county importance, is the ExA right to assume the 14.8.4 assemblages are also not of County importance?
	Response	Our reading of these paragraphs is that the invertebrates referred to in para 14.8.4 are of national importance.
Bio.1.83	The Applicant	[APP-224]- para 14.8.25. Please will the Applicant clarify what it is proposing? Is there to be more wet woodland habitat at Aldhurst Farm or is an area of wet woodland to be created at Benhall?
	Response	
Bio.1.84	The Applicant, Natural England	[APP-224]-para 14.8.39. This states there is only a minor not significant effect but then that the effects of clearance and nocturnal lighting cannot be eliminated. Please will the Applicant explain the significance of the effect with the clearance and lighting. It is currently not clear. Can NE shed any light on this? Please will the Applicant also state which row(s) of Table 14.16 address this and what mitigation is put in place, if any.
	Response	There is an incidental rate of mortality associated invertebrate assemblages and nocturnal lighting and vegetation clearance which the applicant has assessed as minor adverse and not significant for the aforementioned compartment. Natural England is satisfied with this assessment.
Bio.1.85	The Applicant	[APP-224] – para 14.8.44. Please will the Applicant state where the recreated fen meadow referred to in this para is to be located. In relation to para 14.8.46, please state which rows of Table 14.16 deal with the residual effects
	Response	
Bio.1.86	The Applicant, Natural England	[APP-224] – para 14.8.44 and elsewhere (e.g. para 14.8.50) which address some of the effects on invertebrate assemblies in Compartment 3 and the fen meadow strategy. This is Appendix 14C4, [APP-258]. Fen meadow recreation and a fen meadow strategy are important components of the Sizewell C project.

ExQ1	Question to:	Question:
		Whilst [APP-258] examines potential sites and makes recommendations, the ExA notes that for one of the selected sites included in the Application, it says there would be water management difficulties and that the site is "less preferable" (Site 11, part of the Benhall proposal) and that in all cases the site recommendations are "subject to the results of further studies and detailed conceptualisation". In the case of Pakenham (Site 54 and part of the change request) "there are significant issues relating to groundwater supply and to the poor condition of surface peats". The ExA is also having difficulty seeing where in the document [APP-258] a strategy is set out. It appears rather to be a site selection report. Please will the Applicant say what further studies and conceptualisations have been carried out, where they may be found if they have been carried out, and what is the strategy. Please will the Applicant also submit a summary which should include , with hyperlinks to relevant documents in the Examination Library. If the summary could be limited to 2,000 words that would be helpful. Please will Natural England give their view on the fen meadow strategy, its role within the Application both for invertebrates and as a whole, and on document [APP-238]. At for example paras 14.8.44 and 45 of [APP-224] the Applicant concludes that for Compartment 3 the loss of habitat including fen meadow is minor adverse and not significant as a result of the inclusion of a fen meadow strategy said to be set out at [APP-238]. There is a similar conclusion for Compartment 12 (where the land take is much less). Please will both the Applicant and Natural England give relevant examples of successful recreation of fen meadow habitats, comment on them explaining how they are relevant any difficulties found in the process, and how they were overcome (or not).
	Response	This is an ongoing area of concern for Natural England and one which we have engaged with the Applicant on within the Statement of Common Ground and have provided a detailed response within our Written Representations (Our Ref: 350822, dated 2nd June).

ExQ1	Question to:	Question:
		We welcome the submission of the Fen Meadow Strategy by the applicant since our Relevant Representations (Doc Ref. 6.14) where it is recognised that the fen meadow habitat within Sizewell Marshes SSSI is of National/High importance (para 3.1.4). It is also acknowledged that the conclusion reached in the ES that there would be no significant effect on this SSSI habitat is subject to the Fen Meadow Strategy being successfully delivered (para 3.1.3). It should be noted that the applicant has been aware of the need to deliver the SSSI fen meadow habitat compensation since 2013 where our advice on the Stage 1 pre-application consultation stated that 'Part of Sizewell Marshes SSSI will be lost to the development…for which we understand replacement habitat is being sought by EDF Energy' (paragraph 4.3, ii) and that 'As a general principle, we advise that the area of replacement habitat should be greater than the area of habitat affected due to the inherent risk of creating habitat of same quality, quality and distinctiveness. Habitat creation should be established in advance of habitat loss which requires early securing of suitable land for habitat creation' (comment under 2.4.8). Having discussed this further with the applicant through focussed meetings and workshops, our advice on the Stage 4 pre-application consultation (2019) was 'We advise that the extent of compensatory habitat required is 9x that which would be destroyed by the development; this is considered a suitable multiplier given the complexity of habitat type to be lost, the risk and uncertainty involved in the habitat restoration being successful and the time to fully functioning habitat…We understand that EDF Energy are currently undertaking further detailed feasibility studies for these compensation sites. Once these studies have been completed, we would be keen to provide further advice at the earliest opportunity' (Natural England comment reference 8). Contrary to our pre-application advice, a sufficient amount of compensatory fen meadow habitat was not proposed by the applicant within the DCO application as submitted (May 2020) and we raised this omission within our Relevant Representations (RR-EN010012, September 2020).

ExQ1	Question to:	Question:
		Through the applicant's Proposed Changes application, an additional site (Pakenham) has now been proposed which, in addition to the Benhall and Halesworth sites, could potentially provide the full required amount of compensatory habitat (minimum of 4.5ha). However, we are unable to advise as to whether or not this is likely to be successfully delivered until we have been able to review the detailed site feasibility studies for all three sites (Benhall, Halesworth and Pakenham). We understand that the applicant proposes 'a 'Fen Meadow Plan' be prepared in accordance with this Fen Meadow Strategy and be subject to a DCO Requirement'. If this is the document which will contain the detailed site feasibility studies, then we advise that this should be provided now and not left to a requirement given the importance of that information in determining significance of impacts to a nationally important SSSI. This is therefore a significant omission which needs to be addressed through the submission of further information. In terms of the contingency measures to be put in place should the compensatory fen meadow habitat creation attempts fail, we advise that potential compensation sites further afield (i.e. not restricted to Suffolk) should be investigated. The SSSI habitat to be lost is important at a national level and, if necessary, the compensation options should therefore be explored at that scale to ensure the overall amount of this habitat type is not reduced nationally. In regard to relevant examples of fen meadow recreation it must be acknowledged that the feasibility of re-creating fen meadow is not well evidenced with only a handful of successful examples within published literature (Larmers et al. 2002; McBride *et al.* 2011; Larmers et al. 2015; Klimkowska et al. 2019). Creating compensatory habitat of the same quality to that which will be destroyed will therefore be extremely difficult, if not impossible. Holistic headwater seepage, floodplain and river restoration is likely to be the most successful and sustainable approach to providing compensatory fen meadow habitat at the sites which have been proposed by the Applicant. Even if successful, it should be acknowledged that these sites are functionally removed from Sizewell Marshes SSSI which is a limitation of this approach. Although this

		particular feature of the SSSI may be re-created there, the complex ecological interactions with other features which will be lost at Sizewell Marshes would not be. In regard to invertebrate our advice is that the mosaic habitat that supports the invertebrate assemblage at Sizewell Marshes SSSI is a important objective of this mitigation package. Creating *invertebrate rich* wet woodland close to the M22 fen meadow habitats will in part replicate the existing situation at Sizewell. Shrub and ground flora layers of alder-sedge (Alnus *glutinosa – Carex paniculate)* woodland (NVC W5) will often reflect the nearby open habitat stands so this can add diversity. A key point to highlight note is that high quality wet woodland will develop in the same situations as high-quality fen meadow (i.e. the absence of elevated nutrients and permanently high water table but without cutting or grazing). Consequently, many of the same activities are likely to be required at these sites including topsoil removal if enriched. Given the rarity and continued losses of M22 fen meadow in the UK – the Guidelines for Grassland SSSI Selection report less than 10000 ha (the true figure for England is likely to be less than 5000 ha) – and the known difficulty of restoring species-rich fen/fen meadow habitat, we advise that the maximum multiplier needs to be applied here, i.e. area to be lost × 9. This will result in compensation areas of either 4.5 ha, 6.3 ha, or more, depending on severity and potential long-term impact of temporary land-take. Given the hydrological complexity of high value wetland habitats, it is anticipated that a larger extent of wetland restoration/compensation would be required in order to provide the conditions required specifically by the M22 fen meadow. Restoration will likely give rise to areas of wetter conditions and drier conditions that do not support M22, given natural hydrological, topographical and substrate variation within sites. In particular, the stated desire to avoid engineering/groundworks is likely to significantly reduce the likely success of restoration works, given the published literature on fen restoration, including the findings recently published based on a review of European restoration projects, which suggested that both topsoil removal and re-wetting/hydrological manipulation were necessary to restore functioning fen habitat.

ExQ1	Question to:	Question:
		Given this lack of confidence in the outcomes of any compensatory fen meadow restoration, based on both lack of detail on area needed/to be provided and techniques/methods, it is not possible to conclude that the loss of fen meadow from Sizewell Marshes SSSI is not significant. Klimkowska A, Goldstein K, Wyszomirski T, Kozub Ł, Wilk M, Aggenbach C, et al. (2019) Are we restoring functional fens? – The outcomes of restoration projects in fens re-analysed with plant functional traits. PLoS ONE 14(4): e0215645. https://doi.org/10.1371/journal.pone.0215645 Lamers, L. P., Smolders, A. J., & Roelofs, J. G. (2002). The restoration of fens in the Netherlands. *Hydrobiologia*, *478*(1), 107-130. Lamers, L. P., Vile, M. A., Grootjans, A. P., Acreman, M. C., van Diggelen, R., Evans, M. G., ... & Smolders, A. J. (2015). Ecological restoration of rich fens in Europe and North America: from trial and error to an evidence-based approach. *Biological Reviews*, *90*(1), 182-203. McBride, A. Diack, I. Droy, N Hamill, B. Jones, P. Schutten, J. Skinner, A. and Street. M. (2011) The Fen Management Handbook. Scottish Natural Heritage, Perth.
Bio.1.87	The Applicant, Natural England	[APP-224] – para 14.8.58. This is one of a number of paragraphs which, after acknowledging a "a time-lag between the loss of existing high-quality habitat from this compartment and newly created acid grassland habitats reaching optimum condition" to perform their function states that "this residual impact is discussed further in Table 14.16". However turning to Table 14.16, it reiterates the words above in inverted commas and then proposes a mitigation plan for larvae of Norfolk Hawker and other macro-invertebrates which "will be developed". Please will the Applicant and Natural England both explain and comment on the discussion, the likelihood of developing a plan which is appropriate and successful, the deadline for its development and how it is to be secured in the DCO. How should the SofS

ExQ1	Question to:	Question:
		take the proposal into account in arriving at their decision? Please deal with all applications of the discussion and occurrences of the time lag.
	Response	We believe the ExA may be referring to para 14.8.57 in regard to time-lag. As discussed in our answer to BIO1.79 and referred to in our Written Representations (Our Ref: 350822, dated 2nd June) under issues 48-50. We reiterate it is very disappointing that compensatory habitat for wet woodland and fen meadow will not be in place and functioning ecologically in advance of any loss occurring, as has been accepted by the Applicant as a principle at Aldhurst Farm with respect to SSSI reedbed and ditch habitats which would be lost. As a result, even if the proposed compensation approach is eventually agreed between all parties, the extent of this nationally important habitat will not be maintained throughout the lifetime of the project should it be consented, and we draw the Examining Authority's attention to this point. We also understand that the applicant has recently submitted an updated version of the Terrestrial Ecology and Monitoring and Mitigation Plan at deadline 1 which we will be reviewing and providing further comment.
Bio.1.88	Natural England, The Applicant	[APP-224]-paras 14.8.54 and 55, Compartments 4 and 4a. The footprint of power station would more or less cover Compartment 4, possibly 4a as well (the compartment plans at [APP-231] do not show the footprint). Please will NE give their view on how the SofS should take into account the loss of assemblages of high conservation value and other assemblages of national importance referred to. The Applicant may also wish to comment.
	Response	We would direct the Examining Authority to our responses in our Relevant (PINS ref: RR-0878, our ref: 306236, dated 30th Sep 2020) and Written Representations (Our Ref: 350822, dated 2nd June) under issue 50.

ExQ1	Question to:	Question:
Bio.1.89	Natural England, SCC	[APP-224] para 14.8.67. Please would NE and SCC give their view on the effect on invertebrate assemblages in Compartment 5.
	Response	Within Natural England's Relevant Representations (PINS ref: RR-0878, our ref: 306236, dated 30th September 2020), we provided some general advice on the consideration of Section 41 priority habitats and species and regional and local sites of ecological importance (e.g. County Wildlife Sites) (Natural England issue reference 22, pp. 69-71). However, as highlighted in that response, we only be providing detailed advice on statutory protected sites or where impacts may involve protected species for which Natural England will assess via its licensing process. As the invertebrates in question are not a licensable species nor a notified feature of a statutory protected site impacts and mitigation here would typically be assessed by the local planning authority. In this matter Natural England defers to East Suffolk Council and Suffolk County Council.
Bio.1.90	The Applicant, Natural England, SCC	[APP-224]- paras 14.8.70 – discussion in Table 14.16. The residual effects of lighting on Compartment 5 – the shingle beach - are said to be discussed in Table 14.16. However the ExA reads only six words stating that no additional mitigation is required and that the effect remains minor adverse not significant. This is similar at para 14.8.31 in relation to Compartment 1, 14.8.39 re Compartment 2, 14.8.90 re Compartment 13 and elsewhere. Please will the Applicant explain why the ExA is referred to this? Nothing additional is proposed. It appears that there is nothing to be done, which does not necessarily rule out the grant of a DCO. Please will NE and SCC state what they consider is required, if anything and whether that is a pre-condition for a DCO.
	Response	Within Natural England's Relevant Representations (PINS ref: RR-0878, our ref: 306236, dated 30th September 2020), we provided some general advice on the consideration of Section 41 priority habitats and species and regional and local sites of ecological importance (e.g. County Wildlife Sites) (Natural England issue reference 22, pp. 69-71). However, as highlighted in that response, we will only be providing detailed advice on statutory protected sites or where impacts may involve protected species for which Natural England will assess via its licensing process. As the invertebrates in question are not a licensable species nor a notified feature of a statutory protected site the impacts and

ExQ1	Question to:	Question:
		mitigation here would typically be assessed by the local planning authority. In this matter Natural England defers to East Suffolk Council and Suffolk County Council.
Bio.1.91	The Applicant	[APP-224] para 14.8.73. This refers to Table 0.16. Presumably that is a misprint for Table 14.16 but please confirm or give the Examination Library reference to the correct document.
	Response	
Bio.1.92	The Applicant	[APP-224] para 14.8.98 – Mitigation during construction (section D.a.a). This states that there will be significant moderate adverse effects on not only Compartment 1 but also 2 and 4a through loss of habitat. However section C.a.b dealing with Compt 2 states the effect is minor adverse, not significant. And section C.a.d dealing with Compt 4a also concludes minor adverse, not significant. Which is it to be? See also Tables 14.16 and 14.17. Please will the Applicant state what adjustments need to be made to sections C.a.b; C.a.d; D.a.a and to Tables 14.16 and 14.17. Please will the Applicant also review the whole of [APP-224] for other inconsistencies in assessment conclusions and either confirm there are none, or list and correct them. Matters such as these go to reliability.
	Response	
Bio.1.93	The Applicant, Natural England	[APP-224] paras 14.8.102 and 103, monitoring during operation. What is to happen if the assemblages do not become established to the appropriate extent? Where is that secured? Please will NE state whether they are content with the proposals.
	Response	In addition to the reedbed, ditch and acid grassland habitats created within Aldhurst Farm, the fen meadow and wet woodland habitats which will also be directly lost from Sizewell Marshes SSSI are also important for the nationally important SSSI invertebrate assemblage. The SSSI wet woodland compensation plan and SSSI fen meadow

ExQ1	Question to:	Question:
		compensation plan which have not yet been provided by the Applicant for review will need to include consideration of these habitats in terms of provisions for the SSSI invertebrate assemblage. This issue therefore remains outstanding at this time (Relevant (PINS ref: RR-0878, our ref: 306236, dated 30th Sep 2020) and Written Representations (Our Ref: 350822, dated 2nd June) under issues 48-50.). We understand that The Applicant has recently submitted an updated version of the Terrestrial Ecology and Monitoring and Mitigation Plan (TEMMP) which should encompass the above points as raised and we will review and provide further advice on this in due course.
The next set of questions addresses fish, section 14.9.		
Bio.1.94	The Applicant	[APP-224] para 14.9.8 is part of the explanation for scoping out impacts on fish. It states that fish passes will be in line with the Eels Regulations "as demonstrated in the Eels Regulations Screening Report. There is no document number for that report and the only eels specific document in the examination library is Appx 22O – Eels Regulations Compliance Assessment [APP-332]. Are they one and the same document? If so please will the Applicant point the ExA to the relevant parts and paragraphs. If not, please clarify.
	Response	
The next set of questions addresses amphibians, section 14.10.		
Bio.1.95	The Applicant	[APP-224] – para 14.10.32, re natterjack toads. This refers the reader to a "natterjack toad mitigation strategy (Appendix 14C7A of this volume) as well as a draft Natural England European Protected Species licence (Appendix 14C7B of this volume)". These are listed in the Examination Library as [APP-262] and [APP-263] respectively. Those however appear to be two identical set of Figures relating to natterjack toads but which are not a strategy nor a draft licence. Please will the Applicant clarify and point the ExA to where the documents referred to in para 14.1.32 may be found in the Application documents. Para 14.10.42 also refers to the strategy and licence. The Applicant will

ExQ1	Question to:	Question:
		appreciate that the SofS requires the ExA to report on whether there is an impediment to such licenses being granted subsequently by Natural England.
	Response	
Bio.1.96	The Applicant, Natural England	[APP-224] – para 14.10.37. Botanical modelling. Is NE satisfied with the modelling proposed, for both flood risk and vegetation changes? Please will the Applicant indicate where this is secured.
	Response	As these measures are proposed to mitigate impacts on licensable protected species these will be assessed by Natural England through our licensing process. For the progression of this issue the applicant must submit draft protected species licence applications to Natural England for review. If agreed Natural England may provide LoNIs to ensure the ExA has the required certainty in this regard. Further engagement on this issue will therefore be undertaken as part of the licensing process.
Bio.1.97	The Applicant, Natural England	[APP-224] – para 14.10.44 – natterjack toad monitoring programme. Where is this secured? For how long will monitoring continue? Is NE content the period is appropriate?
	Response	As these measures are proposed to mitigate impacts on licensable protected species these will be assessed by Natural England through our licensing process. For the progression of this issue the applicant must submit draft protected species licence applications to Natural England for review. If agreed Natural England may provide LoNIs to ensure the ExA has the required certainty in this regard. Further engagement on this issue will therefore be undertaken as part of the licensing process
The next set of questions addresses reptiles, section 14.11.		
Bio.1.98	The Applicant, Natural England	[APP-224] – para 14.11.23. This paragraph and e.g. 14.11.34 refer to a Reptile Mitigation Strategy at Appendix 14C2, which is [APP-255], a set of figures.

ExQ1	Question to:	Question:
		Please will the Applicant explain the strategy and how it is secured. Please will NE comment whether they are satisfied with [APP-255] as a suitable strategy.
	Response	Natural England will only be providing detailed advice on species where they are licensable or a notified feature of a statutory protected site. Impacts and mitigation regarding non-licensable reptile species would typically be assessed by the local planning authority. In this matter Natural England defers to East Suffolk Council and Suffolk County Council.
Bio.1.99	The Applicant, Natural England	[APP-224] – para 14.11.30. Given that in the baseline the adder is described as "most under threat in the UK particularly from habitat loss and isolation of populations" (para 14.11.8) and that all four species (adder, grass snake, lizard and slow worm) are protected under Sch 5 WCA 1981 and s.41 NERC Act 2008 (para 14.11.9), and that the site and its Zoi constitutes a "Key Reptile Site" (para 14.11.10), and also the statement at para 14.11.28 that for adders "Inbreeding can make them genetically vulnerable to environmental change and disease so linking habitats is crucial to their conservation" the The ExA notes the conclusion at para 14.11.30 that "Overall, it is difficult to accurately quantify the magnitude of this impact given the temporary impact on dispersal to the north from the construction site is off-set by increased connectivity to the south and south-west from the habitat creation. *Habitat fragmentation is considered to have a low impact on the reptile assemblage, resulting in a minor adverse effect, which is considered to be not significant*" (emphasis added). Please can the Applicant explain. Please will Natural England also comment and state their view of the significance and importance of any issues, such as Sch 5 WCA and s.41 NERC Act 2006. Will the gene pool in the to be created reptile habitat to the south of the site (para 14.11.29, summary of primary mitigation) be different?
	Response	Natural England will only be providing detailed advice on species where they are licensable or a notified feature of a statutory protected site. Impacts and mitigation regarding non-licensable reptile species would typically be assessed by the local planning authority. In this matter Natural England defers to East Suffolk Council and Suffolk County Council.

ExQ1	Question to:	Question:
Bio.1.100	The Applicant, Natural England	[APP-224] para 14.11.47. This refers to enhancement and states that due to the primary mitigation in general, no additional enhancement is proposed. Bearing in mind ss.40 and 41(3) of NERC Act 2006 and s.28G W&C Act 1981 please will the Applicant and NE both comment on the appropriateness of no additional enhancement.
	Response	Natural England will only be providing detailed advice on species where they are licensable or a notified feature of a statutory protected site. Impacts and mitigation regarding non-licensable reptile species would typically be assessed by the local planning authority. In this matter Natural England defers to East Suffolk Council and Suffolk County Council.
Bio.1.101	The Applicant	[APP-224] – para 14.11.49. Please explain where the monitoring is secured, actions to be taken, triggers and criteria for action.
	Response	
The next set of questions addresses ornithology, section 14.12.		
Bio.1.102	The Applicant	[APP-224] – para 14.12.3 refers to Annex A14A2.1. The ExA cannot find such an annex. Is this a misprint for Annex 14A2.1 [APP-228]? The ExA is proceeding on the assumption that it is.
	Response	
Bio.1.103	The Applicant, Natural England	[APP-224] – Table 14.24. The penultimate row refers to: Zone of Physical Change – a 2 km area around site. Displacement Zone – an 8 km area around site. Buffer Zone – an 8 km area around settlements within the Displacement Zone. Please will the Applicant confirm that the Zones have *radii* of 2, 8 and 8 kms. Or are they zones of 2, 8 and 8 square kms? In either case, where are they shown? Please will NE comment on which is appropriate in their view.

ExQ1	Question to:	Question:
	Response	We are satisfied with the use of radii used for displacement of recreational users instead of square kms.
Bio.1.104	The Applicant	(a) [APP-224] para 14.12 .17 clarifying inter-relationship with the HRA assessment refers to asterisks in table 14.24 against species. Species and asterisks are shown not in table 14.24 but in 14.25. Please confirm that the reference should be to 14.25, or if not please explain where. This is also relevant to para 14.12.169 where there are similar references to asterisks, this time in 14.25 so presumably correctly. (b) Please also clarify the references to Tables 23 and 25 in the paragraph. Which should they be? (c) What is the purpose of identifying the species which have also been assessed through HRA?
	Response	
Bio.1.105	The Applicant	Table 14.26, Marsh harrier. The summaries of both the HRA and the EIA conclusions say the compensatory habitats *have* (past tense) been established. The ExA's understanding is that there is one habitat established – Aldhurst Farm – and that compensatory habitats are *proposed*. Please will the Applicant clarify.
	Response	
Bio.1.106	The Applicant	[APP-224] para 14.12.23 – last sentence. Should "e.g." be "i.e." or is this drawing attention to the existence of marsh harrier foraging areas outside the Minsmere South Levels and Sizewell Marshes? The same point arises in para 14.12.24.
	Response	
Bio.1.107	The Applicant	[APP-224] para 14.12.24. Is the 1.2ha of wet reedbed habitat creation planned within the north of "the site" the additional marsh harrier foraging proposed within Aldhurst Farm? This point occurs elsewhere, for example at para 14.12.33.
	Response	

ExQ1	Question to:	Question:
Bio.1.108	The Applicant, Natural England	[APP-224] paras 14.12.25 and 14.12.39; also paragraph 14.12.166. Marsh harrier. (a) Nothwithstanding the provision of habitat referred to in para 14.12.24, and the conclusion of no significant effect in para 14.12.25 the Applicant proposes further marsh harrier foraging habitat at Westleton. What is the effect on the assessment of effect at para 14.12.25 and why has it been omitted? Please will NE also comment. (b) When we get to para 14.12.39 and the discussion of wintering marsh harrier, additional marsh harrier habitat is described, but evidently not the habitat at Westleton. Please will the Applicant clarify what is being referred to and why it is not referred to at para 14.12.25. (c) Please will the Applicant set out a short statement of the totality of new marsh harrier habitats already created, or to be created with cross-references to the paragraphs of Chapter 14 [APP-224] where they are referred to and a conclusion as to their function and result in mitigating effects. This should deal with conclusions not only under EIA but also under HRA. (d) When we get to inter-relationship effects from construction at paragraph 14.12.166 the report states: "*The main interrelationship effect identified is that some of the habitat creation that has already been undertaken or is in the process of being undertaken may be compromised initially by noise disturbance during the first two phases of the construction programme. This may prevent usage by breeding and foraging bird species temporarily for the first two to three years of construction*". Whilst this is concluded to be a minor adverse not significant effect, please will the Applicant spell out the reasoning in relation to the marsh harrier.
	Response	a) As we understand it the habitat at Westleton has been secured as a contingency should the proposed habitat compensation area adjacent to the MDS be deemed insufficient. As we are yet to see detailed plans for either of these areas, we are unable to comment further at this time. Please see are full detailed comments under issue 27 within our Relevant (PINS ref: RR-0878, our ref: 306236, dated 30th Sep 2020) and Written Representations (Our Ref: 350822, dated 2nd June) and Statement of Common Ground.
Bio.1.109	The Applicant	[APP-224] para 14.12.79 – noise etc effects on the bittern.

ExQ1	Question to:	Question:
		This paragraph, unlike others on different birds, does not conclude in the effect of noise and visual disturbance. Please will the Applicant explain and state the conclusion.
	Response	
Bio.1.110	The Applicant, Natural England	[APP-224] para 14.12.91. (a) marsh harrier - effects of noise and visual disturbance are stated to "conceivably affect the overall breeding productivity". Please will the Applicant explain whether this is a significant effect; if so, how significant; and any mitigation (primary, secondary or tertiary) which is proposed. (b) The ExA notes para 14.12.100 where measures to alleviate a significant moderate adverse effect on breeding marsh harrier are described, leading to the conclusion that there is a minor adverse non-significant effect. Is the ExA correct to conclude this is the statement and mitigation in question? (c) In that paragraph it is noted that NE confirmed in August 2015 that the mitigation was "likely to be acceptable "in principle"" subject to it providing appropriate prey abundance. Is Natural England now able to remove the caveat of "in principle" and is it satisfied the prey will be adequately abundant? (d) The paragraph refers the reader to "e.g. see Figure 14B2.1 and Ornithology Synthesis Report Appendix B2" which is [APP-251]. The ExA cannot find any document with "Figures 14B" in its title (unlike [APP-249] which includes "Figures 14A"). However, the Ornithology Synthesis Report Appendix B2 has an integral set of appendices which include Appendix 14B2.1 in which (notwithstanding that the contents section of Appendix 14B2 states that there are no Figures provided) Figures - including a Figure 14B2.1 – can be found. It shows a "harrier habitat improvement area". Please can the Applicant confirm that (a) that is the Figure 14B2.1 being referred to at para 14.12.100 and (b) that it is an area for the marsh harrier (as opposed to the hen harrier).

ExQ1	Question to:	Question:
	Response	c) Natural England is yet to see detailed plans for the revised marsh harrier compensation area (to include the wetland component) and therefore cannot remove the caveat of 'in principle' at this time. Our position has progressed on this issue in terms of the Habitat Regulation Assessment where the tests are more stringent for compensation than they are for mitigation which was previously proposed. For our full detailed comments can be found under issue 27 within our Relevant (PINS ref: RR-0878, our ref: 306236, dated 30th Sep 2020) and Written Representations (Our Ref: 350822, dated 2nd June) and Statement of Common Ground.
Bio.1.111	The Applicant	[APP-224] para 14.12.111 – effects on the red-throated diver in the Outer Thames Estuary SPA. This records that "underwater noise disturbance during construction (and as assumed for decommissioning) and the extent of their effects on the fish prey of red-throated divers are detailed as for the Minsmere-Walberswick SPA above". However, no effects for red-throated diver are recorded in the section on the Minsmere-Walberswick SPA. Please will the Applicant clarify the effects.
	Response	
Bio.1.112	The Applicant	[APP-224] para 14.12.169 concludes "*Table 14.26 then provides a summary of the HRA conclusions for all IEFs identified in Table 14.30, potential disturbance/ displacement impacts during operation are considered to be of low magnitude which would result in a minor positive effect, which is considered to be not significant*". Please will the Applicant concisely explain how it reaches this conclusion. The effects at Table 14.26 are all negative.
	Response	

ExQ1	Question to:	Question:
Bio.1.113	The Applicant	[APP-224] – para 14.12.177 – operational effects of disturbance /displacement on "other IEFs". Whilst the previous para gives a conclusion for these effects on European sites, the ExA cannot see a conclusion in relation to these "other IEFs". Please could the Applicant state what it is.
	Response	
The next set of questions address bats on the Main Site, section 14.13 of [APP-224]		
Bio.1.114	The Applicant	Bat habitat creation – para 14.13.41. This refers the reader to Appendix 14C1A for the location of the mitigation for the barbastelle. For clarity, is this to be found on Figure 14C1A.12 (of the 14 drawings at [APP-253])?
	Response	
Bio.1.115	The Applicant	Noise levels, Barbastelle – para 14.13.88 – adopting 65dB as the level for foraging impacts. Is this at 8 kHz? If not, please will the Applicant explain.
	Response	
Bio.1.116	The Applicant	Noise levels and roosts, barbastelle – Table 14.40 and para 14.13.95. The table uses 60dB as the threshold, but para 14.13.95 uses 65dB. Which is correct please and will the Applicant explain why.
	Response	
Bio.1.117	The Applicant	Table 13.33, para 14.12.104. Please confirm that GRR is Green Rail Route – or otherwise.
	Response	
Bio.1.118	The Applicant	Para 14.13.117 – "barbastelle is more commonly considered to be a light-adverse species" – "light-averse" presumably?

ExQ1	Question to:	Question:
	Response	
Bio.1.119	The Applicant	Para 14.13.121. (a) predicting the impacts from lighting with proposed mitigation. It is stated that this cannot be done accurately and that monitoring is proposed. Will the Applicant please comment on the appropriateness of this in the light of the case law in *R v Cornwall County Council ex parte Hardy* (2001) Env LR 473 and subsequent cases including *R (on the application of PPG11 Ltd) v Dorset County Council* [2003] EWHC 1311, *R v Rochdale Metropolitan Council (ex parte Milne)* [2001] Env LR 22. The ExA would find it helpful if the Applicant would also comment on the remarks of the Examining Authority on this subject in the recommendation report on the Northampton Gateway NSIP - TR050006 - (largely at paras 11.4.20 and following). (b) Para 14.13.140 concludes, despite this uncertainty, that "Overall, once mitigation is applied, the impact of lighting on the barbastelle population would have a minor adverse effect which is considered to be not significant". How is this conclusion justified in the light of para 14.12.121? (c) There is a similar point at paras 14.13.223 – 225 (d) The point occurs again at para 14.14.69 in relation to water voles, which states that a monitoring programme "would be required for water vole to determine any long-term impact on the water vole populations, to assess the effectiveness of the mitigation and to inform any changes that may be required to the management of habitats". (e) When dealing with (c) and (d) the Applicant should please address the questions asked at (a) and (b) to the specific factual circumstances and differences in (c) and (d).
	Response	

ExQ1	Question to:	Question:
Bio.1.120	The Applicant	Natterer's bat, disturbance from noise – para 14.13.172. The Applicant states that "*Impacts from these works are discussed in the ES chapter relating to this component of the works (ES (Doc Ref. Book 6) Volume 9 Chapter 6.10: Noise and Vibration)"*. Please will the Applicant submit a concise note summarising the case made there, with cross-references to the appropriate paragraphs. The ExA draws to the Applicant's attention that Vol 9 relates to Rail and that Chapter 6 [APP-551] is entitled Landscape and Visual.
	Response	
Bio.1.121	The Applicant	Leisler's bat and Nathusius' pipistrelle. Para 14.13.248, mitigation at Aldhurst Fm and Sizewell Gap. Should the references to Natterer's Bat be to Leisler's bat and Nathusius' pipistrelle? Para 14.13.440 has a similar issue – Natterer should read Daubenton the ExA presume, but please confirm.
	Response	
Bio.1.122	The Applicant	Para 14.13.287 refers to roosts already created and to be created. Please explain how and where the provision and maintenance is secured.
	Response	
Bio.1.123	The Applicant	Para 14.13.467. In [[APP-224] this para is headed "Inter-relationship effects". However, in [AS-033] which is revision 2, the version with lettered headings, the equivalent paragraph is 14.13.472. Five additional paragraphs appear to have been inserted or there is a numbering jump. Please will the Applicant explain what has happened and identify the additional paragraphs or where the jump occurs as the case may be.

ExQ1	Question to:	Question:
	Response	
Bio.1.124	The Applicant	Para 14.13.470 on inter-relationship effects contains the following somewhat Delphic assessment: *"However, it is possible to state that when increased levels of task-specific lighting do correlate with higher noise levels, these events are likely to be of short duration relative to the construction period and are unlikely to be more significant than either impact pathway in isolation*". Please will the Applicant state unequivocally its view on the likelihood and significance of the impact.
	Response	
Bio.1.125	The Applicant	Bats, operation, monitoring. Para 14.13.515 explains that "*If bat boxes have not been occupied within three years of installation, consideration would be given to moving them to alternative sites nearby, to be determined by a licensed bat ecologist"*. Please explain where this is secured, the objectivity of the assessment and the enforcement of the result of the "consideration".
	Response	
Part 3 -Biodiversity and ecology (terrestrial) - Northern Park and Ride		
Bio.1.126	The Applicant	[APP-363] – para 7.4.20 states that the four common species of reptile recorded as potentially within the site are on the list referred to in s.41 of the NERC Act. What steps should the SofS take to further their conservation under s.41(3)(a)? This question applies to all other living organisms and habitat types to which the s.41(3) duty applies and which are identified as such by this chapter of the ES (such a number of species of bat in para 7.4.29).
	Response	

ExQ1	Question to:	Question:
Bio.1.127	The Applicant	[APP-363] paras 7.6.70 and 7.6.77. These assert that the reinstatement of the land to agricultural use will restore connectivity of newt habitats. However, the construction period is about 9-12 years – see para 7.6.13. Will be any newts present after such a long construction period, or if so, in what state? Please will the Applicant summarise the position and point the ExA to the relevant parts of the ES which address it.
	Response	
Part 4- Biodiversity and ecology (terrestrial) – Southern Park and Ride		
Bio.1.128	The Applicant	[APP-394] (the ES Chapter for the Southern Park and Ride) Table 7.1. This refers to the Northern Park and Ride at Darsham. It seems obvious that the reference should be to the Southern Park and Ride at Wickham Market. Please will the Applicant check and confirm whether wherever Northern Park and Ride appears in this document it should read Southern Park and Ride, and Darsham should read Wickham Market. Please specifically list any exceptions.
	Response	
Bio.1.129	The Applicant	[APP-394] – Table 7.3, second row, what is the missing word in the second line which currently reads "proposed sites appear to be -based. Local wildlife"?
	Response	
Bio.1.130	The Applicant	[APP-394] – Table 7.4. Please confirm that the only reason for no Survey Area in relation to statutory and non-statutory designated sites within 5 / 2 kms is that there are none (or otherwise if that is not the case). At least one non-statutorily designated site however is within 430 metres (see Table 7.10 first row).
	Response	

ExQ1	Question to:	Question:
Bio.1.131	The Applicant	[APP-394] – para 7.4.23 states that a number of bat species recorded as potentially within the site are on the list referred to in s.41 of the NERC Act. What steps should the SofS take to further their conservation under s.41(3)(a)? This question applies to all other living organisms and habitat types to which the s.41(3) duty applies and which are identified as such by this chapter of the ES.
	Response	
Bio.1.132	The Applicant	In the changed scheme, the updated ES [AS-183] at para 4.2.7 says the bund will be doubled in length. At para 4.6.2 the assessment states that the assessment of effects does not change. Please will the Applicant explain and justify this. Will not a doubling of the length of a three metre high bund affect habitats?
	Response	
Part 5- Biodiversity and ecology (terrestrial) - Two Village Bypass		
Bio.1.133	The Applicant	[APP-425] – Table 7.3 – consultation responses, RSPB, 23 Sept 2019. Please will the Applicant set out a specific response to each of the points raised by the RSPB.
	Response	
Bio.1.134	The Applicant, Natural England	[APP-425] – para 7.4.7 – baseline description. Is it correct to say that Foxburrow Wood CWS is a site of international importance under CIEEM / high importance under EIA-specific methodology? Please explain why, if it is.
	Response	Ancient woodland such as that found at Foxburrow Wood CWS is of **national** importance under CIEEM guidelines and of **high** importance under EIA-specific methodology.
Bio.1.135	The Applicant, Natural England	[APP-425] – para 7.4.45 – this states: *"… numerous recent water vole field signs, including burrows, droppings, latrines and feeding signs were found along the River Alde and a connected ditch to the north of the River Alde within the site, indicative of a low population within this length of the River Alde …".* Please will the Applicant explain how this is indicative of "low population". NE may also wish to comment or help.

ExQ1	Question to:	Question:
	Response	As these measures are proposed to mitigate impacts on licensable protected species these will be assessed by Natural England through our licensing process. For the progression of this issue the applicant must submit draft protected species licence applications to Natural England for review. If agreed Natural England may provide LoNIs to ensure the ExA has the required certainty in this regard. Further engagement on this issue will therefore be undertaken as part of the licensing process
Bio.1.136	The Applicant	[APP-425] – paras 7.6.8 and 7.6.24. (a) Please will the Applicant list the paragraphs of the CoCP which provide protection against changes in water quality to the River Alde and the Alde-Orr Estuary SPA, SAC, Ramsar and SSSI. (b) Where are the additional measures such as equipment and materials storage restrictions found and secured?
	Response	
Bio.1.137	The Applicant	[APP-425] – para 7.6.10. Foxburrow Wood. This paragraph states that the wood has been scoped out. At Table 7.10 it was scoped in. Please would the Applicant explain.
	Response	
Bio.1.138	The Applicant	[APP-425] – para 7.6.18 – hedgerows, habitat loss and fragmentation. A number of RRs have made the point that the replacements for hedgerows to be lost are along the roadside, and thus of a different type. Please will the Applicant comment on this and whether it affects the assessment as not significant.
	Response	
Bio.1.139	The Applicant	[APP-425] – para 7.6.30. Please will the Applicant clarify; is the embankment referred to here the structure supporting the road? In other words, is the road a causeway at this point?
	Response	

ExQ1	Question to:	Question:
Bio.1.140	The Applicant	[APP-425] – para 7.6.33 – floodplain grassland, habitat loss and fragmentation. Whilst this para addresses habitat loss it does not appear to address fragmentation. Please will the Applicant explain where that assessment is to be found (and briefly summarise it)?
	Response	
Bio.1.141	The Applicant	[APP-425] – para 7.6.43. Please will the Applicant explain how construction impacts on the River Alde invertebrates habitat will be avoided due to the construction of the bridge.
	Response	
Bio.1.142	The Applicant, SCC, Natural England	[APP-425] – paras 7.6.131 & 132 – lowland mixed deciduous woodland fragmentation. These paragraphs suggest fragmentation is offset by more planting. Does not the location of the planting play an equal or greater role? Please comment and state where the new planting is located and any change in the assessment of effects, referring to Figures in the ES (and of course their EL numbers).
	Response	Within Natural England's Relevant Representations (PINS ref: RR-0878, our ref: 306236, dated 30th September 2020), we provided some general advice on the consideration of Section 41 priority habitats and species and regional and local sites of ecological importance (e.g. County Wildlife Sites) (Natural England issue reference 22, pp. 69-71). However, as highlighted in that response, we will only be providing detailed advice on statutory protected sites or where impacts may involve licensable protected species for which Natural England will assess via its licensing process. In this matter Natural England defers to East Suffolk Council and Suffolk County Council.
Bio.1.143	The Applicant	[APP-425] – para 7.6.141. Please will the Applicant spell out what is being said here and give the paragraph references to where the information may be found.
	Response	
Bio.1.144	The Applicant, Natural England, SCC	[APP-425] – para 7.6.154 – habitat loss and fragmentation, bats. Road crossing points for bats are mentioned. It has been widely reported that the bat hop-overs (which are often said to resemble 11kv transmission lines) on the A11 near Thetford are ineffective. Please will the Applicant point the ExA to where in the ES the

ExQ1	Question to:	Question:
		measures are described and any evidence in the ES of their demonstrable success elsewhere. Is the "not significant" assessment justified?
	Response	As these measures are proposed to mitigate impacts on licensable protected species these will be assessed by Natural England through our licensing process. For the progression of this issue the applicant must submit draft protected species licence applications to Natural England for review. If agreed Natural England may provide LoNIs to ensure the ExA has the required certainty in this regard. Further engagement on this issue will therefore be undertaken as part of the licensing process.
Bio.1.145	The Applicant	[APP-425] – para 7.7.8 – monitoring and bat boxes. This paragraph states: *"If bat boxes have not been occupied by year 5 following installation, consideration would be given to moving them to alternative sites nearby, to be determined by a licensed bat ecologist"*. It is one of a number of examples where the following questions arise: (i) where is this secured? (ii) what are the criteria? (iii) how are disputes settled? (iv) what happens if the boxes are not occupied in their new locations. Please will the Applicant address these questions for each place where these proposals are made in the ES and Application documentation.
	Response	
Bio.1.146	The Applicant	[AS-184] section 5.2 describes the need for a new temporary contractor compound and its indicative location. A constraint on its location is the worst-case flood scenario (para 5.2.9). Please will the Applicant: (a) Explain the mechanism in the DCO for determining the location of the compound and the haul route (which is to avoid existing trees on the eastern margin of the field to house the compound - para 5.2.10), and (b) identify which are the relevant provisions of the DCO for this determination.

ExQ1	Question to:	Question:
		This change is apparently not assessed in the terrestrial ecology section (5.6) of [AS-184] – see para 5.6.5, nor in the cumulative assessment [AS-189]. Please will the Applicant clarify why this is the case.
	Response	
Bio.1.147	The Applicant	[AS-184] Similarly, at section 5.2 b)i)c), paras 5.2.27 and following, additional floodplain mitigation is described. Bearing in mind the statement at para 5.2.29 that the original ES stated that there was no significant effect on floodplain grasslands, and the tests for requirements in a DCO please will the Applicant indicate how the changes are incorporated and secured in the DCO. Please will Natural England, ESC and SCC explain the justification for their incorporation bearing in mind the same matters.
	Response	
Bio.1.148	The Applicant	At [AS-184] section d)i), para 5.6.8 it is said that various protective measures for retained trees "would be" taken. Please will the Applicant (a) clarify where these are secured (b) indicate what the powers of the supervising trained arboriculturalist for example in the cases of clashes with the contractual timetable in construction contracts. Which will prevail?
	Response	
Bio.1.149	The Applicant, Natural England, SCC and ESC and Highways England	[AS-263] (Two village by-pass oLEMP "TVB oLEMP") para 1.1.6 – this says the oLEMP and LEMP will be "managed by SZC Co for a total of five years or until adoption by the Highways Authority". Presumably the ExA should read Undertaker for SZC Co but please will the Applicant confirm. Please specify from when the five years commences. Is the proposed period the longer of five years or date of adoption? If not, please will the

ExQ1	Question to:	Question:
		Applicant explain why it is acceptable to cease management prior to adoption. Is the reference to adoption to be construed as adoption of the bypass? What is to occur in the (presumably highly unlikely but, under a normal s.38 agreement, possible) refusal to adopt. Please will Natural England, SCC, Highways England and ESC also comment.
	Response	Natural England is not best placed to comment on this issue. In this matter Natural England defers to East Suffolk Council, Suffolk County Council and Highways England.
Bio.1.150	The Applicant	[AS-263] – TVB OLEMP – para 4 .1.2 states that where possible Foxburrow Wood, Pond Wood and Nuttery Belt would be retained. Please will the Applicant clarify whether the Application and DCO (a) propose or (b) permit the removal of those features.
	Response	
Bio.1.151	The Applicant	[AS-263] – TVB OLEMP -Table 6.1. This identifies various actions which include "thresholds identified for section 41 of the NERC Act / Suffolk Biodiversity Action Plan". The ExA cannot see any reference to threshold setting in s.41 of the NERC Act. Please can the Applicant clarify what is being proposed.
	Response	
Bio.1.152	The Applicant	[AS-263] – TVB OLEMP. Tables 5.1 and 5.2 set out outline management proposals, listing various operations and actions. Various words and phrases of intent are used to specify what is to be done. For example they include: "shall monitor" (Line W1); "would use (line WC1); "should develop" (line WC2); "should not be used" (Line BW3); "tree guards will be used" (Line ST1); "are to be monitored" (line H1). "Would", "should" and "will" are expressions of hope rather than imperatives which must be followed. They are words which convey a sense of uncertainty. "Are to be" may only be an expression of current intent. "Shall" has been regarded as an imperative but current Parliamentary (and statutory instrument) drafting favours "must".

ExQ1	Question to:	Question:
		The ExA appreciates that the oLEMP is not a statutory document (though they also observe that it is incorporated by reference into the DCO) and that the standards of Parliamentary drafting may not normally be imported, in much the same way as the approach to committee reports and Inspectors' reports. However, please will the Applicant confirm that these words are intended to be interpreted as imperatives to be met and observed.
	Response	
Part 6 - Biodiversity and ecology (terrestrial) - Sizewell Link Road		
Bio.1.153	The Applicant	[APP-445] (Volume 6 Sizewell Link Road Chapter 1 Introduction Figures 1.1 - 1.4) – Figure 1.4. Where, in this figure, is the SPA? The key has a marking, namely diagonal downward L>R ochre hatching but there is no such hatching on the figure. No other figures in this document have this in the key.
	Response	
Bio.1.154	The Applicant	[APP-461] – para 7.5.4 third bullet, fourth tiret. Should the reference be to the East Suffolk Line? Ninth bullet – reads: "*Crossing points (bat hop-overs) to facilitate the passage of bats across the road alignment have been incorporated in the design where foraging or commuting routes have been identified*". What is the evidence for the success of these facilities? It has been widely reported that the bat hop-overs (which resemble 11kv transmission lines) on the A11 near Thetford are ineffective. See e.g. https://www.bbc.com/news/uk-england-34605886

ExQ1	Question to:	Question:
		What measures are to be used on the SLR and what evidence is there of success elsewhere? Please will the Applicant comment and explain why the measures proposed are likely to be successful. Is a "not significant" effect assessment justified?
	Response	
Bio.1.155	The Applicant	[APP-461] Para 7.5.10 – this, in relation to tertiary mitigation, states: "*Where feasible, works would be undertaken outside of all tree and hedgerow root protection zones*". How is this a legal requirement? It is evidently not in the CoCP. In these circumstances, how is it (a) tertiary mitigation and (b) secured?
	Response	
Bio.1.156	The Applicant	[APP-461] – para 7.6.11 says that "*Overall, given the primary mitigation measures, habitat loss would result in a temporary, reversible, minor adverse effect, which is considered to be not significant*". However it is said earlier (para 7.6.8) that 67% of the woodland within the site will be lost permanently. (a) Please will the Applicant state where the new tree planting of 13 ha of woodland is secured and whether the 13 ha is entirely to offset the loss of 0.41ha and 0.17 ha (b) Notwithstanding that 67% is only 0.41 ha, is the conclusion at para 7.6.11 tenable? Please will the Applicant explain how it reaches the conclusion that the loss of 67% of the lowland mixed deciduous woodland is not significant and specifically consider and state whether this affects the conclusion at para 7.6.11, and in what way.
	Response	
Bio.1.157	The Applicant	[APP-461] – paras 7.6.12 – 16. Hedgerows, habitat loss and fragmentation. A number of RRs have made the point that the replacements for hedgerows to be lost are along the roadside, and thus of a different type. Please will the Applicant comment on this and whether it affects the assessment as not significant.

ExQ1	Question to:	Question:
	Response	
Bio.1.158	The Applicant	[APP-461] – para 7.6.56. This states: "*Primary mitigation measures such as close-boarded fencing adjacent to woodlands during construction would help mitigate the noise impact to habitats which could be used by breeding birds*". Please will the Applicant explain where this is to be found and secured as Primary mitigation.
	Response	
Bio.1.159	The Applicant	[APP-461] – para 7.6.100. Please see the question on the Two village bypass [APP-425] – para 7.6.129.
	Response	
Bio.1.160	The Applicant	[APP-461] In para 7.6.101 it is said that *"Given the primary mitigation detailed within section 5.5 of Chapter 5 of this volume, the overall impact of air quality on lowland mixed deciduous woodland would be a minor adverse effect, which is considered to be not significant."* Section 5.5 of Ch 5 (Air Quality reads as follows: "*Primary mitigation for the proposed development includes:* • *The proposed alignment of the Sizewell link road would offer road users an alternative route for the B1122, reducing traffic flows within Middleton Moor, Middleton and Theberton during both the peak construction of the Sizewell C Project and upon completion of the power station.* • *The site boundary has been designed to avoid sensitive receptors and increase distance of construction works and the proposed developmentwhere reasonably practicable."* Please will the Applicant explain which of these two elements of primary mitigation it is referring to and how that leads to the conclusion that the impact on lowland mixed deciduous is minor adverse? Given that 95% of the area of woodlands in the UK is

ExQ1	Question to:	Question:
		already above the nitrogen critical load and 50% of unmanaged woodlands are above the critical load for acidity (see paras 7.6.99 and 100), is it really insignificant to inflict further load, or to inflict that load on woodland not currently affected?
	Response	
Bio.1.161	The Applicant	[APP-461] Para 7.6.104. It is said that there will be 17,619m of hedgerow planting. Please confirm this is not all new and includes the 3,730 of unaffected hedgerow referred to at para 7.6.111.
	Response	
Bio.1.162	The Applicant	[APP-461] – para 7.6.128. The sentence containing the conclusion on inter-relationship effects is incomplete. Please could the Applicant supply the missing words.
	Response	
Bio.1.163	The Applicant	[AS-185] section 6.2 describes the need for new temporary contractor compounds and their "likely" location (see paras 6.2.4; 6.2.5 and 6.2.6). (i) Please will the Applicant (a) explain the mechanism in the DCO for determining the location of the compounds (b) identify which are the relevant provisions of the DCO for this determination. (ii) This change is apparently not assessed in the terrestrial ecology section of [AS-185] – see para 6.2.11 and following, nor in the cumulative assessment [AS-189]. Please will the Applicant clarify why this is the case.

ExQ1	Question to:	Question:
	Response	
Bio.1.164	The Applicant, Natural England, SCC and ESC	[AS-264] (Sizewell Link Road oLEMP "SLR oLEMP") para 1.1.6 – this says the oLEMP and LEMP will be "managed by SZC Co for a total of five years or until adoption by the Highways Authority". Presumably the ExA should read Undertaker for SZC Co but please will the Applicant confirm. Please specify from when the five years commences. Is the proposed period the longer of five years or date of adoption? If not, please will the Applicant explain why it is acceptable to cease management prior to adoption. Is the reference to adoption to be construed as adoption of the bypass? What is to occur in the (presumably highly unlikely but, under a normal s.38 agreement, possible) refusal to adopt. Please will Natural England, SCC and ESC also comment.
	Response	Natural England is not best placed to comment on this issue. In this matter Natural England defers to East Suffolk Council, Suffolk County Council and Highways England.
Bio.1.165	The Applicant	[AS-264] SLR oLEMP. Tables 5.1, 5.2 and in this case also 5.3. Please see the comment and question on the corresponding tables in the Two-village bypass oLEMP, [AS-263].
	Response	
Part 7 -Biodiversity and ecology (terrestrial) - Yoxford Roundabout		
Bio.1.166	The Applicant	[APP-494] para 7.4.65 – air quality and dust deposition. Please will the Applicant explain this paragraph. It appears to compare deposition of nitrogen with concentrations in the air. How does that give a conclusion on both deposition and concentration? The same point arises at para 7.4.89.
	Response	

ExQ1	Question to:	Question:
Bio.1.167	The Applicant	[APP-494] para 7.4.80 – effects of water quality changes. This paragraph promises that drainage "would minimise" surface water run-off petrol / oil interceptors "where considered necessary", "limit[ed] diffuse pollution" and therefore "very low risk of water quality impacts". Minimise" however is not the same as prevent. How is it decided "Where [it is] considered necessary? "Limit[ed] diffuse pollution" -- what would the limit be and how would it be enforced? And without knowing the limit how can it be concluded "therefore there would be very low risk of water quality impacts to" the Minsmere to Walberswick Heaths and Marshes SPA, SAC, Ramsar Site, and SSSI? Please will the Applicant address these questions. Similar points arise in relation to paragraphs 7.4.84 and 95 (water quality changes local hydrology and hydrogeology). Please will the Applicant address those as well – mutatis mutandis.
	Response	
Part 8 - Biodiversity and ecology (terrestrial) - Freight Management Facility ("FMF")		
Bio.1.168	The Applicant	[APP-511] Description – para 2.4.11 states *"It is anticipated that a temporary construction access point would be provided to the site off the A12 until construction of the site access road is completed. All vehicles accessing the construction site would be required to park within the site boundary to avoid congestion in the surrounding areas"*. The site does not adjoin the A12 at any point. Please will the Applicant explain this statement.
	Response	
Bio.1.169	The Applicant	[APP-523] – Table 7.3. Commenting on Natural England's reference to s.41 NERC Act the Applicant says "*the site does not support deciduous woodland*". However, will the Applicant please say whether it supports any other s.41 habitats or organisms.
	Response	

ExQ1	Question to:	Question:
Bio.1.170	The Applicant	[APP-523] – Table 7.4. Please will the Applicant explain why there is no Survey Area for the statutory and non-statutory designated sites.
	Response	
Bio.1.171	The Applicant	[APP-523] – para 7.5.6. This appears to state that all tertiary mitigation for the FMF is contained in the CoCP. Is that in fact the case?
	Response	
Bio.1.172	The Applicant, SCC, ESC	[APP-523] – para 7.5.7. Are the geo-cellular water storage structures properly described as Tertiary Mitigation? The ExA would like to receive submissions from the Applicant and the two host authorities on this and whether it matters. The Applicant sets considerable store on good design and providing Primary and Tertiary mitigation, and thus not needing to provide (and draw attention to) Secondary Mitigation. Tertiary Mitigation is the steps which are required regardless of EIA, due to legal requirements or standard sectoral best practices.
	Response	
Bio.1.173	The Applicant	[APP-523] – para 7.5.10. This describes tree protection but in terms of hope ("should") rather than requirement ("will"). In context however the ExA reads the paragraph as containing binding promises which the Applicant intends will be secured in the DCO or s.106 agreement. Please will the Applicant state where in those documents the promises are made good.
	Response	
Bio.1.174	The Applicant	[APP-523] – para 7.6.3 – operational effects, lighting. This states that "A Central Management System has been proposed for the lighting which would be capable of dimming of parts of the site independently …".

ExQ1	Question to:	Question:
		Where is this secured?
	Response	
Bio.1.175	The Applicant	[APP-523] – para 7.6.4 – this states: *"Primary embedded mitigation (for example, use of light fittings chosen to limit stray light, and landscape bunds, see section 7.5 of this Chapter) would reduce the spillage of light …"* (i) Where is this secured? (ii) This might be thought to be a level of considerable detail for embedded mitigation. Please will the Applicant explain the scheme for securing embedded mitigation as a whole and how it reaches as far as this and similar details.
	Response	
Bio.1.176	The Applicant	[APP-461] – para 7.4.14. Please will the Applicant clarify what is meant in this paragraph. It may just be a question of typographical issues, but it does not currently appear to make sense. (Part of the paragraph reads as follows "*There are also a number of seven ditches within the site. Ten of these…"*)
	Response	
Part 9 - Biodiversity and ecology (terrestrial) - Rail		
Bio.1.177	The Applicant	[APP-555] Table 7.5, Z0I study area and survey areas. Footnote 2 reads *"The survey area was where access was granted. Please note that access was granted for the rail extension route but not for the branch line upgrades."* Please explain how this has affected the ES of rail in relation to terrestrial ecology and ornithology. Similarly at para 7.3.39 no access was granted to Bratts Black House level crossing site, leaving only desk-study information.

ExQ1	Question to:	Question:
	Response	
Bio.1.178	The Applicant	[APP-555] Para 7.4.17. The reader is referred to Figure 7.3 on Appx 7A of Vol 7 [APP-557] for the location of ponds. There are no ponds on Fig 7.3. Should the reference be to Fig 7.4?
	Response	
Bio.1.179	The Applicant	[APP-555] para 7.4.20 – Amphibians. Whilst a conclusion on the importance of toads is reached there is no statement in relation to the great crested newts. Where does the ExA find this and what is the conclusion on them?
	Response	
Bio.1.180	The Applicant	[APP-555] para 7.4.47. What conclusion was reached regarding the importance of chicory and Gold of pleasure? Where is this stated?
	Response	
Bio.1.181	The Applicant	[APP-555] para 7.6.14. Effects on great crested newts - severance, distance and connectivity leading to a conclusion that GCN are "unlikely to be greatly impacted by this severance". (i) Please will the Applicant unpack this paragraph. The reasoning is not clear to the ExA. (ii) Surely the test is "likely significant impact / effect" rather than likelihood of "great impact". Please will the Applicant comment and explain. This question (ii) applies to other paragraphs as well such as 7.6.15. Please respond so as to cover all the cases.
	Response	
Bio.1.182	The Applicant	[APP-555] para 7.6.19.

ExQ1	Question to:	Question:
		This, dealing with habitat loss and GCN concludes that effects on GCN of the rail extension route would be temporary and reversible, minor adverse not significant. Notwithstanding that this is in the construction section, is this a valid conclusion in relation to the newts where the project and habitat loss lasts for 10-12 years?
	Response	
Bio.1.183	The Applicant	[APP-555] para 7.6.85. This, dealing with removal and reinstatement, incidental mortality – opens by saying that "not possible to accurately quantify the magnitude of this impact". It ends stating "removal of hibernacula could lead to the loss of a number of individuals from a number of breeding ponds, thereby *having a potential low magnitude* of effect on this meta-population". The following paragraph concludes that the low magnitude impact is a minor adverse non-significant effect. How does the Applicant conclude that the impact is low magnitude when it is "not possible to accurately quantify the magnitude"? Please will the Applicant comment and respond, and explain whether the conclusion of non-significant minor effect is valid, and if so, how.
	Response	
Bio.1.184	The Applicant	The terrestrial ecology section of [APP-188] – Rail - (section 9.5) appears to address only additional information. Presumably this is because the change to rail movements does not lead to any different effects on terrestrial ecology and ornithology. Please can the Applicant confirm this (or otherwise).
	Response	
Bio.1.185	The Applicant	[APP-555] – para 7.7.7 – monitoring during operation. How is this monitoring secured?
	Response	
The following questions are all addressed to Natural England, and in some cases to other parties. They address all or more than one of the Main Site and Associated Sites		

ExQ1	Question to:	Question:
Bio.1.186	Natural England, The Applicant	[RR-0878] para 2.3 and Advice Note 11, Annex C, Wildlife Licensing. Please will Natural England clarify whether it has issued any Letters of No Impediment (LONI). If it has, which letters are yet to be issued? Which applications has the Applicant made? The Applicant has referred to protected species licensing in [APP-153]. It would be helpful if it would add to that document (in all of tables 1.1-1.8) so as to summarise which Relevant Protected Species Licences will need to be sought for each site. If possible, please can this be addressed as a discrete item in the SoCG between Natural England and the Applicant.
	Response	Currently there have been no draft license applications submitted by the applicant to Natural England. Consequently, Natural England has not been able to review detailed information on impacts towards licensable species and proposed mitigation, and no letters of no impediment have been issued. Whilst we understand that the applicant will be submitting these draft protected species licence applications in due course (timescales for each respective species to be confirmed) these remain outstanding at this time. For our full detailed comments can be found under issue 37 within our Relevant (PINS ref: RR-0878, our ref: 306236, dated 30th Sep 2020) and Written Representations (Our Ref: 350822, dated 2nd June) and Statement of Common Ground.
Bio.1.187	Natural England, The Applicant, ESC, SCC	Advice Note 11, Annex C, Wildlife Licensing – do any strategic approaches such as district licensing apply in this case? If so, what are they and what steps have been taken? If so, please will Natural England outline the process, legal basis and how it differs from the normal process.
	Response	We understand that District Level Licensing for Great Crested Newts (GCN) which is available in Suffolk (further details here: https://www.gov.uk/government/publications/great-crested-newts-district-level-licensing-schemes is not proposed for this project at this time.

ExQ1	Question to:	Question:
Bio.1.188	Natural England	[RR-0878] Part I, section 2.5. (i) In relation to the matters Natural England has listed in the table in this section, do they all require a separate consent from Natural England under the SSSI legislation if the DCO is granted? (ii) For example, water abstraction by the owner of an SSSI would if it were an operation listed in the notification of the SSSI, require a licence under 2.28E Wildlife and Countryside Act 1981. Can the same be said for increases in oxides of nitrogen or "impacts on prey species" or impacts from recreational pressure? (iii) If only some of the matters require a separate consent, please say which. (iv) Please state which matters requiring a consent, if any, are the subject of an issued LONI. (v) Is the purpose of section 2.5 to list the matters which Natural England considers are relevant to the SofS's duty under s.28G of the Wildlife and Countryside Act 1981.
	Response	
Bio.1.189	Natural England, The Applicant	[RR-0878] Part II, item 27, Marsh Harrier compensation site. Please will Natural England clarify (a) where the compensation site they describe as being part of the Application is located and (b) whether it is wetland or dry. This section does not make it clear. From the ExA's unaccompanied site inspection to the Westleton site it appeared to be dry.
	Response	The primary area proposed for marsh harrier compensation land as referred to in RR-0878 Part II, item 27 is that located at Lower Abbey Farm. This is shown in APP-259 (figures 3.1 – 3.6, although without the wetland component as dry habitats only as previously proposed) and in Figure 2.2.14 of AS-190, including the wetland component but as indicative sketch only). As outlined in our responses to Bio.1.108 and Bio.1.110 above, Natural England is yet to see detailed plans for the revised marsh harrier compensation area (to include the wetland component) and we are therefore unable to comment further

ExQ1	Question to:	Question:
		on the suitability of this proposed compensation at this time. For our full detailed comments can be found under issue 27 within our Relevant (PINS ref: RR-0878, our ref: 306236, dated 30th Sep 2020) and Written Representations (Our Ref: 350822, dated 2nd June) and Statement of Common Ground. As we understand it the habitat at Westleton has been secured as a contingency should the proposed habitat compensation area at Upper Abbey Farm be deemed insufficient. As we are yet to see detailed plans for this area either we are unable to comment further at this time
Bio.1.190	Natural England, The Applicant	Brexit. Please will Natural England and the Applicant jointly set out what they consider to be the legal effect of the UK's withdrawal from the EU (including the end of the transition period) on the Conservation of Habitats and Species Regulations 2017, the Conservation of Offshore Marine Habitats and Species Regulations 2017 and all other international obligations and policies referred to in the ES, so far as relevant to the Application, so that the ExA is adequately briefed on the position after 31 December 2020. (At the time of writing this question, the versions of the Habitats Regs and the Marine Habitats Regs on the legislation.gov.uk website carry the note "There may be changes and effects to this Legislation not yet recorded or applied to the text".) The UK government has published the following updated guidance on Habitats Regulations Assessment. https://www.gov.uk/guidance/habitats-regulations-assessments-protecting-a-european-site https://www.gov.uk/guidance/duty-to-protect-conserve-and-restore-european-sites https://www.gov.uk/government/publications/habitats-regulations-assessment-derogationnotice

ExQ1	Question to:	Question:
		Could the applicant explain via legal submission or other supplementary material to their HRA Reports, any implications of this guidance to the case for the development consent order and duties of the SofS If there are differences of opinion between Natural England and the Applicant,12 please flag and explain them. This document should be kept up to date and a final version submitted at the final deadline.
	Response	The Conservation of Habitats and Species Regulations 2017 (as amended) and the Conservation of Offshore Marine Habitats and Species Regulations 2017 (as amended) have both been amended so that they continue to operate effectively now that the transition period has ended and the UK has completed its exit from the EU. The changes that are now in force have been made by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019. The changes ensure the strict protections afforded to sites, habitats and species as derived from the EU Habitats and Wild Birds directives continue. Most of these changes involve transferring functions from the European Commission to the appropriate authorities in England and Wales. All other processes (such as HRA) and terms (such as SACs, SPAs and European Sites) found in the 2017 Regulations remain unchanged and existing guidance is still relevant. Defra has now published further information about these changes made to the Habitats Regulations as introduced by these amending regulations – this is now available on GOV.UK at https://www.gov.uk/government/publications/changes-to-the-habitats-regulations-2017
Part 10 - Biodiversity and ecology (marine) - General **Please note. Owing to the length of [APP-317] and the multiple topics and effects it assessed, the ExA asked the Applicant in [PD-005] to identify each of the headings in a way which clarifies both the subject matter and how each**		

ExQ1	Question to:	Question:
section, sub-section, sub-sub-section and so on sits in relation to preceding sections. As the paragraphs already had a number system separate from the headings the ExA suggested a lettering system. The lettered headings version submitted by the Applicant is at [AS-035]. The full list of headings is at electronic pages 694-724 of [AS-035] (hard copy pages 679-709). References to lettered sections in the questions below on [APP-317] are to those sections.		
Bio.1.191	EA, The Applicant	At para 7.0 of [RR-0373] the Agency ask for various reports and papers and that they should be submitted to the examination. Has the Agency now received them and have they been submitted to the examination? If submitted, please will the Applicant list the titles, and EL references. If they have not been submitted or if the Applicant does not propose to do so, please will the Applicant explain the reason? See also para 9.3 of [RR-0373] in relation to a report on the twaite shad and cucumber smelt; this question applies also to that issue.
	Response	
Bio.1.192	MMO, Natural England, The Applicant	The ExA draws attention to the Inspectorate's Advice Note 11, Annex B, page 6. (a) Is s.150 PA2008 engaged for matters in the jurisdiction of the MMO? Presumably it is at least in relation to the deemed marine licence? In relation to what others is it engaged? (b) Has the Applicant sought and obtained a waiver under s.150 of the PA2008 and the Infrastructure Planning (Interested Parties and Prescribed Provisions) Regulations 2015? (c) Does the Conservation of Seals Act 1970 apply and if so how?
	Response	c) Natural England advise that while we do have powers under The Seals Act 1970, these powers only apply above the mean high-water spring tide line and have to fate never issues a license under this act. For this reason, we would defer to the MMO on this matter.
Bio.1.193	The Applicant, MMO, Natural England	[APP-317]] Table 22.1 In relation to the Minsmere – Walberswick SPA and Ramsar Site the Applicant writes "Likely significant effects on designated bird species are assessed as part of the Shadow HRA (Doc Ref. 5.10)" and the reader is referred there for assessment.

ExQ1	Question to:	Question:
		This approach is taken for the assessment of effects under the EIA Regs in relation to other sites, for example the Alde-Ore Estuary SPA and Ramsar Site, the Outer Thames Estuary SPA. Doc Ref 5.10 is a very large report made up of multiple documents and citations are not to specific paragraphs / sections which would aid the reader. Is the MMO satisfied with this approach? As the approach also affects terrestrial European sites, the ExA directs this question to Natural England as well. Please will the Applicant explain how it considers the findings of a habitats regulations assessment should be used in the ES? For example, is it the Applicant's view that if there is no likely significant effect (LSE) found in the Shadow HRA, then there is no LSE in terms of the ES? The tests are different as the Applicant will be aware. If there is an LSE under the HRA but there is no adverse effect on integrity of the European site where does that sit in terms of the ES? Please will the Applicant succinctly summarise the findings of the assessment in terms applicable to the ES, giving cross-references to the HRA and Examination Library references.
	Response	Natural England is the Statutory Nature Conservation Body for both terrestrial and marine protected sites including the Minsmere – Walberswick SPA and Ramsar Site, Alde-Ore Estuary SPA and Ramsar Site and the Outer Thames Estuary SPA. We are satisfied with approach to assessing potential impacts to these sites through the Shadow HRA (Doc Ref. 5.10).
Bio.1.194	The Applicant	Plate 22.1. There is an entry for CDO – presumably the combined drainage outfall – but it is made up of tunnels which do not include the CDO itself. Presumably the DCO timeframe is one of the lines. Please confirm (or otherwise) and specify which.
	Response	

ExQ1	Question to:	Question:
Bio.1.195	The Applicant	Para 22.3.75, Assumptions of the assessments. Please will the Applicant explain how these assumptions are reflected by limits in the DCO. For some it is straightforward, such as the depth of tunnels. How is the assistance of tugs assured?
	Response	
Bio.1.196	The Applicant	[APP-317] – para 22.4.51, baseline subtidal communities and habitats. This paragraph says two habitats have been identified. Coralline Crag is one. What is the other?
	Response	
Bio.1.197	The Applicant	[APP-317] - para 22.5.19. Please explain what is meant by "seismic qualification", its purpose and necessity and how it is secured through the DCO.
	Response	
Bio.1.198	MMO, The Applicant	A number of points in the MMO's [RR-0743] are comments rather than clearly stated disagreements. Please will the SoCG between the Applicant and MMO address each of these, whether or not the comment is accepted, and state what action is taken as a result, and any implications for the ES or other application documentation.
	Response	
Bio.1.199	MMO	Para 5.4.1.2. Please set out drafting the MMO seeks for a requirement on LVSE and FRR design, monitoring and operation, with an explanation and reasoning.
	Response	
Bio.1.200	MMO	[RR-0743] Paras 5.4.1.6 – 5.4.1.17. (a) The ExA concludes from these paragraphs that the MMO is content with the method used by the Applicant and is not requiring the Applicant, ExA or SofS to use the extended method. Please confirm (or otherwise) that the ExA has correctly understood.

ExQ1	Question to:	Question:
		(b) However, para 5.4.1.6 says: "*although once these analyses are completed, decision-making will still require a judgement to be made taking account of the model outputs, analogue evidence from Sizewell B monitoring, proportionality and an appropriate level of precaution*". Please will the MMO set out the decision process, with steps, documents and other factors to be taken into account, which it is here recommending to the SofS. (c) Does this issue arise elsewhere in [RR-0743]? For example at para 5.8.8? If so please answer (a) and (b) for those instances also.
	Response	
Bio.1.201	MMO	[RR-0743] Para 5.5.1. This alerts the ExA to an additional source of baseline information on harbour and grey seal distributions" and gives a website. Please will the MMO explain what information in that document it wishes the ExA to take into account and explain why and with what conclusion.
	Response	
Bio.1.202	MMO	[RR-0743] Para 5.6.2. The MMO draws attention to Council Regulation (EU) 2019/124 which it says has been superseded. Please say what is the new regulation and explain how it makes a difference to Appendix 22f and the ES conclusions on fisheries and marine ecology.
	Response	
Bio.1.203	MMO	[RR-0743] Para 5.8.4. Please will the MMO spell out the significance of the point it is making at this paragraph. Is there an underestimate? To what extent? With what consequence? This issue could usefully be addressed in the SoCG. Please cross-refer to the consideration given in the SoCG.
	Response	
Bio.1.204	MMO	[RR-0743] Para 5.13.1.

ExQ1	Question to:	Question:
		Does the MMO consider that this information on commercial fishing vessels changes the conclusions of the either in this point or generally? Does it dispute those conclusions? If so how and with what result?
	Response	
Bio.1.205	Applicant	[AS-281] – Proposed changes. At para 2.2.62 the need for the new BLF to be anchored to the sea bed with piles is highlighted. Please will the Applicant say what are the maintenance implications in relation to ecology and point the ExA to where those are assessed.
	Response	
Part 11 - Biodiversity and ecology (marine) - Plankton		
Bio.1.206	The Applicant	[APP-317], paras 22.6.6 – 22.6.10. This is one of a number of references in the Marine Ecology and Fisheries chapter [APP-317] to tides. Please can the Applicant submit a short explanation about tides so far as relevant to this chapter and the tidal effects which are being referred to. For example: excursion; trajectory of the tide; tidal volume; rectilinear; north – south orientation; tide velocities; offshore wave climate; fetch; water exchange, exchange rates. If this information is already in the application documentation, please indicate where.
	Response	
Bio.1.207	The Applicant, EA, MMO	[APP-317] para 22.2.21. This references the WFD Compliance Assessment (Doc Ref 814). Please will the Environment Agency state whether it has any relevant concerns about water quality (not only under WFD) for plankton.
	Response	

ExQ1	Question to:	Question:
Bio.1.208	The Applicant, EA, MMO	[APP-317] para 22.6.31 – "This chapter considers only the holoplankton component of the zooplankton community". Please will the Applicant explain why it takes this approach and why it is valid and proper. Please will the EA and MMO state if they accept this approach and if they have any relevant concerns.
	Response	
Bio.1.209	The Applicant, EA, MMO	[APP-317] paras 22.6.262 – 273, Table 22.32 and Plate 22.4 (Section D.d.f). The temperature plume. The ExA is asking this question not only for its relevance to plankton but also to the rest of this chapter of the ES. (i) It would be helpful is the Applicant could please list the other occasions in this chapter on which this data is used. (ii) the absolute water temperature exceeds 28° over an area of 0.11 ha at the surface (98th percentile), with Sizewell B & C operating – Table 22.32. Please will the MMO and Environment Agency comment in the significance of this. (iii) Please will the MMO and Environment Agency also comment and explain the relevance of the 23°-28° range (iv) Plate 22.4. The title refers to plume temperature above 2° and to Julian Days. Please will the Applicant say if the title should be to thermal uplift – derived presumably from Table 22.32. Please also say why Julian Days are used. Are not Julian days the continuous count of days since the beginning of the Julian Period? Please explain what is intended.
	Response	

ExQ1	Question to:	Question:
Bio.1.210	The Applicant, EA, MMO	[APP-317] Table 22.32. Please will the Applicant explain what is meant by this table. All the figures are for the 98th percentile. A percentile is a score below which a given percentage of scores in its frequency distribution fall. What then is meant by a score which is below a range (such as between 23° and equal to or less than 28°C)? And what is meant by the areas in that context? What is meant by a percentile which is that 98% of the scores are below over 28°C? Is the table meant to show that for example 89.6 ha of the surface of the sea will be between 23° and 28° C when Sizewell B & C are both operating. In relation to thermal uplift, are there any uplifts in the Poor category (which is presumably exceeding 4°). There are other tables where this approach is used, for example Table 22.52 in section D.d.d – Operational; Temperature changes; cooling water discharges. Please will the Applicant cover them as well in its explanation. Please will the Environment Agency and MMO also comment and assist the ExA.
	Response	
Bio.1.211	The Applicant	[APP-317] para 22.6.304. Please explain what is meant by HABs. The ExA cannot find it in the glossary or defined in this chapter.
	Response	
Bio.1.212	The Applicant	[APP-317] section D.d.i, Cooling water discharges: Nutrients, para 22.6.359. The effects on phytoplankton are described. Where does the ExA find the effects on zooplankton?
	Response	

ExQ1	Question to:	Question:
Bio.1.213	The Applicant	[APP-317] Section D.e.c.a – Fish recovery and return, plankton and un-ionised ammonia, para 22.6.378. This concludes that "Un-ionised ammonia discharges from the CDO are predicted to have minor adverse effects on plankton communities. Effects are insignificant." Why is the CDO mentioned? Presumably the reference should be to the FRR, but please confirm.
	Response	
Bio.1.214	The Applicant	[APP-317] Section D.f.b – entrainment and thermal and operational nutrient discharges in combination, para 22.6.384. This refers only to effects on phytoplankton. Where does the ExA find effects on zooplankton?
	Response	
Part 12- Biodiversity and ecology (marine) - Benthic Ecology		
Bio.1.215	The Applicant, MMO	[APP-317] baseline, benthic invertebrate taxa, section B.a.a, para 2.7.16. This notes that the lagoon sand shrimp is protected under Sch 5 of the Wildlife and Countryside Act 1981. Is there any relevant defence to damaging or killing it?
	Response	
Bio.1.216	The Applicant, MMO	[APP-317] baseline, benthic invertebrate taxa, section B.a.a, para 2.7.16. This notes that Sabellaria spinulosa is listed under s.41 NERC Act 2006. What steps is the SofS required to take in relation to it to fulfil the obligations in s.41? Please answer this question also in relation to benthic habitats Section B.a.b para 22.7.22, the construction of the cooling water intakes (section C.d) and Sabellaria spinulosa in general.
	Response	

ExQ1	Question to:	Question:
Bio.1.217	The Applicant, MMO	[APP-317] baseline, offshore sabellaria spinosa reefs, section B.a.c, Table 22.37, radionuclides. The reader is referred to Chapter 25 of the ES. Please will the Applicant summarise the relevant parts and give the paragraph numbers for cross references?
	Response	
Bio.1.218	The Applicant, MMO	[APP-317] Construction discharges of un-ionised ammonia, section C.c.f, para 22.7.151. Please will the Applicant explain why the magnitude of the impact is assessed as low "as discharges could occur throughout the construction phase". That duration suggests the opposite. The ExA also notes the criteria in table 1.3 of appendix 6R [APP-170] where the Applicant says: "Medium - Medium-term temporary impacts, one to 12 years". "Low - Short-term temporary, less than a year". Please will MMO also comment.
	Response	
Bio.1.219	The Applicant	[APP-317], section C.d.b - para 22.7.200 – precautionary assessment of 6m depth of sediment. Is the Applicant assuming 6m of soft sediment at the Coralline Crags, which given the statement that they have no or minimal surficial soft sediment would seem counter-intuitive and very precautionary? Does the surface area of soft sediment impacted change with the answer to this question?
	Response	
Bio.1.220	The Applicant MMO	[APP-317] section C.d, paras 22.7.204 and 22.7.211. At para 22.7.204 the ES states that less than 5% of the Coralline Crag would be impacted. At para 22.7.211 the figure of 6% "of the reef area" is given. Is this because the reef in

ExQ1	Question to:	Question:
		para 22.7.211 is the Sabellaria spinulosa, which is only part of the Coralline Crag? If not, please explain further.
	Response	
Bio.1.221	The Applicant	[APP-317] section C.d, para 22.7.205 – medium duration pressures from intake installation. Presumably this is also the case for the outfalls, but please confirm this is the case and that its omission is simply from the text and not from the assessment thus far.
	Response	
Bio.1.222	The Applicant	[APP-317]], section C.d para 22.7.212 "Sabellaria spinulosa larvae are reported … at abundances of approximately 2,500 ind.m^3 in July". Please explain ind.m^3.
	Response	
Bio.1.223	The Applicant, MMO	[APP-317], section C.d.b.b, para 22.7.214 reads "Monitoring of the S. spinulosa reef extent on the offshore Coralline Crag is recommended during both pre- and post-construction of cooling water infrastructure (22.12c)." This monitoring is again referenced at the consideration of inter-relationship effects, para 22.7.310 and in the operational phase (e.g. para 22.7.380). Please will the Applicant explain how this will be secured and what action will be taken, depending on the results of the monitoring. What will be the thresholds and tests for action? Please will the MMO give its view on this proposal.
	Response	

ExQ1	Question to:	Question:
Bio.1.224	The Applicant	[APP-317] section C.d.d.b – Sabelleria spinulosa reef sensitivity to changes in suspended sediments, paras 22.7.224 and 225. In para [APP-224] we read "… the sensitivity of S. spinulosa reef to changes in SSC associated with dredging and dredge disposal for CWS installation *is precautionarily considered the same as the sensitivity of this receptor to changes in SSC due to navigational dredging* for access to the BLF" (emphasis added). However the conclusion in 225 reads "As impact magnitude is medium and *S. spinulosa reef is not sensitive* to this … changes in suspended sediments are predicted to have a minor beneficial effect. …" (emphasis added). Where is the assessment of effect on the basis of the precautionary level of sensitivity in para 22.7.224? The same point arises in relation to paras 22.7.233 and 234 on Sabelleria spinulosa sensitivity to sedimentation rate changes, section C.d.e.b and elsewhere (e.g. 22.7.242 and 243).
	Response	
Bio.1.225	The Applicant	[APP-317] section C.d.f.b – para 22.7.241 – "reefs within the 50m buffer could recover within years of the impact". Please say how many years; 2, 10 …? Please also indicate a likelihood (would) rather than a possibility (could). The same point on the number of years arises at para 22.7.308, inter-relationship effects.
	Response	
Bio.1.226	The Applicant	[APP-317] section C.d.h.b Sabellaria spinulosa reef sensitivity to physical loss of habitat, para 22.7.265. The pressure is the installation of the headworks plus scour protection. Please will the Applicant clarify the statement that approx. 0.1ha of suitable Sabelleria spinulosa habitat is lost in the light of the statement at para 22.7.254 that the two outfalls

ExQ1	Question to:	Question:
		(N&S presumably) have a combined footprint of 2,420m^2 (0.242ha) and a total scour area including the headwork of 4,078m^2 (0.408ha). Is it not 0.204ha of habitat which is lost? If an adjustment is needed, please explain any change to para 22.7.265 and adjust the assessment conclusion at para 22.7.268. Is any adjustment needed to the conclusions on inter-relationship effects at para 22.7.306 and following, section C.f.a?
	Response	
Bio.1.227	The Applicant	[APP-317] Section C.d.i Spread of non-indigenous species: presence of structure. Please will the Applicant explain why Sabelleria spinulosa is not referred to and assessed.
	Response	
Bio.1.228	The Applicant	[APP-317] Section C.e.d – FRR, Physical loss / change to another seabed type: presence of structure, and Section C.e.e Spread of non-indigenous species: presence of structure Why is there no reference to Sabelleria spinulosa? The ExA notes that there are a number of sections in the Ch 22 dealing with effects on benthic ecology where effect on benthic invertebrates is assessed but there is no mention of Sabelleria spinulosa. Rather than list them all, the ExA would be grateful if the Applicant could explain the reason.
	Response	
Bio.1.229	The Applicant	[APP-317] section D.d, Cooling water system, Table 2.50, entrainment: "The effects of entrainment on larvae recruitment (parimarily [sic] for S. pinulosa [sic]) is assessed". Presumably to S. spinulosa?
	Response	

ExQ1	Question to:	Question:
Bio.1.230	The Applicant	[APP-317] section D.d.a.a. Benthic invertebrate sensitivity to entrainment, para 22.7.368. dealing with natural mortality. What is meant by 0.06/d and of what is 37.2% average annual mortality?
	Response	
Bio.1.231	The Applicant	[APP-317] section D.d.d, Table 22.52. "Water Framework Directive thermal standards and areas of exceedance …". Why does this table not cover the combined operation Sizewell B and C as Table 22.32? Please will the Applicant also address the same questions the ExA raised in relation to Table 22.32.
	Response	
Bio.1.232	The Applicant	[APP-317] Section D.d.d, para 22.7.394 and 397: these refer to Table 22.32. Should the reference be Table 22.52?
	Response	
Part 13- Biodiversity and ecology (marine) - Fish		
Bio.1.233	The Applicant	[APP-317] section B.a.f.c – Spawning and nursery grounds, Table 22.61. Please explain the significance of the colours in this table. For example, Dover Sole and Dab have the same socio-economic description, but sole are highlit whereas Dab are not.
	Response	
Bio.1.234	The Applicant, MMO	[APP-317] Section C.b.f.e – Eggs and larvae sensitivity to underwater noise from navigational dredging, para 22.8.169. Please will the Applicant clarify whether this para is summarising Popper or is some other conclusion. Is the MMO satisfied with this approach?
	Response	

ExQ1	Question to:	Question:
Bio.1.235	The Applicant	[APP-317] Section C.b.f.f, Assessments of effects of localised displacement: underwater noise from navigational dredging, para 22.8.179. The reader is referred to the shadow HRA for assessment of implications for bird and cetacean feeding. This is one of a number of places where the Applicant cross refers to the shadow HRA. Other examples include para 22.8.485, implications for bird and cetacean foraging, Section C.f.g.c and para 22.8.710 on indirect effects of localised displacement of prey species on designated birds and marine mammals. The tests in the Conservation and Habitats Regulations are different from the EIA regulations. Please will the Applicant summarise the relevant parts of the shadow HRA and make the necessary adaptations to make them applicable to the ES. This should please be done for each occasion on which the ES refers to the HRA for assessment. The Applicant is referred to the earlier question in the Biodiversity and ecology (marine) general section about the use the shadow HRA for environmental assessment.
	Response	
Bio.1.236	The Applicant	[APP-317] Section C.b.f.f, Assessments of effects of localised displacement: underwater noise from navigational dredging, para 22.8.179. Displacement is largely, it appears, across the ecology chapters of the ES, relevant to feed for prey species. Please confirm that the ExA has correctly understood this, or clarify as necessary.
	Response	
Bio.1.237	The Applicant, MMO	[APP-317], Section C.b.g Underwater noise: impact piling, para 22.8.187. This states: *"With the uncertainty and limited scientific evidence currently available, it is not considered appropriate to quantitatively assess the effects of vibration to fish receptors; therefore, the pressure has been scoped out."* This is then compared with offshore wind farms which it is said have much larger scale hammer piling.

ExQ1	Question to:	Question:
		Will the Applicant please say if this scoping out was agreed with the MMO. Please will the MMO say if it is content with this approach.
	Response	
Bio.1.238	The Applicant	[APP-317] Section C.c.i.h, para 22.8.375. Please will the Applicant state where to find Section 22.8.c)v. It is not in the index to [APP-317] which does not go to that level and a word search is impractical.
	Response	
Bio.1.239	The Applicant, MMO	[APP-317] Section C.e, Cooling water infrastructure, para 22.8.408 and following. Please will the Applicant explain why the effects of flushing during commissioning are not considered in this section. MMO may wish to comment.
	Response	
Bio.1.240	The Applicant	[APP-317] Section D.c.b, para 22.8.525. At para 22.8.520 the assessment states "*Therefore, only Dover sole and seabass egg entrainment mortality prediction are subject to change*". (i) Please will the Applicant state plaice and herring are under consideration here. (ii) Where are the effects on dover sole and seabass eggs set out?
	Response	

ExQ1	Question to:	Question:
Bio.1.241	The Applicant	[APP-317] Section D.c.c Cooling Water Abstraction: Impingement (para 22.8.528). Please will the Applicant clarify what is meant by "impingement". Is it fish which are trapped on the screens and die, or those and other fish which hit the screens and survive, perhaps injured. The ExA notes the definition of impingement in the glossary: "Term used to refer to the fish and other marine species becoming trapped on cooling water filtrations screens". The ExA notes that at para 22.8.531 attention is drawn to the fact that chlorination is applied after the screens so that "impinged fish would not be exposed to chlorine". Chlorination (and hydrazine) cannot be of relevance to dead fish so the inclusive approach (i.e. fish which hit the screens and are returned, whether living or dead) seems to be what is intended. To what extent is the distinction relevant to the assessment?
	Response	
Bio.1.242	The Applicant, MMO	[APP-317] Section D.c.c.c Assessment of impingement losses, Table 22.111 – pre-mitigation table. (i) Please will the Applicant explain why eels are not in red, given that they are 1.89%SSB? Why is Twaite shad 84.6% of landings shaded red when it is only 0.05% of SSB? Why are horse mackerel and mackerel in red. They are 0.00%. (ii) In relation to Twaite shad, why is % of landings used when SSB is available? (iii) Why is the percentage of mean landings used for Allis shad when there is no figure for mean landings? In addition for this species, Allis Shad, the figure for %age of SSB is 0.018%.

ExQ1	Question to:	Question:
		(iv) Please will the Applicant explain, and confirm the other figures in this table are correct, or amend if necessary. If amendments are made, please re-issue the table with changes clearly shown and consequential changes elsewhere in the ES set out. (v)Please will the MMO also comment on all of the above.
	Response	
Bio.1.243	The Applicant, MMO	[APP-317] Section D.c.c.c Assessment of impingement losses, Table 22.112 – full mitigation table The ExA notes that this table does not include "Species where the impingement weight exceed 1% of the relevant stock comparator are shaded in red", as for Table 22.111. (i) Should that approach be adopted for Table 22.112. If so, please re-issue the table with changes clearly shown and consequential changes elsewhere in the ES set out. Please will the Applicant clarify. (ii) Why does this table show landings when SSB are available? (iii) Twaite shad – 32.4% of landings are impinged. That appears to be a very large percentage. Please will the applicant explain why it is so much higher than the other species. Also how is it calculated? Mean landings are 1 tonne. EAV weight of impinged fish is 0.43 tonnes. So should the figure be 43%? Either way, please will the Applicant comment on its significance. But is the relevant figure the percentage of SSB, namely 0.02%. (v) Please will the MMO also comment on all of the above.
	Response	
Bio.1.244	The Applicant, MMO	[APP-317] Section D.c.c.c Assessment of impingement losses, Table 22.113. Please will the Applicant explain why it has drawn seabass and thin-lipped grey mullet into this table. The figures for seabass seem simply to be 10% of those in Table 22.112. The

ExQ1	Question to:	Question:
		figures for grey mullet are the same as in the table. The ExA notes the reference to Appendix 22I. Please will the Applicant summarise the point being made on this by that Appendix and give the paragraph and page numbers which are relevant. Please will the MMO also comment.
	Response	
Bio.1.245	The Applicant, MMO	[APP-317] Section D.c.c.c Assessment of impingement losses, Table 22.114. Comparison of the effectiveness of different embedded mitigation measures. In the column LVSE mitigation, % effectiveness, the figure is always 61.7%. Why is this?
	Response	
Bio.1.246	The Applicant	[APP-317] section D.c.d, Cooling water abstraction: Entrapment, para 22.8.648. [APP-005] defines Entrapment as "The inadvertent entry into the cooling water system of marine organisms caused by the ingress of water". Please will the Applicant explain what phenomenon is being contemplated here. It appears to be a combination of impingement and entrainment. But see the glossary definitions of these. Impingement is becoming trapped on the screen. Entrainment is going through the whole cooling water system.
	Response	
Bio.1.247	The Applicant, MMO	[APP-317] section D.c.i.a, Demersal fish and elasmobranch eggs /cases and larvae: sensitivity to bromoform chlorination by-product. Par 22.8.765 "*This median lethal concentration is substantially (10,000-fold) greater than the target 5µg/l EQS for the Proposed development, which is exceeded over a very limited area (52ha at the surface and 0.67ha at the seabed)*."

ExQ1	Question to:	Question:
		Is the Applicant saying that the target EQS is too low? Is that a proper conclusion? By how much is the excess over the 52 ha area?
	Response	
Bio.1.248	The Applicant, MMO	[APP-317] Section D.e.a Commissioning discharges of hydrazine on fish discharged from the FRR, para 22.8.842. "*The duration of the exceedance is short, with concentrations exceeding the acute PNEC for no longer than 3.25 hours at a time.*" What is the time gap between such concentrations? What would be the minimum acceptable gap?
	Response	
Bio.1.249	The Applicant, MMO	[APP-317] Section D.e.b Interaction between thermal discharges and chlorine toxicity, para 22.8.845. This para closes with the following: "*Therefore, no further consideration is made of the possible synergistic effects for seabed plumes*". Why is this? Please will the Applicant unpack this. 25.8 ha at the seabed will be >23°C (though below 28°) with both stations operating, which is said to be a "limited" area. With respect all areas are limited. And EQS for the TRO plume will be exceeded.
	Response	
Bio.1.250	The Applicant, MMO	[APP-317] Section D.e.c, Assessments of effects on fish receptors: thermal discharges and chlorine toxicity, para 22.8.849 concludes that "*The inter-relationship of the TRO and*

ExQ1	Question to:	Question:
		thermal plumes is not predicted to increase the significance of effects concluded for the pressures alone". How does the evidence point to this?
	Response	
Bio.1.251	The Applicant, MMO	[APP-317] Section D.e.f Assessments of effects at the sea-area or regional stock/population level: hydrazine and temperature changes, para 22.8.852. This states: "*The inter-relationship of the hydrazine and thermal plumes is not predicted to increase the significance of effects concluded for the pressures alone. This conclusion applies to all fish receptors assessed".* Please will the Applicant explain how it reaches this conclusion. The ExA notes that in the previous paragraph it is recorded that "Considering the decay of hydrazine, increases in water temperature were found to enhance the toxicity of the compound for fish taxa". Does the assessment of no significant effect in the last sentence of para 22.8.853 to change as a result and if not please explain why. Can the MMO throw any light on this?
	Response	
Bio.1.252	The Applicant, MMO	[APP-317] Section D.e.g, Assessments of effects of localised displacement: hydrazine and temperature changes, para 22.8.853. This simply states that "*It is unlikely that this inter-relationship would increase the significance of the effects of localised displacement*". Please will the Applicant explain why. Can the MMO throw any light on this?

ExQ1	Question to:	Question:
	Response	
Bio.1.253	The Applicant, MMO	[APP-317] section D.e.k, Assessments of effects at the sea-area or regional stock/population level: primary and secondary entrainment. Para 22.8.860 Please will the Applicant explain its conclusion that secondary entrainment does not increase significance "due to the fact that even if 100% mortality of entrained ichthyoplankton was assumed, the volume of cooling water is sufficiently low compared to tidal exchange to dampen any effects". Can the MMO assist?
	Response	
Part 14- Biodiversity and ecology (marine) - Marine Mammals		
Bio.1.254	The Applicant, MMO	[APP-317] section C.f – UXO detonations, paras 22.9.197-22.9.202. (i) The MMO has expressed considerable concern about this aspect – see [RR-0743] paras 3.1.1 – 3.1.4. Please will the Applicant set out its response and will the MMO state their current understanding of the position. If this is already set out in their SoCG, and nothing has changed since then it will be adequate to state a short conclusion and to refer the ExA to the relevant paragraphs of the SoCG. (ii) How is the dedicated marine mammal mitigation protocol to be prepared in consultation with statutory stakeholders secured (para 22.9.201)? (iii) What are the mitigation measures for seals referred to at para 22.9.202 and how are they secured?
	Response	

ExQ1	Question to:	Question:
Bio.1.255	The Applicant	[APP-317] section D.b.b – Cooling water infrastructure, para 22.9.248 and following. At para 22.9.251 we read: *"During Winter when harbour porpoises are more numerous, the average plume area exceeding 2°C at the surface is between 745ha and 2,605ha while 3°C exceedance is between 429ha and 834ha*". The ExA does not see these figures in the preceding Table 22.142. Please will the Applicant explain their derivation. If changes need to be made, please explain any consequential amendments.
	Response	
Bio.1.256	The Applicant, MMO	[APP-317] section D.b.b.a – Sensitivity to temperature changes, para 22.9.257. This comments on potential habitat loss in the Southern North Sea SAC. There are other instances e.g. relating to chlorinated discharges (section D.b.c.c, para 22.9.272) Please will the Applicant indicate where this is assessed in the shadow HRA and with what conclusion? Please cover all the instances of habitat loss for marine mammals, not just those mentioned specifically in this question.
	Response	
Part 15- Biodiversity and ecology (marine) - Indirect Effects and Food Webs		
Bio.1.257	The Applicant	[APP-317] section A, para 22.10.1. This cross-refers to the Shadow HRA. (i) Is the Applicant using the shadow HRA material to inform the EIA? (ii) Please will the Applicant explain if or how the information in the HRA is used in the ES in relation to indirect effects and food webs (iii) If the HRA material is being imported by reference, please summarise the relevant parts of the Shadow HRA and apply them in EIA terms to the indirect effects and food webs subject.

ExQ1	Question to:	Question:
		(iv) Do the conclusions affect the conclusion on Indirect effects and food webs of minor beneficial not significant effects?
	Response	
Part 16- Biodiversity and ecology (marine) - Mitigation		
Bio.1.258	The Applicant	[APP-317] Mitigation and monitoring, Section B.d.a, para 22.12.14 – "A marine licence condition is proposed within the Draft Development Consent Order (Doc Ref. 3.1) to secure this" being a marine mammal mitigation plan. Please indicate which condition is referred to. Similarly with the mitigation referred to at paras 22.12.15 and 22.12.16; 22.12.22;
	Response	
Bio.1.259	The Applicant	[APP-317] Although the Fisheries section of [APP-317] concludes that there are no significant effects, Section B.e para 22.12 20 says that where construction activities and operational maintenance may restrict activities of local fishers (both commercial and recreational it would appear) additional mitigation may be arranged, secured by a marine licence condition. Please will the Applicant explain how this will work legally and practically. For example, how are cases identified, likewise appropriate mitigation and dispute resolution.
	Response	
Part 17- Biodiversity Net Gain – unless stated otherwise, references are to the Applicant's Biodiversity Metric Calculations document [APP-266]		
Bio.1.260	The Applicant, Natural England, ESC	Please will the Applicant set out its understanding of the Government's current policy on biodiversity net gain. Please will Natural England and ESC do the same. In ESC's case, please will it include its own policy as well.

ExQ1	Question to:	Question:
		In all cases, please provide the necessary references and internet addresses.
	Response	We welcome the inclusion of BNG in the DCO application. This is something we had pushed for in previous discussions and consultations with EDF Energy and are glad that they have embraced it in advance of it potentially being a statutory requirement for NSIPs in future. The Environment Bill does not currently include making BNG mandatory for NSIPs. The BNG consultation referenced a longer-term ambition to extend BNG to major infrastructure projects and Natural England continues working to encourage and incentivise net gain outcomes across major infrastructure developments. The BNG approach has been developed to not only help halt declines in wildlife by conserving what habitats and species are left but begin the task of restoring some of what has been lost. In simple terms, BNG calculations should, ideally using the recently released Defra biodiversity net gain metric, compare the current biodiversity value of the habitats within the project red line boundary to be lost (excluding designated sites and ancient woodland) with the biodiversity value of the habitats forecast to be created following development, with the intention being to demonstrate an overall increase in biodiversity (minimum 10 %). The government recently announced in June 2019 that it would legislate for net zero greenhouse gas emissions by 2050. Achieving net zero emissions globally is essential to meeting commitments under the Paris Agreement to hold the level of climate change to substantially less than 2 °C and pursue efforts to limit it to 1.5 °C above the pre-industrial average. Creation of semi-natural habitats can help mitigate climate change by adopting practices which promote carbon storage and reduce emissions. In addition to enhancing the biodiversity value of the local area, semi natural habitats take up and store significant amounts of carbon in soils and vegetation and act as a 'Natural Climate Solution'. See Carbon storage by habitat: Review of the evidence of the impacts of management decisions and condition of carbon stores and sources (NERR043) for more information.

ExQ1	Question to:	Question:
		In addition to the considerable ecological benefits, such an approach would also be hugely important as a landscape and visual mitigation measure in this part of the Suffolk Coast and Heaths AONB, commensurate with its nationally designated status. Establishing a strong landscape character which reinforces and lifts the landscape quality can help to indirectly mitigate those significant impacts of the scheme which cannot be directly mitigated by altering the design or location of buildings or by screening. This is therefore the only way in which the Sizewell C project can provide for landscape net gain. However, it is imperative that the project as a whole avoids, mitigates and/or compensates for impacts internationally designated sites (SACs, SPAs, Ramsar sites), nationally designated sites (SSSIs) and that the necessary measures are agreed and secured through the relevant statutory requirements (e.g. Habitats Regulations, Wildlife and Countryside Act etc.. **The BNG approach is therefore dependent on all relevant parties, including Natural England, agreeing that the project represents no 'biodiversity net loss' in these regards; this necessarily requires all designated site issues within the statement of common ground be classified as 'green'** before the project is consented. For our full detailed comments can be found under issue 23 within our Relevant (PINS ref: RR-0878, our ref: 306236, dated 30th Sep 2020) and Written Representations (Our Ref: 350822, dated 2nd June) and Statement of Common Ground.
Bio.1.261	The Applicant	Executive summary – Use of Defra / Natural England Biodiversity Metric 2.0. Please will the Applicant confirm this is the current metric
	Response	
Bio.1.262	The Applicant	Executive summary. Off-site associated developments assessed in separate reports. Please give the Examination Library references for these. Where are the reports and their conclusions integrated?
	Response	
Bio.1.263	The Applicant	Executive summary.

ExQ1	Question to:	Question:
		Please provide a plan showing Studio Fields Complex, St James Covert, Great mount walk or point the ExA to a plan in the Application documents where they are shown
	Response	
Bio.1.264	The Applicant	Executive summary. The achievement of the scores is reliant on creation and management plans. Please specify where these are secured in the DCO and which they are of the plans submitted.
	Response	
Bio.1.265	The Applicant	Executive summary – "It is recommended that post planning, additional surveys are undertaken". Where is this secured in the DCO?
	Response	
Bio.1.266	The Applicant	Executive summary. Please explain why the metric cannot assess loss of part of the Sizewell Marshes SSSI.
	Response	
Bio.1.267	The Applicant, Natural England	Para 2.9 – Areas within the sea are excluded. Please explain why. Is that a valid approach?
	Response	Natural England advises that there is currently no published guidance for applying biodiversity net gain to the marine environment. There is a longer-term ambition to extend biodiversity net gain to marine development and Natural England, alongside Defra are working to develop an approach and metric for marine net gain. While the government continues to explore the potential for a net gain approach to the marine environment, the marine environment remains outside of the mandatory require in the Environment bill. As such there are no published matrices for marine biodiversity net gain. For this reason, we are satisfied that the Applicant has not included the marine environment in their net gain calculations.

ExQ1	Question to:	Question:
		For further detailed, please see https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/819823/net-gain-consult-sum-resp.pdf
Bio.1.268	The Applicant	Para 2.10 – recommendation to conduct "ground-truthing surveys". (i) Where is that secured; (ii) what happens if they show the net biodiversity calculation is wrong?
	Response	
Bio.1.269	The Applicant	Para 2.10 "*Should a target be set for percentage net gain of biodiversity units, it is recommended that …*". Has such a target been set, is it in the DCO and if so, where? Is the remainder of this assumption met?
	Response	
Bio.1.270	The Applicant	Para 5.1 and Table 13. (i) Please clarify which are the "interventions" referred to a being changed. (ii) Have not some of the changes already been made, for example the Aldhurst Farm areas? (iii) If so, is it valid to take them into account?
	Response	
Bio.1.271	The Applicant, Natural England	Para 7 – areas excluded. It is stated that the SSSI habitat is not addressed by the metric as it is of greater value than non-designated areas. It is also stated that 1.6 ha of fen meadow will be lost and 1.7 ha created. Is not Natural England's requirement for a far greater area, presumably because of difficulties in creating fen wetland and to guard against potential failures? Should the extra be taken into account in the net biodiversity calculation?

ExQ1	Question to:	Question:
	Response	We support the approach of impacts to SSSI's needing to be assessed and compensated for separately outside of the BNG calculations given their status. We advise that, when considering different habitats, the metric In terms of specific habitats, we cannot find reference to 1.6 ha of non-designated fen meadow being lost and 1.7 ha created. However, various risk factors associated with creating, restoring or enhancing habitats should be factored into the BNG calculations for all habitat types which are included. These include: • **Difficulty of creating or restoring a habitat:** A standard score based on how difficult the habitat type is to create • **Temporal Risk:** A standard score based on how long the habitat type takes to establish • **Off-site risk:** A score based on whether any compensation is undertaken sufficiently nearby to the site at which the habitat is lost Further detail on the application of the metric are available here: http://publications.naturalengland.org.uk/publication/5850908674228224
Bio.1.272	The Applicant	Conclusion – para 10. Post-planning additional surveys are recommended to inform detailed design, habitat creation and management plans. Where is this secured in the DCO?
	Response	
HRA.1	**Habitats Regulations Assessment**	
HRA.1.0	Natural England	DEFRA/Natural England guidance entitled 'HRAs: protecting a European site' was published on 24 Feb 2021. Does Natural England consider that there is anything in this new guidance that would alter the approach that the Applicant has taken to their Shadow HRA Report [APP-145] (including addendum [AS-178]) and specifically in their

ExQ1	Question to:	Question:
		derogations case or compensation measures plans? If so, please provide reference to specific parts of the guidance that require further attention.
	Response	The new guidance has not altered our advice in regards the applicants Shadow HRA.
HRA.1.1	The Applicant	Since the submission of the Shadow HRA Report [APP-145] the Habitats Regulations 2017 have been amended by The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 ("the 2019 Regulations"). These Regulations came into force on Implementation Period Completion Day, 31 December 2020. Notwithstanding footnote 5 of [APP-145], could the Applicant identify any changes that may be necessary to their HRA assessment in light of the 2019 Regulations.
	Response	
HRA.1.2	Environment Agency	The ExA notes the comments of the Environment Agency in their Relevant Representation [RR-0373] regarding further European sites designated for their allis shad, twaite shad and river lamprey qualifying features, which were absent from the Applicant's Shadow HRA Report [APP-145]. The Applicant in its Shadow HRA Addendum Report [AS-173] has provided additional information on these three species, including screening for additional European sites. Could the Environment Agency comment on whether this information addresses the points raised in the RR with regards to these qualifying features and European sites. If the Environment Agency has outstanding concerns on these matters, please could they expand.
	Response	
HRA.1.3	Natural England	Could Natural England confirm whether it is content that the Applicant has identified all relevant European sites and qualifying features in their Shadow HRA Report [APP-145] and Shadow HRA Addendum Report [AS-178].
	Response	Natural England is currently satisfied that the proposals in their current form have scoped in all relevant European sites.

ExQ1	Question to:	Question:
		However as outlined in our Written Representation (our ref; 350822, dated: 2nd June 2021), there is potential for further impacts on European sites not currently scoped into the assessment as a consequence of water use impacts. Until the Water Industry National Environment Programme (WINEP) study is undertaken by Essex and Suffolk Water and the resulting assessments (including HRA) reviewed in this regard, this issue remains unresolved and outstanding. Without such evidence, Natural England is unable to advise on whether or not this key element of the project proposals may have impacts on those European sites already scoped into assessment (as listed in column B) through any pipeline works etc. or European sites further afield within the Waveney catchment area (where it is understood the preferred scheme would take water) through abstraction of this magnitude and associated works to facilitate it.
HRA.1.4	The Applicant	The ExA notes the submission of document 8.4 Planning Statement Appendix 8.4K Site Water Supply Strategy [APP-601]. Could the Applicant identify where water abstraction and demand has been considered in the Shadow HRA Report (and Shadow HRA Addendum Report, as appropriate) and confirm whether there would be a likely significant effect on any European sites as a result of the proposed water demand/abstraction for the Proposed Development.
	Response	
HRA.1.5	The Applicant	Please will the Applicant confirm whether any aspects of the Proposed Development are likely to impede the existing management practices on European sites, such that this would lead to a likely significant effect on any European sites.
	Response	
HRA.1.6	The Applicant	Noting the recent publication of DEFRA/NE guidance on HRA: Protecting a European site in February 2021 and that the Shadow HRA Report: Compensatory Measures [APP-152] has been produced only with reference to the site requirements specified in paragraph A.7.5 of EN-6. In light of the above and notwithstanding the Applicant's position as to the 'effect' of NPS EN-6 as set out in section 3 of the Planning Statement [APP-590], could the

ExQ1	Question to:	Question:
		Applicant provide comment on any implications of this new guidance with regard to the proposed compensatory measures set out in [APP-152]?
	Response	
HRA.1.7	The Applicant	The ExA notes the Shadow HRA Report: Compensatory Measures [APP-152] contains limited information on the existing agricultural/arable land that has been taken out of production, where management measures are stated to have already commenced. With reference to paragraph 2.4.1 of [APP-152], could the Applicant describe the management measures that have been undertaken to date, their current status and identify these areas on an amended version of the figure in Appendix A to APP-152, which the ExA understands is to present the proposed compensatory measures in a visual form.
	Response	
HRA.1.8	The Applicant	The Shadow HRA Report: Compensatory Measures [APP-152] contains limited information on the specifics of the proposed habitat management measures at Section 3.4 (c). There are also limited cross-references to other submission documents that may be being relied upon for the HRA compensatory measure package. Could the Applicant confirm where any further detailed information on the proposed management measures for the delivery of HRA compensatory measures are to be found in the application documents and/or additional submissions. The ExA notes ES Chapter 14 Terrestrial Ecology and Ornithology Appendix 14C5 Marsh Harrier Mitigation Area Feasibility Report [APP-259]; however, this report dates from April 2019 and does not include information relating to the change to the water resource storage area and the subsequent inclusion of wetland habitats as part of the HRA compensation proposals for marsh harrier. Could the Applicant confirm where information on the proposed management measures, including the proposed wetland habitats, is to be found or provide this information.

ExQ1	Question to:	Question:
		Furthermore, Appendix A (figure) to [APP-152] has a note that states it is to be revised in final design to include the enhanced compensatory habitat comprising wet woodland area and temporary water storage area. Could the Applicant provide an updated figure to show the proposed compensatory measures area, including the proposed wetland habitats, and the relationship of the area to the Order Limits. It would appear to the ExA that part of the land shown on the figure in Appendix A of [APP-152] lies outside of the order limits as shown on Sheet 1 of the Works Plans [AS-285]. The broad category of 'marsh harrier habitat' in the mitigation route map addendum [AS-276] refers to securing mechanisms of the Section 106 (Implementation Plan), Requirement 14 (MDS: Landscape works), and DCO Article 3 (Scheme design). Could the Applicant confirm which of these mechanisms (if any) relate to the HRA compensatory measures proposals.
	Response	
HRA.1.9	Natural England	Particularly in light of 'Change 5' as summarised in Table 2.1 of the Shadow HRA Addendum Report [AS-178], could Natural England comment on the Applicant's proposed compensatory measures package as originally set out in Shadow HRA Report: Compensatory Measures [APP-152], with reference to the legislative tests and relevant guidance. Should Natural England have any outstanding concerns with regards to the proposed compensatory measures please could these be stated.
	Response	In terms of 'Change 5' Natural England highlight that there are no compensatory measures currently provided for the marine environment, and we do not request any. We are satisfied with the mitigation measures that have been proposed with regards to the effects of piling from the construction of both BLFs, and believe that if they are implemented it is unlikely there will be a resulting adverse effect on the integrity of the Southern North Sea SAC. However, we do have outstanding issues with the Applicant's assessment regarding displacement of over-wintering Red-throated divers caused by increased vessel traffic to the temporary BLF. Natural England has provided further detailed comments on this issue in Issue 27 of our Written Representations.

ExQ1	Question to:	Question:
		In terms of the compensation approach for marsh harrier impacts to Minsmere-Walberswick SPA and Ramsar site, please see our responses under Bio.1.108, Bio.1.110 and Bio.1.189. It should be noted that the outcome of various other HRA issues where we are not yet satisfied that adverse effects on integrity (AEoI) to European designated sites can be ruled out and where we are seeking further information may end up requiring compensation measures.

The Planning Inspectorate

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

The Examining Authority's written questions and requests for information (ExQ1)

Issued on 21 April 2021
Responses are due by Deadline 2: Wednesday 2 June 2021

ExQ1 PART 3 OF 6

CC.1 Climate change and resilience
CG.1 Coastal Geomorphology
CA.1 Compulsory Acquisition
CI.1 Community Issues
Cu.1 Cumulative impact and transboundary effects

ExQ1	Question to:	Question:
CC.1	**Climate change and resilience**	
CC.1.0	The Applicant	**General climate change and policy issues** NPS EN-1, section 4.8, states that the ES should take into account how the proposal will take account of the projected impacts of climate change. This should include climate change adaptation. The Planning Statement [APP-590], Section 7.3, g), paragraph 7.3.63, indicates that SZC Co. has complied with those requirements and ES Vol II Chapter 26 [APP-342] sets out the Climate Change Resilience (CCR) assessment: (i) Please specify in summary all appropriate mitigation or adaptation measures that have been identified for the scheme highlighting any relevant changes to the embedded mitigation since the preparation of the ES; (ii) Please clarify the period that they are intended to cover? (iii) Please summarise how the Applicant seeks to demonstrate that EN-1 paragraphs 4.8.6 - 4.8.7 would be satisfied.
	Response	
CC.1.1	The Applicant	**General climate change and policy issues** In relation to EN-1, paragraph 4.8.8: Please explain how the ES demonstrates that there would be no critical features of the scheme which might be seriously affected by more radical changes to the climate beyond that projected in the latest set of UK climate projections?
	Response	
CC.1.2	The Applicant	**Green House Gas emissions** The ES VII Chapter 26 [APP-342] indicates that decommissioning cc 3029f the Sizewell C power station has been scoped out of the detailed Green House Gas (GHG) assessment and a high level summary of the impacts of decommissioning has been provided in Chapter 5. The matter was scoped out of the ES on the basis that an ES for decommissioning of the main site would be secured through the DCO or other suitable mechanism. Please explain how that would be achieved?

ExQ1	Question to:	Question:
	Response	
CC.1.3	The Applicant	**Green House Gas emissions** The ES VII Chapter 26 26.4.15 [APP-342] acknowledges that as a result of the amended 2050 carbon reduction target to net zero carbon, the Committee on Climate Change (CCC) would be reviewing the current carbon budgets and to achieve the revised 2050 target, the emissions reduction trajectory set out in the budgets through to 2050 will need to steepen. What are the implications of the CCC's 6th carbon budget for the assessment presented?
	Response	
CC.1.4	The Applicant	**Green House Gas emissions** The ES VII Chapter 26 [APP-342] explains that IEMA guidance recommends comparing a project's carbon footprint against available carbon budgets. In the absence of any defined industry guidance for assessing the magnitude of GHG impacts for EIA, IEMA recommend the use of professional judgement. Please explain further and specifically identify: (i) those aspects of the GHG assessment for which professional judgment has been used; (ii) the outcome of those judgements; and (iii) the justification for the assumptions made in the exercise of that professional judgement.
	Response	
CC.1.5	The Applicant	**Green House Gas emissions** Together Against Sizewell C (TASC) [RR-1231] complain that there is a lack of information for independent verification of EDF's carbon emission claims. Please explain further how the calculation has been made setting out the assumptions which underline the carbon calculations and support the conclusion reached.
	Response	

ExQ1	Question to:	Question:
CC.1.6	The Applicant	**Green House Gas emissions** The ES Vol II Chapter 26 [APP-342] sets out key measures embedded within the design principles of the Sizewell C Project for the reduction of GHG emissions within Table 26.7: GHG emissions: Primary (embedded) mitigation measures. Please explain how those measures including the Design Principles Document and those intended to achieve design Principles 1, 2, and 3 would be adequately secured by the draft DCO?
	Response	
CC.1.7	The Applicant	**Green House Gas emissions** The ES Vol II Chapter 26 [APP-342], paragraph 26.4.69, indicates that in accordance with the Code of Construction Practice (CoCP) appointed contractor(s) will develop and implement a Construction Environmental Management Plan (CEMP) to measure, monitor and report energy and water consumption and GHG emissions during construction. Please explain how this aspect of the CEMP would operate in practice including how the reports would be utilised and actions instigated where necessary?
	Response	
CC.1.8	The Applicant	**Green House Gas emissions** The ES Vol II Chapter 26 [APP-342], paragraph 26.4.49, in relation to the assessment of GHG emissions during operation explains that by 2034 it is anticipated that Defra and other industry published GHG emissions factors will have considerably declined as the UK transitions towards meeting a net zero carbon emissions target by 2050. To account for the influence of decarbonisation activities across multiple sectors as the UK moves towards the 2050 target, a second step to apply a conservative reduction factor has been undertaken. Please explain and justify the application of a 15% reduction to the calculation compared to 2019 emission factors and why this is likely to represent the highest operational emissions which will be experienced in 2034?
	Response	

ExQ1	Question to:	Question:
CC.1.9	The Applicant	**Green House Gas emissions** The ES concludes that the construction emissions for Sizewell C will not exceed 1% of the total five year UK carbon budget period in which they arise, and the construction of Sizewell C will not have a significant impact on the UK meeting its five carbon budgets through to 2032. Chapter 26 [APP-342], paragraph 26.4.61, states that as carbon budgets had only been set by Government through to 2032, it was not possible to assess the operational impact of the Sizewell C Project in the context of the UK meeting its carbon budget targets. However, it is estimated that GHG emissions from the construction would be offset within the first 6 years of operation by GHG emissions displaced. (i) What are the implications of the CCC 6th Carbon budget December 2020 for that assessment? (ii) Does that assessment and the overall conclusion that Sizewell C provides a significantly beneficial impact, when the GHG impact of electricity generated at Sizewell C is compared against the impact of generating the equivalent energy from the anticipated future mix of alternative generation, need to be revised in the light of more recent reports and information on climate change?
	Response	
CC.1.10	The Applicant	**Green House Gas emissions** Theberton and Eastbridge Parish Council [RR-1214] submits that the operational waste heat vented to the environment has not been assessed against Paris Agreement, 2050 net zero commitments or UK Committee for Climate Change reports. Please comment specifically on the points raised by the Parish Council and explain the position in relation to the climate change impact of the operational waste heat that would be generated.
	Response	
CC.1.11	The Applicant	**Green House Gas emissions** The Environmental Statement Addendum – Non-Technical Summary [AS-179], Section 2.3 n) indicates that the proposed changes and Additional Information on materials management have been used to re-calculate the construction emissions and lifetime emissions from the Sizewell C Project. Please confirm that these are the only factors relevant to the calculations that would be different as a result of the change.

ExQ1	Question to:	Question:
	Response	
CC.1.12	The Applicant	**The role of the Nuclear Regulators** The Planning Statement, [APP-590] Section 7.3, g), paragraph 7.3.59, refers to NPS EN-6 Vol I, section 2.7, which states that the decision maker should not duplicate matters that are within the remit of the Nuclear Regulator. Further details of the potential impacts of climate change that fall within the scope of the Nuclear Site License (NSL) are set out in ES Volume 2, Chapter 26, paragraphs 26.5.34 to 26.5.38. Nevertheless, to provide clarity please identify with reasoned justification all those aspects of climate change adaption which the Applicant considers fall within the role of the Nuclear Regulators (whether as part of GDA, site licensing or environmental permitting) and those issues which remain within the remit of the decision-maker for the DCO application.
	Response	
CC.1.13	ONR	**The role of the Nuclear Regulators** The ONR [RR-0992] explains that in June 2020, NNB Generation Company (SZC) Ltd applied for a nuclear site licence to allow it to install and operate two EPR™ reactors at the Sizewell C site. The ONR is currently assessing this application: (i) Does the ONR have any concerns at this stage associated with the proposed development in relation to climate change impacts and the adaptation measures proposed in the light of experience gained since its assessment of the generic EPR design in 2012? (ii) In the light of EN-6, paragraph 2.7.5, are there any reasons at this stage for the ExA to be concerned that any necessary licence, permit or authorisation will not subsequently be granted? (iii) In the light of EN-6, paragraph 2.7.6, is the ONR aware of any regulatory requirements that are likely to be attached to the grant of a licence and the anticipated timing of the process?
	Response	

ExQ1	Question to:	Question:
CC.1.14	EA	**The role of the Nuclear Regulators** The EA [RR–0373] highlights that it is currently unable to advise the ExA of its position on the environmental permits required for operation, or provide representations on any matters covered by those permits. Whilst the ExA appreciates that the EA may not be able to publish the draft decisions on the environmental permits before the Sizewell C DCO Examination closes, does the EA have any specific concerns at this stage associated with the proposed development in relation to climate change impacts and the adaptation measures proposed?
	Response	
CC.1.15	The Applicant	**Climate change adaptation** In relation to NPS EN-1, paragraph 4.8.10: Please identify all the proposed adaptation measures that could themselves have the potential to give rise to consequential impacts.
	Response	
CC.1.16	The Applicant, EA	**Climate change adaptation** The Planning Statement, Section 7.3, g), paragraph 7.3.61 [APP-590]refers to the mitigation measures embedded in the design including the elevation of the main platform to take it out of the area of flood risk. The EA [RR-0373] expresses concern that the current Flood Risk Assessment (FRA) identifies increased flooding to properties without identifying appropriate mitigation and compensation measures: (i) Is it agreed that the embedded mitigation proposed including the design changes would overcome the flood risk for the main platform itself for the relevant period under consideration? (ii) In the light of EN-1, paragraph 5.7.16, please demonstrate that the project would be safe without increasing the risk of flooding elsewhere. If that remains a point of disagreement, please identify the area of dispute and any further steps proposed to resolve the matter?
	Response	

ExQ1	Question to:	Question:
CC.1.17	The Applicant	**Climate change adaptation** The Planning Statement, Section 7.3, g), paragraph 7.3.61 [APP-590], refers to the mitigation measures embedded in the design including the elevation of the main platform to take it out of the area of flood risk up to a level of 7.3m AOD and the creation of new coastal flood defences at the heights proposed by the changes up to 10.2m AOD with adaptive design to potentially raise the defence up to 14.2m AOD. These heights have now changed as part of the revised application. Please clarify that the proposed elevation of the main platform and sea defence design now reflect and provide a safe margin in the light of both UKCP18 and later reports and advice on the topic.
	Response	
CC.1.18	The Applicant	**Climate change adaptation** Change 9 proposes a change to the sea defence to make the scheme more efficient and resilient to climate change. Notwithstanding the details provided in the FRA Addendum [AS-157]: (i) Please explain in further detail how the proposed height of the permanent sea defence would extend the period when future raising may be needed to beyond the operational lifetime of the power station? (ii) Please explain further how the proposed changes to the sea defence would increase resilience to climate change.
	Response	
CC.1.19	The Applicant	**In-combination climate change impact (ICCI) assessment** The ES Chapter 26, paragraphs 26.6.7 to 26.6.9 [APP-342] explain that limitations associated with the approach taken for the ICCI assessment relate to uncertainties inherent within UKCP18 Projections. To overcome uncertainty issues, forecast climate change data from UKCP18 has been used coupled with the replication of proven effective approaches undertaken for similar project types. Assessments made in relation to

ExQ1	Question to:	Question:
		'consequence' and 'likelihood' rely on professional judgement and evidence gathered through other environmental disciplines: (i) Please explain further and specify the approaches which have been replicated and the project types to which they relate. (ii) Please identify the elements of professional judgement relied upon and the 'other environmental disciplines to which they relate.
	Response	
CG.1	**Coastal Geomorphology**	
CG.1.0	The Applicant	**Impacts on coastal processes** The ES V II, Chapter 20 [APP-311], identifies potential impacts on coastal change. The Change Request provided additional information in relation to coastal geomorphology and hydrodynamics including the draft Coastal Processes Monitoring and Mitigation Plan appended to the ES Addendum. In the light of EN-1, paragraphs 5.5.7 and 5.5.10 and EN-6 paragraph 3.8.5, please demonstrate how the decision-maker can be satisfied in relation to the changed application: (i) That the potential impacts would be minimised; (ii) That the proposed development will be resilient to coastal erosion and deposition, taking account of climate change, during the project's operational life and any decommissioning period.
	Response	
CG.1.1	The Applicant	**Impacts on coastal processes** A number of IPs have expressed concern that the scheme could inhibit sediment flow or have an adverse impact on coastal processes at other locations. In the light of NPS EN-1, paragraph 5.5.11, please explain how the decision-maker could be satisfied that any

ExQ1	Question to:	Question:
		impacts of the project on coastal processes would be managed to minimise adverse impacts on other parts of the coast.
	Response	
CG.1.2	The Applicant, EA, Natural England, ESC	**Impacts on coastal processes** The EA [RR–0373] in relation to the residual uncertainty associated with predicting future changes to the geomorphology of the greater Sizewell Bay, as well as to key driving processes such as sea level rise and wave climate, considers this to be mitigated by SZC's commitment to continued engagement with the Marine Technical Forum of regulators as part of the Monitoring and Mitigation Plan (MMP): (i) Please confirm that the MMP and proposed means of enforcement would provide sufficient security in that respect, particularly in relation to the agreement and funding of specialists to closely monitor the evolution of the coastline and agree and implement the most appropriate measures to manage any unforeseen impacts. (ii) Please indicate when it is anticipated that the detailed design process for the Hard Coastal Defence Feature (HCDF) will take place and how that process would be appropriately appraised and approved? (iii) Are there any draft DCO changes that would be required to exercise sufficient control over that process?
	Response	Natural England considers that the Applicant are best placed to answer this question. If necessary, we will provide comment on any responses at Deadline 3.

ExQ1	Question to:	Question:
CG.1.3	The Applicant, ESC	**Impacts on coastal processes** The East Suffolk Council [RR-0342] indicates that the draft MMP prepared by SZC Co. is currently under consultation with key stakeholders in parallel with the DCO process. There are several points of contention between ESC and SZC Co. In relation to the identified points of contention between ESC and SZC: (i) Is it agreed that a precautionary principle should be applied to assumptions on potential future critical requirements including Impact Assessments, incomplete designs, and the extent of the area to be monitored? (ii) If not, why not? (iii) If so, please suggest how this should be secured through the DCO, including any amended drafting for the draft DCO or other associated documentation? (iv) Please comment further on the project plan and budget and the assumptions to be made as regards the period that the MMP will remain active explaining any points of difference. (v) Please specify the means, in the event of a transfer by SZC Co. of its interest in the site to a new owner, whereby it is suggested that the new owner would be bound by covenant or other legal mechanism to adopt responsibility including costs for maintaining the MMP process setting out any drafting changes to the DCO documentation that would be required to achieve that. (vi) Please comment further on the proposal for an independent body to monitor the MMP, and to direct SZC Co. mitigation and compensation requirements. (vii) Please provide an update on the Council's consultation with MMO as regards the delivery of the MMP.
	Response	
CG.1.4	The Applicant, SCC, EA	**Impacts on coastal processes** Suffolk County Council [RR-1174] identifies as an area of key concern: "*xii) A comprehensive coastal change Monitoring and Mitigation Plan (MMP), with an allocated mitigation/compensation budget, that allows determining if and to what extent an observed coastal change in the Sizewell C zone of influence is attributable to the development, and appropriate and required mitigation measures; and xiii) Provision for the cost of full removal of the hard sea defence as part of the decommissioning process*

ExQ1	Question to:	Question:
		unless and until a future study changes this position". (i) Please indicate the progress of agreeing the MMP; any associated funding for mitigation/compensation and the removal cost for the hard sea defence; (ii) Please identify any outstanding areas of dispute in relation to the MMP, funding and the removal of the hard sea defence; (iii) Has the means whereby the MMP, funding and other costs would be secured been agreed? If not, please identify any matters which remain in dispute?
	Response	
CG.1.5	The Applicant	**Impacts on coastal processes** The Alde and Ore Association [RR-1206] also raise issues in relation to the MMP. Please respond to those specific matters of concern including the duration and level of monitoring and funding proposed to be available pursuant to that plan.
	Response	
CG.1.6	The Applicant, SCC, EA	**Impacts on coastal processes** Suffolk County Council [RR-1174] notes that the draft DCO proposes not to remove the Sizewell C coastal defence after decommissioning, unless required by the Pre-Decommissioning Environmental Impact Assessment. The Council does not consider this acceptable, and expects the Funded Decommissioning Programme to make provision for the cost of full removal of the hard sea defence as part of the decommissioning process, when safe to do so, unless and until a future study, informed by monitoring and other data, changes this position. Why has the removal not been included in the Funded Decommissioning Programme if there is potential for this to be necessary?
	Response	

ExQ1	Question to:	Question:
CG.1.7	The Applicant, ESC	**Impacts on coastal processes** The MMO [RR-0744] advises that any coastal monitoring plan should also be included as a requirement. This is because for any works landward of MHWS, East Suffolk Council will be the enforcement body; any monitoring that relates to the SCDF and HCDF will be of relevance to the Council. Please comment on this matter and, if agreed, set out any drafting changes required for the draft DCO to accommodate this.
	Response	
CG.1.8	The Applicant, MMO, ESC	**Impacts on coastal processes** The MMO [RR-0744] advises that monitoring options to address the uncertainties in the scale of predicted impact and hence the level of monitoring should be included in the MMP in particular for the monitoring of the BLF. It also advises that more detailed monitoring plans must be agreed for each project element and method. The MMO makes a number of other detailed criticisms of the MMP. Please comment on the criticisms made and provide an update as to the progress of agreeing the draft MMP.
	Response	
CG.1.9	MMO, ESC	**Impacts on coastal processes** The draft Coastal Processes Monitoring and Mitigation Plan [AS-237] provides information on the mitigation proposed. Please indicate whether that mitigation is considered to be satisfactory and, if not, suggest any changes considered to be necessary.
	Response	
CG.1.10	MMO	**Impacts on coastal processes** The ES Vol I, Appendix 6P, explains that the scope of the assessment has also been informed by ongoing consultation and engagement with statutory consultees throughout the design and assessment process. To facilitate engagement with statutory (and non-statutory) stakeholders on the marine assessments, the Sizewell Marine Technical Forum has been established. The Marine Technical Forum has an independent chair, supported by a technical secretariat supplied by SZC Co. together with nominated technical

ExQ1	Question to:	Question:
		representatives from Natural England, the EA, the MMO and the East Suffolk Council, and any consultants working on their behalf. The Zone of Influence (ZoI) for the coastal geomorphology assessment has been defined in agreement with the Marine Technical Forum as the Greater Sizewell Bay. Please explain further the role of the MMO as a nominated technical representative of the Marine Technical Forum and indicate whether the ZoI was agreed by the MMO at that stage?
	Response	
CG.1.11	MMO	**Impacts on coastal processes** The ES Vol I, Appendix 6P [APP-171], Hard coastal defence feature 1.3.45 indicates that the final design and detailed construction plans for the HCDF were not known at the time of assessment. Though considered unlikely, it has been assumed as a worst case that heavy plant will be required to operate on the upper beach as part of the construction works. Please indicate whether it is agreed that the assumption of use of heavy plant in the assessment reasonably represents the worst case. In the absence of detailed design and detailed construction plans explain how the worst case scenario for the HCDF be fairly assessed?
	Response	
CG.1.12	MMO	**Impacts on coastal processes** The ES Vol I, Appendix 6P [APP-171], Beach landing facility, paragraph 1.3.46, explains that use of a jack-up barge is considered the worst case for construction of the BLF as the cantilever method (installation from each previously assembled deck section) would have no separate impact apart from the piles themselves. (i) Please indicate whether it is agreed that the assumptions made in the assessment reasonably represent the worst case scenario for the construction of the BLF? (ii) Are there any other factors which should have been taken into account? (iii) Please provide an update in the light of Change 2 to the original application.

ExQ1	Question to:	Question:
	Response	
CG.1.13	The Applicant, MMO	**Impacts on coastal processes** The ES Vol I, Appendix 6P [APP-171], paragraph 1.3.49, indicates that dredging would only be needed when the BLF approach is too shallow or the requirements for the barge grounding pocket are not met and when the BLF is in use. The dredging requirement (clearance) for vessel (barge and tugboats) access to the BLF is not currently known but is considered to be small (substantially less than 1m). The dredging requirement for the docked (grounded) barge has also not been finalised. Please confirm that: (i) the assumptions set out in Appendix 20A of Volume 2 of the ES [APP-312] made in relation to dredging are agreed; (ii) that these assumptions would over-represent the required barge traffic over the construction period; and (iii) the assessments conservatively assume maintenance of the approach channel and grounding pocket throughout the construction period of the proposed development. (iv) Please provide an update in the light of Change 2 to the original application.
	Response	
CG.1.14	The Applicant	**Impacts on coastal processes** The MMO [RR-0744] states that the risk that the wave climate at Sizewell reverts to the pre-1925 case could significantly alter the sediment supply and coastline behaviour and the lack of assessment of changes to the offshore wave climate to a north east domination is a gap in the analysis. In addition, for the nearshore climate, the Applicant assumes that the bank system is stable. (i) Please comment on the criticisms made and provide further justification for the assumptions set out in the ES Volume 2, Chapter 20 [APP-311], including the extent of the study area for coastal geomorphology set out in paragraph 20.3.9 and the assumptions and limitations referred to in paragraphs 20.3.21 and 20.3.29.

ExQ1	Question to:	Question:
		(ii) In relation to paragraph 20.4.6, as pointed out by the MMO, why has the impact of the *"19th Century"* wave climate resuming not been assessed? (iii) Please provide further justification for the assumption that the present wave regime and hence little costal change and impact will continue.
	Response	
CG.1.15	The Applicant	**Impacts on coastal processes** The MMO [RR-0744] states that in general, despite the littoral drift to the south, the mitigation ignores potential impacts to the south of SZC. While the MMO recognises that the assessment concentrates on the stretch of the coast to the north of the site because that is a particularly sensitive area, the less sensitive parts to the south should be further considered. Please explain why this has been omitted to date and whether it is agreed that further consideration should be given to the parts of the coast to the south of the site.
	Response	
CG.1.16	The Applicant	**Impacts on coastal processes** The Alde and Ore Association [RR-1206] expresses concern that the ES fails to justify the assertion that the Great Sizewell Bay is a self-contained unit and changes there will have no impact on the longshore coastal evolution which has resulting in the uniquely long shingle spit of Orfordness, which itself created the Alde and Ore Estuary. Likewise, Walberswick Parish Council [RR-1257] submits that EDF have not justified the assertion that coastal effects to the south will not extend beyond the coralline crag to the north of Thorpeness. Given the scope of the ES assessment how can the ExA be satisfied that the proposed change at Sizewell would not adversely these natural processes further to the south?

ExQ1	Question to:	Question:
	Response	
CG.1.17	The Applicant	**Impacts on coastal processes** Walberswick Parish Council [RR-1257] questions the acceptance of the EDF predictions of when the HCDF will be exposed in the absence of a finalised design. Please provide further justification for the reliability of the ES conclusions on this topic prior to the assessment of the final design of the HCDF.
	Response	
CG.1.18	The Applicant	**Impacts on coastal processes** East Suffolk Internal Drainage Board [RR-0345] expresses concern that the identified changes to long-term sediment flow off the Coast because of the HCDF would be likely to lead to accretion to the north of the development. (i) Please comment as regards the potential impact that this could cause to future discharge to the sea from the gravitational drainage system at Minsmere; (ii) Please summarise the mitigation proposed and comment on whether this matter has been sufficiently considered.
	Response	
CG.1.19	The Applicant	**Impacts on coastal processes** National Trust [RR-0877] in relation to coastal geomorphology and long-term change, expresses concern that there are potential/possible impacts of the proposal on their site during the lifetime of the development that have not been fully explored as part of a holistic and integrated assessment. The Trust submits that the Applicant should be required to define and monitor this change for the lifetime of the development and to include the north of the application site, specifically Dunwich Heath and Beach. (i) Please respond to the specific concerns of National Trust on this topic; (ii) Please explain further and set out the proposals for mitigation/compensation for adverse impacts resulting from the project upon Dunwich Heath and Beach that might arise through coastal change.

ExQ1	Question to:	Question:
	Response	
CG.1.20	The Applicant	**Impacts on coastal processes** Stop Sizewell C (Theberton & Eastbridge Action Group) [RR-1162] sets out its various concerns in relation to the effect of the Sizewell C Project on coastal processes and flood risk. Please respond specifically to the concerns raised including the current absence of a submitted plan for the HCDF structure; the MMP; and the assertion that coastal effects to the south will not extend beyond the coralline crag to the north of Thorpeness.
	Response	
CG.1.21	The Applicant	**Impacts on coastal processes** Suffolk Coast Acting for Resilience [RR-1171] raise the issue of coastal erosion outside the narrow Sizewell Bay and the assumption that nothing will change south of the Great Sizewell Bay. Please respond specifically to the concerns raised in respect of: (i) the availability of long-term funds for coastal defence works, including for Aldeburgh to at least Shingle Street. (ii) Whether the latest information on climate change, sea level rise and coastal evolution has been taken into account and, if not, why not and how that affects the soundness of any assessments.
	Response	
CG.1.22	The Applicant	**Impacts on coastal processes** A number of IPs express concern that the scheme would exacerbate existing levels of coastal erosion along this coast. For example, Dr Kay Laskey [RR-0329] draws attention to existing rapid coastal erosion especially either side of the site, at both Thorpeness and Cove Hithe. Please comment upon such concerns and whether the proposed new defences would be likely to cause flanking erosion in other locations and identify any proposed mitigation for this issue?

ExQ1	Question to:	Question:
	Response	
CG.1.23	The Applicant	**Impacts on coastal processes** NE [RR-0478] makes specific comments on the Coastal Geomorphology and Hydrodynamics report within the application, and sets out additional information or evidence that it requires or which needs clarification including how the various beach measures would avoid an adverse effect and maintain condition of SAC foreshore annuals vegetation communities; the extent to which the measures would also reduce the risk to SAC/SPA habitats in Minsmere Valley behind the barrier beach; the impact of the coastal defence measures on the dune County Wildlife Site and how the loss of most of the site would be mitigated or offset within the footprint of the HCDF and SCDF; how the coast protection of the development site would enhance the wider coastal natural environment, including its form, function, and ability of coastal habitats to contribute to climate change resilience and nature recovery, as part of the Government's 25 Year Environment Plan. Please comment on the points raised by NE and provide the additional information/clarity sought.
	Response	
CG.1.24	The Applicant	**Impacts on coastal processes** The Environmental Statement Addendum – Non-Technical Summary [AS-179], Section 2.3 k) considers coastal geomorphology and hydrodynamics explains that the updated assessment considered the effects associated with the construction and operation of the enhanced permanent breach landing facility, the new temporary beach landing facility, the temporary discharge outfall and the change to the sea defence design and concludes that with mitigation in place all effects on coastal processes associated with the changes are assessed as not significant. (i) Please identify any specific mitigation and/or changes to the Coastal Processes and Monitoring and Mitigation Plan that have been required as a result of these changes.

ExQ1	Question to:	Question:
		(ii) In relation to the assessed new significant benefit associated with the changes, please explain in detail the basis for that conclusion.
	Response	
CG.1.25	The Applicant, MMO	**Impacts on coastal processes** The draft Coastal Processes Monitoring and Mitigation Plan [AS-237] Table 1, summarises the SZC components that are considered to require coastal geomorphology monitoring, along with the proposed method and rationale. (i) Please indicate whether any other components should be monitored? (ii) Please provide further justification for an explanation of the frequency and spatial extent of the monitoring proposed in this table for the relevant components.
	Response	
CG.1.26	The Applicant, MMO	**Impacts on coastal processes** The draft Coastal Processes Monitoring and Mitigation Plan [AS-237], Section 2, provides the suite of monitoring methods which would be used to track changes in coastal geomorphic receptors and annual vegetation, including impacts arising from SZC pressures and activities. The methods combine the use of continuous remote sensing techniques for early warning of any impacts with targeted, high-accuracy, field surveys. (i) Please indicate whether any other methods should be utilised? (ii) Please confirm that the suite of methods proposed represents an appropriate balance between remote and on-site techniques.
	Response	

ExQ1	Question to:	Question:
CG.1.27	The Applicant, MMO	**Impacts on coastal processes** The draft Coastal Processes Monitoring and Mitigation Plan [AS-237], Section 5.2, indicates that all Beach Landing Facilities (BLF) effects have been classified as not significant, although some were minor and some negligible. Minor effects were predicted to arise from the reprofiled navigation channel leading to the permanent BLF jetty and propeller wash from tugboats on the longshore bars. It confirms that seabed reprofiling (dredging) would be required in order to gain safe navigational access to the enhanced permanent BLF jetty. Please explain in further detail: (i) why the altered bed shear stress over this area would have low impact duration and probability; (ii) why the occurrence of a storm could be relied upon to result in rapid shrinkage of the effect; (iii) the reliability of the conclusion reached that higher than natural quiescent levels of suspended sediment concentration arising from propeller wash from tugboats would be directed to the south.
	Response	
CG.1.28	The Applicant, MMO	**Impacts on coastal processes** The draft Coastal Processes Monitoring and Mitigation Plan [AS-237], Section 5.2, indicates that as the BLF is close to the Minsmere-Walberswick SPA and Minsmere to Walberswick Heaths and Marshes SAC, precautionary monitoring associated with BLF-use is proposed in order to confirm the predicted no significant effect of bed reprofiling and tugboat propeller wash. However, it is proposed that this aspect of the beach and longshore bar monitoring would be cease once shown that these activities have no significant effect on the designated sites. Given the designation of these particular sites, does the proposed continuation of background monitoring provide sufficient safeguards for the longer term?
	Response	

ExQ1	Question to:	Question:
CG.1.29	The Applicant	**Impacts on coastal processes** The draft Coastal Processes Monitoring and Mitigation Plan [AS-237], in relation to scour around BLF piles, acknowledges that with sea level rise and shoreline retreat (landward translation of the beach profile), terrestrial piles could become exposed by the receding intertidal beach and intertidal profiles could become subtidal. Please explain further why the proposed background monitoring would be sufficient to document any changes arising from beach profile translation?
	Response	
CG.1.30	The Applicant	**Impacts on coastal processes** The draft Coastal Processes Monitoring and Mitigation Plan [AS-237], Section 6, acknowledges that the likely timeframe of 2053 – 2087 for HCDF exposure is sufficiently far into the future that the details of which part of the shingle beach might become vulnerable, and its extent, cannot be known and neither can an individual mitigation plan be specified years or more in advance. Since the precise beach conditions and matching mitigation actions cannot be known at this stage, how can it be ensured that beach conditions would not threaten HCDF exposure and could be satisfactorily mitigated at that time?
	Response	
CG.1.31	The Applicant, MMO	**Impacts on coastal processes** The draft Coastal Processes Monitoring and Mitigation Plan [AS-237], Section 6.2 and 6.3, set out the proposed beach management framework and the mitigation trigger (beach volume). Please confirm that these sections of the draft plan have been agreed and, if not, why not and highlight any changes sought.
	Response	

ExQ1	Question to:	Question:
CG.1.32	The Applicant, MMO	**Impacts on coastal processes** The draft Coastal Processes Monitoring and Mitigation Plan [AS-237], Section 6.5.4, states that the proposed beach maintenance/sediment management approaches would not have an adverse effect on designated supra-tidal shingle habitats. (i) Please confirm that this section of the draft plan has been agreed. If not, please explain why that is the case and highlight any changes sought. (ii) Is it agreed that the Leiston - Aldeburgh SSSI is too distant to be affected by beach management activity at SZC?
	Response	
CA.1.	**Compulsory acquisition**	
CA.1.0	The Applicant	**The scope and purpose of the Compulsory Acquisition Powers sought** The Statement of Reasons (SoR) [APP-062], paragraphs 6.1.4 and 6.1.5, indicates that in addition to developing the power station itself, SZC Co. is applying for consent for associated development and assesses the consistency of the proposed development with the principles set out in the associated development guidance. Please provide further justification for the conclusions reached in paragraph 6.1.5 bullet points 1, 2 and 4 with particular regard to the provision of the Two Village Bypass (TVP) and the Sizewell Link Road (SLR)?
	Response	
CA.1.1	The Applicant	**The scope and purpose of the Compulsory Acquisition Powers sought** The SoR [APP-062], section 5, considers the source and scope of the powers set out in the draft DCO. Paragraph 5.3.3, states that any land within the Order Limits will be subject to a statutory authority to override easements and other rights, and to extinguish private rights of way upon the appropriation of the land for the purposes of the DCO. Please explain in further detail: (i) The need to seek such a wide-ranging power and why all such rights and easements cannot be specifically identified;

ExQ1	Question to:	Question:
		(ii) Why it is necessary to include powers of compulsory acquisition as a means of overriding existing rights and interests in or over land, as well as creating new rights over land, and granting the right to take temporary possession of land? (iii) The nature and extent of any delay to the project that might otherwise result? (iv) What alternatives to this approach have been explored?
	Response	
CA.1.2	The Applicant	**The scope and purpose of the Compulsory Acquisition Powers sought** The SoR [APP-062], paragraph 5.3.9, explains that Article 30 would allow SZC Co. to compulsorily acquire existing and new rights, as well as impose restrictive covenants over land, for example where flood mitigation works need to be retained. Where SZC Co. only needs to acquire rights over land, it is not required to acquire a greater interest in the land. (i) Please provide an indication of the anticipated content and/or an initial draft of any restrictive covenants intended to be imposed; (ii) Should a requirement for consultation with relevant owners/occupiers as regards the drafting of any such restrictive covenants be imposed?
	Response	
CA.1.3	The Applicant	**The scope and purpose of the Compulsory Acquisition Powers sought** The SoR [APP-062], paragraph 5.5.8, states that Article 25 would authorise SZC Co. to enter onto any land within the Order Limits or which may be affected by the authorised development (whether or not that land is within the Order Limits) to undertake various survey and investigative works, including trial holes. Article 25(2) provides for a 14 day notice period to be given to the owner/occupier of the land. Please provide justification for a 14 day notice period and consider whether this is unreasonably short and should be extended to 28 days?

ExQ1	Question to:	Question:
	Response	
CA.1.4	The Applicant	**The scope and purpose of the Compulsory Acquisition Powers sought** To assist with the consideration of whether the extent of the land to be acquired is no more than is reasonably required for the purposes of the development to which the development consent will relate: The SoR [APP-062], paragraph 7.3.4, states that the Order Limits have been defined to allow sufficient flexibility to enable the final detailed design of the Sizewell C Project to be optimal. In addition, paragraph 7.3.6, indicates that limits within which the highway works may be constructed have been defined to incorporate sufficient land to allow for the final detailed design to be determined. The land included in the Order Land includes the full extent of the area where works may be undertaken. However, in practice only the land needed for the highway works would be acquired. (i) For the avoidance of doubt, please set out and justify the extent of the flexibility that the submitted scheme would allow in terms of Limits of Deviation (LoD) and parameters providing dimensions where relevant; (ii) How would it be ensured that powers of Compulsory Acquisition would not be exercised in respect of land not ultimately required as a result of the detailed design process?
	Response	
CA.1.5	The Applicant	**The scope and purpose of the Compulsory Acquisition Powers sought** The SoR [APP-062], paragraph 5.4.3, in relation to Article 18, states that this article would allow SZC Co. to use temporarily any private road within the Order Limits for the passage of persons or vehicles for the purposes of, or in connection with, the construction of Sizewell C without the need to obtain an interest (i.e. right of way) over that land. Please explain why it is necessary to seek this power and identify the private roads to which it is intended to apply?
	Response	

ExQ1	Question to:	Question:
CA.1.6	The Applicant	**The scope and purpose of the Compulsory Acquisition Powers sought** The SoR [APP-062], paragraph 5.4.5, explains that Article 38 would provide that SZC Co. must exercise its power to temporarily use land or interests within five years of the Order being granted. However, this leaves the period of temporary possession open-ended from the date the power is exercised. Should there not also be a time limit after which the temporary possession of the land or interests must cease?
	Response	
CA.1.7	The Applicant	**The scope and purpose of the Compulsory Acquisition Powers sought** For the avoidance of doubt, please confirm the total number of plots falling within each of the six classes listed in the SoR [APP-062], Table 1.1. for the application as amended.
	Response	
CA.1.8	The Applicant	**The scope and purpose of the Compulsory Acquisition Powers sought** The SoR Addendum [AS-149], section 2.2, sets out the amendments to the Order Land that are required as a result of the proposed changes. For the avoidance of doubt, please confirm: (i) the extent of the new land to be included within the Order Limits in respect of which compulsory acquisition powers are sought; (ii) the total area of land over which compulsory acquisition powers are sought; (iii) the extent of the new land to be included within the Order Limits in respect of which temporary possession powers are sought; (iv) the total area of land over which temporary possession powers are sought; (v) the extent of the new land over which the compulsory acquisition of rights only are sought; (vi) the total area of land over which the compulsory acquisition of rights only are sought.
	Response	

ExQ1	Question to:	Question:
CA.1.9	The Applicant	**The scope and purpose of the Compulsory Acquisition Powers sought** In relation to the SoR Addendum [AS-149], Tables 2.1-2.4, please identify and include the number of the relevant change request applicable to each section.
	Response	
CA.1.10	The Applicant	**The scope and purpose of the Compulsory Acquisition Powers sought** The SoR Addendum [AS-149], Tables 2.1 and 2.4, and the Draft DCO Addendum [AS-145] provide reasons for the additions/changes to the powers sought. However, please provide further details of the necessity for these additions/changes and the assessment of the extent of the Additional Land/Powers sought in each case including in relation to draft DCO, Schedule 17A [AS-143].
	Response	
CA.1.11	The Applicant	**Whether there is a compelling case in the public interest for the Compulsory Acquisition of the land, rights and powers that are sought by the draft DCO** The SoR [APP-062], section 7.4, sets out the Applicant's compelling case in the public interest for the proposed compulsory acquisition. Paragraph 7.4.1 asserts that the public benefits of the scheme would outweigh the adverse impacts on the interests of those who would be affected by the proposed use of compulsory acquisition powers. (i) What assessment, if any, has been made of the effect upon individual Affected Persons and their private loss that would result from the exercise of compulsory acquisition powers in each case; (ii) What is the clear evidence that the public benefit would outweigh the private loss and how has that balancing exercise between public benefit and private loss been carried out?
	Response	
CA.1.12	The Applicant	**Whether there is a compelling case in the public interest for the Compulsory Acquisition of the land, rights and powers that are sought by the draft DCO**

ExQ1	Question to:	Question:
		The SoR [APP-062], paragraph 7.4.3, sets out the expected public benefits of the project. Please indicate whether the public benefits claimed within the five bullet points set out in that paragraph require any update?
	Response	
CA.1.13	The Applicant	**Whether there is a compelling case in the public interest for the Compulsory Acquisition of the land, rights and powers that are sought by the draft DCO** The SoR [APP-062], paragraph 7.4.7, states that the Applicant has taken pro-active steps to engage with these persons through formal consultation and informal engagement to understand the direct and indirect impacts on them. Paragraph, 9.2.2, explains that the Applicant has engaged directly with individual landowners and those with an interest in the affected land. As a result of this engagement SZC Co. has had a better understanding of the direct and indirect impacts on individual landowners. Please provide further details, with examples where available: (i) How such engagement has helped to shape the proposals and enabled the Applicant to make changes to designs to minimise the private loss; (ii) How has the direct engagement with individual landowners given the Applicant a better understanding of the direct and indirect impacts on them; (iii) Please provide detail, where available, of the direct and indirect impacts thereby identified.
	Response	
CA.1.14	The Applicant	**Whether there is a compelling case in the public interest for the Compulsory Acquisition of the land, rights and powers that are sought by the draft DCO** What weight has the Applicant attached to the compensation that would be available to those entitled to claim it under the relevant provisions of the national Compensation Code in its assessment of private loss?

ExQ1	Question to:	Question:
	Response	
CA.1.15	The Applicant	**Whether there is a compelling case in the public interest for the Compulsory Acquisition of the land, rights and powers that are sought by the draft DCO** The relevant representation of NFU [RR-0885] raises various issues including the justification for the powers sought, extent and location of the land sought to be compulsorily acquired; the powers sought to create new public rights of way; and that no meaningful negotiations have taken place with those it represents. It submits that a compelling case cannot be made. Please respond to the points raised by the NFU on these matters including the adequacy of the negotiations conducted on the Applicant's behalf and the lack of detail within the heads of terms.
	Response	
CA.1.16	The Applicant	**Whether there is a compelling case in the public interest for the Compulsory Acquisition of the land, rights and powers that are sought by the draft DCO** The Procedural Deadline A submission made by Gregory Jones QC on behalf of clients [PDA-020] asserts that there has been a failure to justify size and location of balance ponds and, in relation to the proposed new public rights of way, the Applicant should not be authorised to acquire more land than is needed for the scheme itself. Please provide justification for the extent of and need for the land sought to be acquired for these purposes.
	Response	
CA.1.17	The Applicant	**Whether all reasonable alternatives to Compulsory Acquisition been explored** In the light of the DCLG Guidance related to procedures for the compulsory acquisition of land (CA Guidance), paragraph 8: (i) How can the Panel be assured that all reasonable alternatives to Compulsory Acquisition (including modifications to the scheme) have been explored; (ii) Set out in summary form, with document references where appropriate, what

ExQ1	Question to:	Question:
		assessment/comparison has been made of the alternatives to the proposed acquisition of land or interests therein in each case.
	Response	
CA.1.18	The Applicant	**Whether all reasonable alternatives to Compulsory Acquisition been explored** The SoR [APP-062], paragraph 7.5.20, refers to the four stages of statutory pre-application consultation, between 2012 and 2019, and the targeted statutory consultation, informal consultation and engagement that has also taken place outside of these consultation stages and the consideration given to that in the selection of the most appropriate options. (i) Please explain what, if any, account has been taken of responses to pre-application consultation (both in relation to statutory and non-statutory consultation) in the location and design of the elements of the scheme that were the subject of such consultation in considering whether there are reasonable alternatives to Compulsory Acquisition; (ii) Please provide any examples of location/route changes and changes to design development options within the application scheme in response to public consultation.
	Response	
CA.1.19	The Applicant	**Whether all reasonable alternatives to Compulsory Acquisition been explored** The ES 6.7 Volume 6 [APP-450] Sizewell Link Road Chapter 3 Alternatives and Design Evolution 3.3.20 states that as part of design refinement and EIA process, there were a number of updates to the design following Stage 4 consultation. (i) Please provide further justification for the extent of the land take that would permanently be required for the new road; the consideration given to the potential severance of holdings and division of existing field patterns and the ability to access and utilise that land following completion of construction. (ii) Please explain in further detail the consideration given to accommodation access

ExQ1	Question to:	Question:
		tracks and private means of access and how these have been refined or added to reduce severance impacts following Stage 4 consultation.
	Response	
CA.1.20	The Applicant	**Whether all reasonable alternatives to Compulsory Acquisition been explored** The SoR [APP-062], paragraph 7.5.52, asserts that all reasonable alternatives have been considered prior to the making of the Application and such consideration has included reasonable factors at relevant stages, including the minimisation of environmental and visual impacts and land take. Please explain further, by reference to the documentation submitted, the consideration given to the minimisation of land take and the assessment of alternatives to the extent of the land sought to be compulsorily acquired, and the nature of the powers sought for each plot.
	Response	
CA.1.21	The Applicant	**Whether all reasonable alternatives to Compulsory Acquisition been explored** The CA Guidance, paragraph 25, state that applicants should seek to acquire land by negotiation wherever practicable. As a general rule, authority to acquire land compulsorily should only be sought as part of an order granting development consent if attempts to acquire by agreement fail. (i) Please demonstrate the Applicant's compliance with this aspect of the CA Guidance. (ii) Has the Applicant offered full access to alternative dispute resolution techniques for those with concerns about the compulsory acquisition of their land or considered other means of involving those affected?

ExQ1	Question to:	Question:
	Response	
CA.1.22	The Applicant	**Whether all reasonable alternatives to Compulsory Acquisition been explored** The SoR Addendum [AS-149], paragraph 1.3.3, refers to discussions having taken place with relevant landowners of the Additional Land. Please include details of the negotiations within the update to be submitted to the next Deadline, identifying separately those which relate to the Additional Land.
	Response	
CA.1.23	The Applicant	**Whether all reasonable alternatives to Compulsory Acquisition been explored** The SoR Addendum [AS-149], paragraph 3.3, refers to the summary of main alternatives that have been considered for the Project in the Statement of Reasons [APP-062]. Nonetheless, please expand and explain the consideration of all reasonable alternatives to compulsory acquisition (including modifications to the scheme) of these additional plots in accordance with paragraph 8 of the CA Guidance.
	Response	
CA.1.24	The Applicant	**Whether adequate funding is likely to be available** The CA Guidance, paragraph 17, considers the resource implication of the proposed scheme. In the light of that guidance, please set out the degree to which other bodies (public or private sector) have agreed to make financial contributions or to underwrite the scheme, and the basis upon which any such contributions or underwriting is to be made.
	Response	
CA.1.25	The Applicant	**Whether adequate funding is likely to be available** In the light of the CA Guidance, paragraph 18, what evidence is there to demonstrate that adequate funding is likely to be available to enable the compulsory acquisition within the statutory period following any DCO being made?

ExQ1	Question to:	Question:
	Response	
CA.1.26	The Applicant	**Whether adequate funding is likely to be available** The Planning Statement [APP-590], paragraphs 7.3.3-7.3.10, considers financial and technical viability and makes reference to ENS-1 paragraph 4.1, and concludes that based on the Funding Statement the decision maker can be satisfied of the projects viability and that there is a reasonable prospect of the requisite funds for the acquisition becoming available. Please confirm that it is agreed that: (i) This presupposes that the decision-maker is satisfied based on the information provided in the application, that the financial viability and technical feasibility of the proposal has been properly assessed by the applicant? (ii) If the decision-maker is not satisfied from the information provided that the applicant has properly assessed the financial viability of the project, then remains a matter of relevance for the decision-maker?
	Response	
CA.1.27	The Applicant	**Whether adequate funding is likely to be available** Please summarise the evidence relied upon to support the conclusion that there is a reasonable prospect that the scheme, if granted consent, would actually be taken forward and in what time period?
	Response	
CA.1.28	The Applicant	**Whether adequate funding is likely to be available** The Funding Statement [APP-066], paragraph 3.2.1, indicates that the current cost estimate for the project is circa £20 billion. That figure includes design, land acquisition, and physical construction. The Second Funding Statement Addendum [AS-150], paragraph 3.3.6, indicates that the overall estimated cost of the project remains the same as presented in the Funding Statement [APP-066]. Please explain, in the event that the

ExQ1	Question to:	Question:
		changes to the application are accepted, how that has been calculated to have no impact upon the overall cost estimate?
	Response	
CA.1.29	The Applicant	**Whether adequate funding is likely to be available** The Funding Statement [APP-066], paragraph 3.2.2, states that the cost estimate has primarily been informed by learning from Sizewell C's sister project, Hinkley Point C. (i) Please provide further details of the other sources which have informed the costs estimate and evidence to support the accuracy of the estimated cost? (ii) Given the differences between the two sites including their different locations, please explain why the Hinkley Point C experience can reasonably be relied upon in estimating costs for this project? (iii) What contingencies does the figure of £20 billion include? (iv) Please set out the differences between the initial cost estimate for Hinkley Point C prior to the grant of approval and the actual figure that is likely to be expended.
	Response	
CA.1.30	The Applicant	**Whether adequate funding is likely to be available** The Energy White Paper in relation to nuclear (page 48) expects a 30% reduction in the cost of nuclear new build projects by 2030. Whilst noting that timeline, how does that correspond with the Applicant's own anticipation of costs for the Sizewell C project compared to Hinkley Point C?
	Response	
CA.1.31	The Applicant	**Whether adequate funding is likely to be available** The Funding Statement [APP-066], paragraph 4.1.1, states that an estimate of the amounts necessary to cover the payment of compensation associated with the exercise of any compulsory acquisition powers granted has been taken into account in the overall project cost. Please provide a separate estimate of the cost of land acquisition. Please explain further the nature of the expert advice taken in that respect and the basis for and reliability of this estimate?
	Response	

ExQ1	Question to:	Question:
CA.1.32	The Applicant	**Whether adequate funding is likely to be available** The Second Funding Statement Addendum [AS-150], paragraph 3.3.6, indicates that the Applicant continues to have positive engagement with potential third party investors: (i) Please explain further what is meant by 'positive engagement'; (ii) whether any formal agreement or commitment to invest from third parties, subject to the necessary approvals being obtained, has been achieved; (iii) Why the development of the RAB funding model would be supportive of the project securing its financing requirements?
	Response	
CA.1.33	The Applicant	**Whether adequate funding is likely to be available** The Funding Statement Addendum [AS-011], paragraph 3.1.4, states that the replication strategy allows the cost of energy produced at Sizewell C to be substantially less than that produced at Hinkley Point C: (i) Please provide an indication of the anticipated energy cost reduction that it is anticipated would be achieved in comparison to Hinkley Point C; (ii) Please explain further what is meant by "substantially less" and how that would be achieved through the replication strategy?
	Response	
CA.1.34	The Applicant	**Whether adequate funding is likely to be available** The Second Funding Statement Addendum [AS-150], paragraph 3.3.5, refers to the publication of a summary of the responses to the Government's RAB consultation which indicate that a RAB model remains credible for funding large-scale nuclear projects. The Energy White Paper reiterates that position and indicates that it will continue to explore this, alongside a range of financing options with developers. Whilst examining the potential role of Government finance during construction, that is subject to there being clear value for money for consumers and taxpayers. Given that hurdle, explain why the Applicant remains confident that the required funding will be achieved?

ExQ1	Question to:	Question:
	Response	
CA.1.35	The Applicant	**Whether adequate funding is likely to be available** The Second Funding Statement Addendum [AS-150], paragraphs 3.3.3 and 3.3.4 refer to the publication of the Government' 'Ten Point Plan' and the Energy White Paper. The Energy White Paper in relation to power, sets out a key commitment to provide up to £385 million in an Advanced Nuclear Fund for the next generation of nuclear technology aiming, by the early 2030's, to develop a SMR design and to build an AMR demonstrator. Does that financial support for Small Modular Reactors indicate a limited window of opportunity for large scale nuclear projects that will be expected to pass the 'value for money' test?
	Response	
CA.1.36	The Applicant	**Whether adequate funding is likely to be available** The Second Funding Statement Addendum [AS-150], paragraph 3.3.8, notes a number of factors which increase the Applicant's confidence that it will be able to raise the funding required for the project and for compulsory acquisition to take place within the timescales set by the draft DCO. In relation to the factors listed: (i)The Energy White Paper indicates that the Government's aim to bring at least one large-scale nuclear project to financial close this Parliament is subject to clear value for money, and all relevant approvals. Please explain how the project is anticipated to meet that caveat? (ii) If the Applicant fails to demonstrate that the project represents 'clear value for money' and the negotiations with the Government do not reach a satisfactory conclusion, what are the prospects of obtaining the necessary funds from other sources? In short, is the achievement of the project reliant upon those negotiations reaching a successful conclusion?
	Response	

ExQ1	Question to:	Question:
CA.1.37	The Applicant	**Whether adequate funding is likely to be available** The relevant representations of Interested Persons including Against Sizewell C (TASC) [RR-1231], Louise Gooch (East Suffolk Council Cllr) [RR-701], NJ Bacon Farms [RR-0867], Ward Farming Ltd [RR-1259] and NFU [RR-0885] raise concerns as regards the funding of the project, the proposed compulsory acquisition and decommissioning. Please respond to those concerns.
	Response	
CA.1.38	The Applicant	**Whether the purposes of the proposed Compulsory Acquisition justify interfering with the human rights of those with an interest in the land affected** What degree of importance has been attributed to the existing uses of the land proposed to be acquired in assessing whether any interference would be justified, and why?
	Response	
CA.1.39	The Applicant	**Whether the purposes of the proposed Compulsory Acquisition justify interfering with the human rights of those with an interest in the land affected** The SoR [APP-062], paragraph 7.9.1, acknowledges that the powers of compulsory acquisition sought through the draft DCO would engage Article 8 of the European Convention on Human Rights (ECHR) to the extent that homes are to be compulsorily acquired. (i) Please identify all those homes which are proposed to be compulsorily acquired and indicate whether any agreement has been reached with those owners/occupiers affected in this way? (ii) Please explain separately for each home the necessity and justification for seeking their acquisition and how that acquisition would comply with Article 8(2)?
	Response	

ExQ1	Question to:	Question:
CA.1.40	The Applicant	**Whether the purposes of the proposed Compulsory Acquisition justify interfering with the human rights of those with an interest in the land affected** The SoR [APP-062], paragraph 7.9.4, states that in pursuing the DCO, SZC Co. has carefully considered the balance to be struck between individual rights and the wider public interest. Explain more precisely the factors which have been placed in the balance (including references to any paragraphs of the relevant NPS and Government Guidance), the weight attributed to those factors and how this exercise has actually been undertaken?
	Response	
CA.1.41	The Applicant	**Whether the purposes of the proposed Compulsory Acquisition justify interfering with the human rights of those with an interest in the land affected** The SoR [APP-062], paragraph 7.9.4, states that to the extent that the DCO would affect individuals' rights, the proposed interference with those rights would be in accordance with law, proportionate and justified in the public interest. (i) How has the proportionality test been undertaken? (ii) Explain further the proportionate approach which has been taken in relation to each plot?
	Response	
CA.1.42	The Applicant	**Whether the purposes of the proposed Compulsory Acquisition justify interfering with the human rights of those with an interest in the land affected** In relation to the Applicant's duties under section 149 of the Equalities Act 2010: (i) Please explain how the Applicant has had regard to its public sector equality duty in relation to the powers of Compulsory Acquisition sought and where this can be identified in the Equalities Impact Statement [APP-158]; (ii) Have any Affected Persons been identified as having protected characteristics?
	Response	

ExQ1	Question to:	Question:
CA.1.43	The Applicant	**Whether the purposes of the proposed Compulsory Acquisition justify interfering with the human rights of those with an interest in the land affected** The Statement of Reasons Addendum [AS-149], paragraph 3.4, asserts that the proposed interference with the rights of those with an interest in the CA Additional land is for a legitimate purpose, necessary and proportionate. Please expand and provide full justification for reaching that conclusion specifically in relation to the Additional Land.
	Response	
CA.1.44	The Applicant	**Whether the purposes of the proposed Compulsory Acquisition justify interfering with the human rights of those with an interest in the land affected** The Statement of Reasons Addendum [AS-149], paragraph 3.7.2, relies upon the original Statement of Reasons [APP-062] to justify interfering with the human rights of those with an interest in the land affected. Please indicate the specific consideration given to the human rights of those affected by the proposed CA of the Additional Land.
	Response	
CA.1.45	The Applicant	**Whether the purposes of the proposed Compulsory Acquisition justify interfering with the human rights of those with an interest in the land affected** Please provide specific details of the need and justification for the powers of compulsory acquisition sought and the consideration given to the Human Rights of each owner/occupant in respect of the following residential garden areas and/or properties: (i) The Round House, Eastbridge Road, Leiston, (Plot Ref MMDS/01/05); (ii) 54 and 55 Stockhouse Cottages, Main Road, Benhall, Saxmundham, (Plot Ref: 2VB/18/02); (iii) Annison's Cottage, Annesons Corner, Middleton (Plot Ref SLR/21/16); (iv) Upper Abbey Cottage, (Plot Ref MDS/02/04).
	Response	

ExQ1	Question to:	Question:
CA.1.46	The Applicant	**Whether the purposes of the proposed Compulsory Acquisition justify interfering with the human rights of those with an interest in the land affected** The Relevant Representation of Susanne Nujeerallee [RR-1194], states that: "*If Sizewell C goes ahead my family and I will be made homeless*". (i) Please respond to the concerns raised by the occupier of Upper Abbey Cottage (Plot ref MDS/02/04) and explain further the need for the powers sought in respect of this Objector's land; (ii) the consideration that has been given to the impact upon this family and the implications for the human rights of the individuals concerned.
	Response	
CA.1.47	The Applicant	**Whether the purposes of the proposed Compulsory Acquisition justify interfering with the human rights of those with an interest in the land affected** The Procedural Deadline A submission made by Gregory Jones QC on behalf of clients [PDA-020] complains that in breach of guidance and case law (as well as Article 8 European Convention of Human Rights and the First Protocol to the Convention) no meaningful negotiations have taken place alongside the formal procedures for compulsory purchase. Therefore a compelling case cannot be made for the proposed compulsory acquisition. Please respond including details of any negotiations that have taken place and what, if any, consideration has been given to the prospect of achieving different locations and/or lesser rights in relation to those plots.
	Response	
CA.1.48	The Applicant	**The accuracy of the Book of Reference (BoR), Land Plans and points of clarification** Please confirm that the BoR [APP-067] and the BoR Addendum [AS-151] together accurately set out the various plots and interests. Please identify any inaccuracies that

ExQ1	Question to:	Question:
		have come to light since the submission of the application and any further updates that need to be made at this stage.
	Response	
CA.1.49	The Applicant	**The accuracy of the Book of Reference (BoR), Land Plans and points of clarification** The Statement of Reasons [APP-062], paragraph 9.1.2, states that diligent inquiry to identify relevant persons with an interest in land was undertaken by Land Referencers appointed by the Applicant and sets out the process that was followed to identify such persons: (i) Please comment on the reliability and accuracy of the BoR in the light of those inquiries. (ii) Please provide further details of the process for identifying Category 3 persons. (iii) Explain why that process should be regarded as a conservative approach towards identifying Category 3 persons.
	Response	
CA.1.50	The Applicant	**The accuracy of the Book of Reference (BoR), Land Plans and points of clarification** What assurance and evidence can the Applicant provide of the accuracy of the land interests identified as submitted and indicate whether there are likely to be any changes to the land interests, including the identification of further owners/interests or monitoring and update of changes in interests?
	Response	
CA.1.51	The Applicant	**The accuracy of the Book of Reference (BoR), Land Plans and points of clarification**

ExQ1	Question to:	Question:
		Explain how the BoR [APP-067] and the BoR Addendum [AS-151] comply with the guidance published by the former Department for Communities and Local Government – Planning Act 2008: Guidance related to procedures for the compulsory acquisition for land Annex D, paragraph 10?
	Response	
CA.1.52	The Applicant	**The accuracy of the Book of Reference (BoR), Land Plans and points of clarification** Where have the proposed new rights and restrictive covenants been identified and cross-referenced to the relevant development consent order articles? Please explain how this has been achieved by the BoR [APP-067] and the BoR Addendum [AS-151]?
	Response	
CA.1.53	The Applicant	**The accuracy of the Book of Reference (BoR), Land Plans and points of clarification** Please confirm that the BoR [APP-067] and the BoR Addendum [AS-151] comply with the advice contained in Annex D, paragraph 8, of the guidance. For example, are all those identified in Part 3 also recorded in Part 1?
	Response	
CA.1.54	The Applicant	**The accuracy of the Book of Reference (BoR), Land Plans and points of clarification** The Consultation Report [APP-069], paragraph 2.4.18, indicates that previously unregistered areas of land were periodically checked to ensure the land remained unregistered. What reliability can be placed upon the process by which those with an interest in unregistered land were initially identified and subsequently checked for accuracy?
	Response	

ExQ1	Question to:	Question:
CA.1.55	The Applicant	**The accuracy of the Book of Reference (BoR), Land Plans and points of clarification** Please provide an up to date list of those plots of land where ownership still remains unknown.
	Response	
CA.1.56	The Applicant	**The accuracy of the Book of Reference (BoR), Land Plans and points of clarification** Please indicate whether a cover letter accompanied the Land Referencing Questionnaire attached as Appendix G4 to the Consultation Report [APP-084] and/or how the need to complete the document accurately was conveyed to recipients? Was this sent at the same time as the Request for Information Form attached at Appendix G6?
	Response	
CA.1.57	The Applicant	**The accuracy of the Book of Reference (BoR), Land Plans and points of clarification** The relevant representation of Pinsent Masons LLP on behalf of Magnox Limited [RR-0991] and Nuclear Decommissioning Authority [RR-0992], indicates that regardless of Article 26 in the draft DCO, the NDA and Magnox are of the opinion that land plots MDS/05/06 and MDS/05/07 should be excluded from the BoR [APP-067] altogether. Please respond to their concerns and indicate whether the BoR will be amended in that respect?
	Response	
CA.1.58	The Applicant	**The accuracy of the Book of Reference (BoR), Land Plans and points of clarification** The SoR Addendum [AS-149], paragraph 1.3.2, states that the Applicant has carried out diligent inquiry in the CA Additional Land and persons with a claim for compensation as a result of the proposed development of the CA Land. Please provide specific details of the inquiries that have been made and justification for the reliance placed upon the outcome of those inquiries.

ExQ1	Question to:	Question:
	Response	
CA.1.59	The Applicant	**The acquisition of Statutory Undertakers' land – s127 PA2008** The SoR [APP-062], paragraph 4.9.5, refers to section 127 PA 2008. However, Article 40 would allow SZC Co. to acquire land or rights in land owned by statutory undertakers (such as telecommunications and electricity suppliers) or to interfere with their apparatus by removing or repositioning the apparatus within the Order Limits. In addition, the relevant representation of Network Rail [RR-0006] makes reference to s138 PA 2008. (i) Please clarify whether or not s138 PA 2008 is engaged by the Sizewell C project. (ii) If s38 is so engaged, then please identify all statutory undertakers to which that applies and provide details of the relevant right or apparatus to be extinguished or removed and why the Applicant considers that to be necessary? (iii) Please explain and justify the extent of the land over which such powers are sought given the width of the corridors likely to be needed for the reaction and acquisition of new rights to accommodate the diversion of statutory undertakers' apparatus.
	Response	
CA.1.60	The Applicant	**The acquisition of Statutory Undertakers' land – s127 PA2008** The SoR [APP-062], paragraph 4.9.7, states that adequate protection for the statutory undertakers will be included within protective provisions in the DCO. SZC Co. therefore considers that the statutory undertakers will not suffer serious detriment to the carrying on of the undertaking as a result of the compulsory acquisition of land or rights over land or powers of temporary possession. (i) Have any Protective Provisions and/or asset protective agreements between the various parties been agreed. If not, please identify any outstanding areas of disagreement? (ii) For those Statutory Undertakers' who have been sent the draft protective provisions but have not confirmed agreement, please explain for each one why these protective provisions are considered to provide adequate protection and why SZC Co. considers that the land and rights can be acquired without serious detriment to the carrying on of the undertaking.
	Response	

ExQ1	Question to:	Question:
CA.1.61	The Applicant	**The acquisition of Statutory Undertakers' land – s127 PA2008** The relevant representation of Network Rail [RR-0006] objects to the inclusion of the Plots in the Order and to all other compulsory powers in the Order that affect, and may be exercised in relation to, Network Rail's property and interests. Please provide an update on the matters required by Network Rail in order for it to be in a position to withdraw its objection, including whether appropriate protective provisions have been agreed?
	Response	
CA.1.62	The Applicant	**The acquisition of Statutory Undertakers' land – s127 PA2008** The relevant representation of Anglian Water Services Ltd [RR-073]: (i) Has the proposed amendment to Article 23 draft DCO been agreed? If not, why not? (ii) Have the specific protective provisions suggested by Anglian Water been agreed? If not, why not? (iii) Please indicate whether agreement has been reached in relation to temporary possession of land in Anglian Water's ownership to provide access to a proposed construction compound for the proposed Yoxford Roundabout?
	Response	
CA.1.63	The Applicant	**The acquisition of Statutory Undertakers' land – s127 PA2008** The relevant representation of Cadent Gas Limited [RR-0168] explains why adequate protective provisions for the protection of Cadent's statutory undertaking are required and in discussion between the parties but not yet agreed. Please provide an update on the progress of those discussions and indicate whether any agreement has yet been reached?
	Response	
CA.1.64	The Applicant	**The acquisition of Statutory Undertakers' land – s127 PA2008** The relevant representation of National Grid Electricity Transmission Ltd (NGET) [RR-0874] states that NGET's rights to retain its apparatus in situ and rights of access to inspect, maintain, renew and repair such apparatus located within or near the Order limits

ExQ1	Question to:	Question:
		should always be maintained and access to inspect and maintain such apparatus must not be restricted. Please provide an update on the progress of discussions with NGET in relation to protective provisions highlighting any outstanding areas of disagreement?
	Response	
CA.1.65	The Applicant	**Adequacy of any Protective Provisions set out in the dDCO and the need for any other Protective Provisions to safeguard relevant interests** The relevant representation of East Suffolk Internal Drainage Board [RR-0345] welcomes the consideration of the benefits of including a protective provision for drainage and flood risk authorities (including Internal Drainage Boards) within the draft DCO. Please provide an update on progress and indicate whether such protective provisions have been agreed. If not, please set out any areas of disagreement?
	Response	
CA.1.66	The Applicant	**Adequacy of any Protective Provisions set out in the dDCO and the need for any other Protective Provisions to safeguard relevant interests** The relevant representation of Pinsent Masons LLP on behalf of Magnox Limited [RR-0991] and Nuclear Decommissioning Authority [RR-0992], states that Protective Provisions should be included in the draft DCO in order to preserve and protect their respective abilities to effectively carry out their statutory functions and regulatory responsibilities and to reflect agreement reached on the exercise of compulsory acquisition powers. Please provide an update on progress and indicate whether such protective provisions have been agreed. If not, please set out any areas of disagreement?
	Response	
CA.1.67	The Applicant	**Adequacy of any Protective Provisions set out in the dDCO and the need for any other Protective Provisions to safeguard relevant interests**

ExQ1	Question to:	Question:
		The relevant representation of Suffolk County Council [RR-1174], seeks Protective Provisions for its role as the Local Highway Authority in order for it to continue to discharge its duties under the Highways Act (1980) within those parts of the public highway included within the Order Land. The Council also proposes that Protective Provisions should be considered for other topic areas, such as its Lead Local Flood Authority and statutory archaeological roles. Please respond and indicate whether any such protective provisions are being negotiated and/or have been agreed?
	Response	
CA.1.68	The Applicant	**Crown Land** The CA Guidance, paragraphs 39 and 40, provides guidance in relation to Crown Land. It advises that discussions between applicants and the appropriate Crown authority should start as soon as it is clear that such land or interests will be required and that the aim should be to ensure that agreement is in place no later than the time that the application for the project is submitted to the Planning Inspectorate. Please set out when those discussions began and explain why no agreements were in place when the application was submitted.
	Response	
CA.1.69	The Applicant	**Crown Land** The SoR [APP-062], paragraph 4.9.4, states that the Applicant is in negotiation to acquire the necessary interests directly with the Crown Estate Commissioners and does not perceive any obvious impediment to acquiring these interests. In addition, the Applicant's response [AS-006] to the ExA's [PD-005] request for clarification in relation to Crown Land states that in accordance with Annex A of the CA Guidance, it will seek any necessary consents prior to the end of the examination. Please provide an update to the progress of any such negotiations and also those with the Department of Transport and the Department of Education with reference to relevant plots numbers and when it is anticipated that any such consents and/or voluntary agreements will be concluded?

ExQ1	Question to:	Question:
	Response	
CA.1.70	The Applicant	**Other matters** In the light of the CA Guidance, paragraph 19, please demonstrate: (i) How potential risks or impediments to implementation of the scheme have been properly managed; (ii) the account taken of any other physical and legal matters pertaining to the application, including the programming of any necessary infrastructure accommodation works and the need to obtain any operational and other consents applicable to this type of development.
	Response	
CA.1.71	The Applicant	**Other matters** The SoR [APP-062], paragraph 4.5.2, states that the Sizewell Link Road has been proposed to avoid the adverse effects that would otherwise be associated with the addition of the construction traffic to the existing volume of traffic that would travel along the B1122 through Middleton Moor and Theberton. Please therefore provide justification for the compulsory acquisition of this land on a permanent rather than a temporary basis for the duration of the construction works.
	Response	
CA.1.72	The Applicant	**Other matters** The SoR section 10, refers to the Schedule of Other Consents, Licences and Agreements (Doc Ref. 5.11) [APP-153] which identifies the other consents, licenses and agreements that are required for the Sizewell C Project to be implemented. Please indicate whether there are any changes to the status and/or timeframe for each consent, licence and agreement listed within that schedule since the application was submitted.
	Response	

ExQ1	Question to:	Question:
CA.1.73	The Applicant	**Other matters** The SoR [APP-062], paragraph 3.3.7, states that the emerging local plan contains a number of site specific policies, including area specific strategies for Darsham, Leiston, Saxmundham and Woodbridge, which have relevance to some of the Sizewell C Project's associated development sites. Please provide further details of those policies, as adopted, and explain many implications they may have for the associated development sites?
	Response	
CA.1.74	The Applicant	**Other matters** Please include in the next submission of the Updated Statement of Reasons Appendix B 'Status of Negotiations with Owners of the Order Land' the relevant parts of the BoR within which each affected person falls and further details of any engagement including dates of any letters sent and/or meetings.
	Response	
CA.1.75	The Applicant	**Objections to the grant of powers of compulsory acquisition and temporary possession** The relevant representation made by Clarke and Simpson on behalf of Family Mellen [RR-0241] raises objection to the proposed powers sought in relation to a 9 acre field that came with their house and is integral to their future plans. Please explain further the need for the powers sought in respect of this land; whether a lesser or alternative area of land would meet those needs and the consideration that has been given to impact upon and the implications for the human rights of this family in seeking these powers.
	Response	
CA.1.76	The Applicant	**Objections to the grant of powers of compulsory acquisition and temporary possession** The relevant representation of LJ and EL Dowley Farming Partnership [RR-0697] states that the EDF proposed land-take for roads/roundabouts etc and for borrow pits for the spoil from the site would make their arable business unviable. Please explain further the need for the powers sought in respect of this Objector's land; whether a lesser or

ExQ1	Question to:	Question:
		alternative area of land would meet those needs and the consideration that has been given to the impact upon the business and the implications for the human rights of those individuals comprising the farming partnership in seeking these powers.
	Response	
CA.1.77	The Applicant	**Objections to the grant of powers of compulsory acquisition and temporary possession** The relevant representation of NJ Bacon Farms [RR-0867] refers to the Applicant's proposal, as a result of the proposed Sizewell Link Road (SLR), to compulsorily acquire some 12 acres of productive arable and vegetable land from them. The construction of the SLR would cut five fields into halves and quarters and reduce their farmed area. They indicate that it is highly unlikely that they could replace the high quality irrigable vegetable land that is being taken. In addition, the application plans do not provide enough detail for them to know that satisfactory access to areas farmed would be made available in the future: (i) Please explain further the need for the powers sought in respect of this Objector's land; (ii) whether a lesser or alternative area of land would meet those needs; (iii) the consideration that has been given to the impact upon the business and the implications for the human rights of the individuals concerned; (iv) Please provide specific details by including by reference to a plan of the proposed means of access to the reduced land area in the event that the powers sought are exercised?
	Response	

ExQ1	Question to:	Question:
CA.1.78	The Applicant	**Objections to the grant of powers of compulsory acquisition and temporary possession** The relevant representation of Norton Rose Fulbright LLP on behalf of Hevingham Hall Estate (HHE) [RR-0908], explains that part of HHE is located south of the temporary Northern Park and Ride site and a proportion of HHE also falls within land to be compulsorily acquired to facilitate the roundabout at Yoxford (plot OHI/24/02): (i) Please explain further the need for the powers sought in respect of this Objector's land; (ii) whether a lesser or alternative area of land would meet those needs; (iii) the consideration that has been given to the impact upon the business and the implications for the human rights of the individuals concerned.
	Response	
CA.1.79	The Applicant	**Objections to the grant of powers of compulsory acquisition and temporary possession** The relevant representation of Oliver Holloway on behalf of Clarke and Simpson [RR-912] raises concerns amongst other things in relation to the justification for the need for the Sizewell Link Road, Fen Meadow mitigation, the consideration of alternative options and funding: (i) Please respond to the concerns raised and explain further the need for the powers sought in respect of this Objector's land; (ii) whether a lesser or alternative area of land would meet those needs; (iii) the consideration that has been given to the impact upon the business and the implications for the human rights of the individuals concerned?
	Response	

ExQ1	Question to:	Question:
CA.1.80	The Applicant	**Objections to the grant of powers of compulsory acquisition and temporary possession** The relevant representation of Pinsent Masons LLP on behalf of Magnox Limited [RR-0991] and Nuclear Decommissioning Authority [RR-0992], indicates that they oppose the acquisition of any land, or the extinguishment of any rights etc, in any land plots which are: (a) within the boundary of the nuclear site licence, held by Magnox, for the Sizewell A Nuclear Site, and (b) land which the NDA has responsibility for decommissioning and cleaning-up in accordance with the Energy Act 2004 and the Sizewell A Directions, being land plots MDS/05/06 and MDS/05/07. Please respond to the specific concerns raised including: (i) Why the Applicant may need to acquire the plots detailed in column (2) of Part 1 of Schedule 15 to the draft DCO; (ii) Why land plot MDS/02/28, in respect of which Magnox is a Category 1 person, is not detailed in column (2) of Part 1 of Schedule 15 to the draft DCO; (iii) Why the protection afforded to the Sizewell B Nuclear Site in Article 26(2)(b) of the draft DCO should not be extended also to the Sizewell A Nuclear Site; (iv) Whether Article 30 should be made subject to Article 26? (v) the implications of these powers for those plots that abut the nuclear site licence area, being plots MDS/05/02 and MDS/05/13; (vi) Whether the Applicant has undertaken diligent enquiry as to why the relevant Class 4 powers are required, or how the compulsory acquisition of Class 4 powers may affect more widely the ability of the NDA and Magnox to carry out their respective statutory functions and regulatory responsibilities? (vii) Whether there is a need to for a Nuclear Site Licensees' Co-operation Agreement(s) to be entered into between the NDA, Magnox, the Applicant and EDF?
	Response	
CA.1.81	The Applicant	**Objections to the grant of powers of compulsory acquisition and temporary possession** Savills (UK) Ltd on behalf of Justin and Emma Dowley [RR-1099], Nat and India Bacon [RR-1100] and the Trustees of A W Bacon Will Trust [RR-1101], question why the 'Road D2' option was not taken forward. Please provide a response to those queries and justify the response to consultation in that respect.

ExQ1	Question to:	Question:
	Response	
CA.1.82	The Applicant	**Objections to the grant of powers of compulsory acquisition and temporary possession** The relevant representation of Ward Farming Ltd [RR-1259], object to the proposed compulsory acquisition of some 12 acres of productive arable and vegetable land that the company farms. They indicate that the construction of the road would cut five fields into halves and, quarters and result in a reduction in farmed area of around 41 acres. Please respond to their complaints in relation to: (i) The failure of the Applicant's experts to meet as requested and to genuinely engage with them; (ii) the analysis, rigour and level of detail provided by the Aecom Report on the SLR route; (iii) the impact of the proposed reduction in land area. (iv) the provision of satisfactory means of access in the future; and (iv) the creation of new rights of way.
	Response	
CA.1.83	The Applicant	**Objections to the grant of powers of compulsory acquisition and temporary possession** The relevant representation of the CLA Country Land and Business Association [RR-0229] raises concerns in relation to the fragmentation of farms and other rural businesses by new infrastructure and overall impact of the scheme. Please explain including by reference to the application documentation the impact upon such businesses in considering design and route alternatives to the application scheme and the associated powers of compulsory acquisition sought.
	Response	

ExQ1	Question to:	Question:
CI.1	**Community Issues**	
CI.1.0	The Applicant ESC	**Accommodation Strategy** Within the Accommodation Strategy [APP 613] para 5.4.10 – reference is made to the layout being shared with ESC. (i) Please provide a copy of the layout and indicate the facilities that are to be included. (ii) Please provide an update of the latest position on the delivery, operation and management of the site and how these components would be secured through the DCO
	Response	
CI.1.1	The Applicant Leiston Town Council ESC SCC	**Land East of Eastlands Industrial Estate (LEEIE)** Please provide an update on the strategy that has been developed for the movement of workers from the main development site to and from the LEEIE and between the LEEIE and Leiston Town.
	Response	
CI.1.2	The Applicant	**Accommodation Campus** The facilities to be provided at the accommodation (gym, restaurant, amenity area etc.) campus to assist in managing the needs of onsite staff and reducing the pressure on local facilities do not appear to be described in detail. There is no obvious indication of the scale of these facilities, the time period for their delivery/maintenance/availability. (i) Please explain in light of this how the assessment of the effectiveness of these proposed mitigations has been undertaken and explain where this information defining their scale, availability etc. is set out within the ES? (ii) How and when would the facilities be delivered through the DCO?

ExQ1	Question to:	Question:
	Response	
CI.1.3	The Applicant	**Accommodation Campus** (i) Please provide a timeline mapping the number of workers expected to be working on the main development site alongside the provision of the accommodation campus, camping/caravanning area and provision of gymnasium, restaurants and any other supporting facilities. (ii) Please explain how each element is linked to a delivery mechanism within the dDCO to ensure the mitigation anticipated would materialise at an appropriate time.
	Response	
CI.1.4	The Applicant	**Accommodation Campus** Several RRs express concerns that the scale of the accommodation campus did not change when the staffing numbers increased during the consultation process. Please explain the rationale for the quantity of accommodation relative to the quantity of workforce anticipated to be on site throughout the construction period.
	Response	
CI.1.5	The Applicant	**Accommodation Strategy** In assessing the accommodation needs both during construction and subsequent operation: (i) Did the assessment include the additional 850 staff that may be on site at Sizewell B during planned outages? (ii) Please advise where this is set out within the ES.
	Response	
CI.1.6	The Applicant	**Accommodation Strategy** (i) What confidence can the ExA have that the accommodation campus and proposed caravan site would be optimally occupied during construction?

ExQ1	Question to:	Question:
		(ii) How would this be achieved?
	Response	
CI.1.7	The Applicant	**Accommodation Strategy** (i) Please confirm whether or not the figures provided for bed spaces within the private rented sector include bed spaces that would come from holiday self-catering accommodation or second homes? (ii) Explain how have the figures been differentiated between private rented and holiday cottages/flats? (iii) Provide details of what safeguards are in place to ensure that double counting of holiday cottages/flats as both 'tourist accommodation', 'private rented sector' or 'second homes' has not occurred?
	Response	
CI.1.8	ESC, SCC	**Accommodation Strategy** Are there any concerns regarding the effect of demand for temporary worker accommodation and any effect this may have on the private rented sector and or holiday accommodation?
	Response	
CI.1.9	The Applicant, ESC	**Accommodation Strategy** Licensing or planning restrictions may exist for caravanning and camping sites regarding occupancy. (i) Are there similar restrictions for example planning conditions for other property within the tourism stock such as holiday cottages? (ii) If there are, how would this effect the availability of such accommodation and has this been factored in?

ExQ1	Question to:	Question:
		(iii) Would ESC support the temporary removal/suspension of such conditions or licence restrictions to enable this stock to be used for worker accommodation during the construction period?
	Response	
CI.1.10	The Applicant	**Accommodation Strategy** There would appear to be the potential for significant pressure on local accommodation during the construction period. Please explain where the additional pressure from outages at Sizewell B has been considered and how this has been addressed?
	Response	
CI.1.11	The Applicant, ESC, SCC	**Leiston** The Town Council express concern that the mitigation for impacts from a large influx of predominantly male workers has not been fully addressed, with the only specific mitigation proposed the sports facilities at the Academy. The concerns in respect of the potential community impacts are much broader than just the effects on sports provision. Please respond to these concerns and explain how the ES has considered the broader community effects of a large influx of largely male workers and what mitigation would be secured to address these community effects.
	Response	
CI.1.12	The Applicant	**Effect of the proposed development on the local population** In light of the concerns expressed by the CCG [RR-0500] and the Suffolk Constabulary [RR 1140] amongst others please comment on whether you still regard the assumptions of impacts on the local community as conservative and fully assess the likely impacts. In responding please address the following: (i) Whether the increased workforce could be supported by existing GPs

ExQ1	Question to:	Question:
		(ii)Whether the effect on housing availability has been underestimated; (iii) The potential for adverse effects on health workers capacity to do their work due to impacts on journey times; (iv) Whether the equalities assessment adequately assesses effects on vulnerable groups; (v) Whether the mitigation for noise, dust, and impact on travel times has fully addressed health impacts; and (vi) Whether there has been a full assessment of the impacts on care homes and their residents.
	Response	
CI.1.13	The Applicant	**Access to Health Services** The Ipswich and East Suffolk CCG and West Suffolk CCG [RR-0500] have expressed concern that the proposed development could have an adverse impact on health visitors and other professionals accessing residents in a timely manner. In light of the need to ensure there are not adverse indirect health impacts how do you respond to these concerns?
	Response	
CI.1.14	The Applicant, Suffolk Constabulary	**Community Safety** The Suffolk Constabulary [RR-1140] express concern that important community safety and policing impacts raised during the pre-application consultation stage have yet to be addressed. Please advise what progress has been made between the parties in this regard.
	Response	
CI.1.15	The Applicant, Suffolk Constabulary	**Community Safety** In light of the concerns raised by the Suffolk Constabulary in respect of what they describe as the narrowness of the assessment please advise what you have done to address this criticism, and what could be put in place to respond to these concerns.

ExQ1	Question to:	Question:
		Please advise how you consider any appropriate mitigation could be delivered through the DCO in order to achieve a satisfactory level of community safety.
	Response	
CI.1.16	The Applicant Suffolk Constabulary	**Community Safety** (i) Please advise on the progress in developing the assessment of likely community safety impacts and policing impacts following the more detailed assessment of transport, staffing and demographic data. (ii) Is it intended to provide a copy of this assessment into the Examination? (iii) Is this assessment now agreed?
	Response	
CU.1	**Cumulative impact**	
Cu.1.0	The Applicant	**Cumulative assessment in EIA and HRA 'in-combination' assessment** Natural England (NE) [RR-0878] does not consider that a suitably robust assessment has been undertaken within the HRA of impacts from different aspects of the project, or of 'in combination' impacts between other projects which may impact on the same internationally designated sites and features. In particular, the cabling for East Anglia ONE North (EA1N) and East Anglia TWO (EA2) would come ashore and be routed through this part of the AONB close to the Sizewell C construction site. (i) Please provide an update on the latest position in relation to discussions with NE on this topic and indicate any outstanding points of disagreement for this element of the HRA process; (ii) Please provide an update on the part of the Sizewell project's nine to twelve years construction phase that would be likely to coincide with the EA1 North and EA2 cable route's construction?
	Response	

ExQ1	Question to:	Question:
Cu.1.1	The Applicant	**Inter-relationship effects** NE [RR-0878] does not consider that a suitably robust assessment has been undertaken on cumulative impacts from all project elements on nationally designated sites (SSSIs) and their notified features. Please provide an update on the latest position in relation to discussions with NE on this topic and indicate any outstanding points of disagreement on this aspect of the SSSI impact assessment process.
	Response	
Cu.1.2	The Applicant	**Cumulative effects with other plans, projects and programmes** NE [RR-0878] highlights the impact of the Sizewell C scheme on how Sizewell B currently relates visually to its immediate and wider landscape setting and submits that the potential mitigation benefits would not address a general cumulative effect of the power station with existing energy infrastructure on the landscape character of the AONB. Please comment on the criticisms made and indicate whether there is any additional mitigation, such as by way of updates to the LEMP or mitigation route maps which might alleviate the adverse cumulative impact of the scheme and avoid the visual clutter anticipated by NE?
	Response	
Cu.1.3	The Applicant, ESC, SCC	**Cumulative effects with other plans, projects and programmes** ES Volume 10 Project-wide, Cumulative and Transboundary Effects, Chapter 4, Table 4.16 [APP-578], identifies those effects that have been found to be greater in-combination with the non-Sizewell C schemes than for the proposed development alone. For transport, this includes the A12 at Little Glemham and Marlesford. (i) Please explain further how the proposed mitigation would operate in practice and how this would satisfactorily overcome the anticipated cumulative moderate adverse effect on fear and intimidation; (ii) Please indicate whether there are any other steps which could be taken in mitigation of this adverse effect?
	Response	

ExQ1	Question to:	Question:
Cu.1.4	The Applicant	**Cumulative effects with other plans, projects and programmes** ES Volume 10 Project-wide, Cumulative and Transboundary Effects [APP-578], Chapter 4, Table 4.16 in relation to landscape and visual impact, and amenity and recreation, identifies significant adverse cumulative effects for Visual Receptor Groups 18, 19 and 20 during the construction period. (i) Please explain further why there are considered to be no more practicable and proportionate mitigation steps available? (ii) For these receptors, please explain in detail how the combined effects of these cumulative impacts arising under these different topics have been assessed, including on the overall effect on health and well-being of those concerned?
	Response	
Cu.1.5	The Applicant	**Cumulative effects with other plans, projects and programmes** ES Volume 10 Project-wide, Cumulative and Transboundary Effects [APP-578], Chapter 4, Table 4.16 in relation to health and wellbeing and effects associated with changes to noise and vibration, identifies significant adverse cumulative effects for the rail proposals (construction), and the two village bypass (construction and operation). Please explain further why there are considered to be no more practicable and proportionate mitigation steps available?
	Response	
Cu.1.6	The Applicant	**Cumulative effects with other plans, projects and programmes** ES Volume 10 Project-wide, Cumulative and Transboundary Effects [APP-578], Chapter 4, paragraphs 4.21.35 to 4.21.38, in relation to cumulative quality of life and wellbeing effects associated with general stress and anxiety, recognises that due to their scale, larger projects may generate stress and anxiety. However, it concludes that on the basis that each individual development would inherently manage stress and anxiety associated with the planning application process, the cumulative health and wellbeing effects would remain minor adverse and not significant.

ExQ1	Question to:	Question:
		(i) Please explain further how such stress and anxiety would be inherently managed rather than exacerbated by the planning process? (ii) Please provide further evidence and reasoning to support the conclusion reached that the cumulative effect would not be significant?
	Response	
Cu.1.7	The Applicant, EA1N	**Cumulative effects with other plans, projects and programmes** EA1N [RR-0340] indicates that its representatives have engaged proactively with Sizewell C representatives to better understand the scope and impact of the proposed Sizewell C Project and its potential cumulative and in-combination effects, in particular on transport related matters. Please confirm that such discussions are ongoing and indicate whether any further information is available at this stage in relation to potential cumulative and in-combination effects of the projects with particular regard to transport- related matters.
	Response	
Cu.1.8	The Applicant, EA1N, EA2	**Cumulative effects with other plans, projects and programmes** EA1N [RR-0340] and EA2 [RR-0341] explain that the Order limits for the EA1N Project and the Sizewell C Project overlap in three areas of the public highway, namely: Sizewell Gap (close to the Junction of Sizewell Gap/King George's Avenue); the junction of A12/A1094 (Friday Street); and the junction of A1094/A1069 (Snape Road). (i) Please indicate whether any progress has been made in relation to opportunities for co-ordinating works in these areas and how this would be secured by the DCO(s). (ii) If not, what are the perceived obstacles to any such co-ordination? (iii) Explain the way in which the various works for these schemes in these locations could conflict? (iv) Explain how it is proposed that the necessary access for the EA1 North and EA TWO Projects would be maintained?

ExQ1	Question to:	Question:
	Response	
Cu.1.9	The Applicant, EA1N, EA2	**Cumulative effects with other plans, projects and programmes** ES Volume 10 Project-wide, Cumulative and Transboundary Effects [APP-578], Chapter 4, paragraph 4.4.13, indicates that the construction of EA1N and EA2 could overlap with the construction of the Sizewell C Project. Paragraph 4.14, states that the 'concurrent build' traffic flows have been used, derived from the preliminary environmental information for the EA2 development. (i) Please indicate whether any further information is available at this stage as to the likely timing and duration of the overlap should all these projects be approved. (ii) Please comment on the reliability of the ES assessment given that it has utilised preliminary environmental information and indicate whether this has now been superseded?
	Response	
Cu.1.10	The Applicant	**Cumulative effects with other plans, projects and programmes** ES Volume 10 Project-wide, Cumulative and Transboundary Effects [APP-578], Chapter 4, paragraph 4.4.47, states that at peak construction all of the highway improvement schemes associated with the Sizewell C Project will be operational. (i) Please explain how that would be secured and enforced through the draft DCO or other means? (ii) Would there be any consequential effects on the assessment conclusions were this not to be met, even if it were for short periods?
	Response	
Cu.1.11	The Applicant, EA1N, EA2, SCC	**Cumulative effects with other plans, projects and programmes** ES Volume 10 Project-wide, Cumulative and Transboundary Effects, Chapter 4 Assessment of Cumulative Effects with Other Plans, Projects and Programmes [APP-578], paragraph 4.4.53, explains that the cumulative assessment for Sizewell C with EA1N and EA2 is based on certain worst case assumptions. Please indicate whether those assumptions are

ExQ1	Question to:	Question:
		agreed between all parties and that they comprise a complete list of potential 'worst case' factors?
	Response	
Cu.1.12	The Applicant, ESC, SCC	**Cumulative effects with other plans, projects and programmes** ES Volume 10 Project-wide, Cumulative and Transboundary Effects, Chapter 4 Assessment of Cumulative Effects with Other Plans, Projects and Programmes [APP-578], paragraph 4.4.54, indicates that it is possible that the significant adverse effect on fear and intimidation would not arise. The construction programmes for East Anglia ONE North and East Anglia TWO and the Sizewell C Project will be monitored through the transport review group throughout the construction phase of the Sizewell C Project and should there be a potential for the worst case traffic flows to arise concurrently, additional mitigation measures would need to be secured through the transport contingency fund, which is to be secured via the Section 106 Agreement. (i) Please explain further how the effect on fear and intimidation could be satisfactorily managed through the transport review group and transport contingency fund? (ii) Although the contingency fund is referred to in the Mitigation Route Map, Plate 1.1 [APP-616], it does not appear to be mentioned in the main mitigation route map tables. Please explain why not? (iii) Please outline the additional mitigation measures anticipated and explain how this would achieve the desired objective?
	Response	
Cu.1.13	The Applicant, EA1N	**Cumulative effects with other plans, projects and programmes** EA1N [RR-0340] in relation to offshore matters notes that whilst the Sizewell C Project's Work Nos. 2B, 2D and 2F fall outside the EA1N Order limits, there remains an overlap in the Order limits. The company expresses concern that it must not be hindered from undertaking the necessary works for the EA1N Project as a result of the Sizewell C Project works at these locations. Please indicate the form of assurance sought in this respect and whether this has been provided to the satisfaction of EA1N?

ExQ1	Question to:	Question:
	Response	
Cu.1.14	The Applicant	**Cumulative effects with other plans, projects and programmes** ES Volume 10 Project-wide, Cumulative and Transboundary Effects, Chapter 4 Assessment of Cumulative Effects with Other Plans, Projects and Programmes [APP-578], section 4.19 Climate Change, paragraph 4.19.1, states that presenting the impact of the proposed development in the context of the UK carbon budgets is an inherently cumulative assessment and as such it is concluded that further assessment of cumulative GHG emissions is not applicable. Please explain further the basis for this approach and why the cumulative impact of a number of different projects that each fall below the 1% threshold should not be a matter of concern?
	Response	
Cu.1.15	The Applicant	**Cumulative effects with other plans, projects and programmes** Beach View Holiday Park [RR-0126] propose that an independent 'cumulative impact study' should be undertaken to safeguard the AONB and wider area from the impact on multiple large-scale industrial projects including Sizewell C, EA1N and EA2 wind farms, Nautilus and Eurolink and SCD1 and SCD2 Interconnector. Please comment specifically on the need for and benefits of such an additional study?
	Response	
Cu.1.16	The Applicant	**Cumulative effects with other plans, projects and programmes** ESC [RR-0342], expresses concern that the potential in-combination effects on the labour market of Sizewell C with other major construction projects including ScottishPower Renewable projects, Bradwell B, other power stations in England and Wales and sizeable engineering projects such as Crossrail 2 has not been fully considered or reflected in the mitigation package. Please respond to this specific point and explain further the consideration of this factor and any mitigation proposed.

ExQ1	Question to:	Question:
	Response	
Cu.1.17	The Applicant	**Cumulative effects with other plans, projects and programmes** ESC [RR-0342] states that during the construction phase of Sizewell C, particularly the peak years, cumulative effects related to the labour market may arise in-combination with other NSIPs in the region. Please explain in detail the means of delivering, monitoring and enforcing the proposals for boosting skills and employment to minimise the cumulative effects arising from the in-combination construction of the various consented or under consideration NSIPs in the region.
	Response	
Cu.1.18	The Applicant, ESC	**Cumulative effects with other plans, projects and programmes** ESC [RR-0342] accepts that the primary issues arising in the cumulative assessment are predominantly managed with the proposed transport strategy. However, one element that continues to raise concern is the A12 west of Woodbridge and the A12/A1094 junction to Aldeburgh pre: Two Village Bypass construction. (i) The Council is requested to explain further its stated intention to work with the Highway Authority to understand how capacity here can be increased and indicate the prospects of that objective being achieved? (ii) Please provide further explanation as to the anticipated timetable for the provision of the Two Village bypass and the scope for the Friday Street roundabout element of the Two Village Bypass to be brought online as soon as possible during the Sizewell C construction.
	Response	
Cu.1.19	The Applicant, ESC	**Cumulative effects with other plans, projects and programmes** ESC [RR-0342] in relation to amenity and recreation notes that during the early years of construction there may be impacts in some areas should other NSIPs be under construction simultaneously. The majority of these impacts will be on receptor groups

ExQ1	Question to:	Question:
		using public footpaths. The majority are considered to be not significant, but receptors at Aldringham Common and The Walks are likely to experience significant effects. (i) Please indicate whether it is considered that any further mitigation other than that already proposed is necessary for receptors in these locations. (ii) If not, why not? (iii) If so, what additional mitigation is sought and how could that be secured through the draft DCO?
	Response	
Cu.1.20	The Applicant, National Grid (in relation to (i))	**Cumulative effects with other plans, projects and programmes** Norfolk County Council [RR-0906] raises cross-boundary electricity transmission issues in respect of the 400kV network which runs between Norfolk and Suffolk including the potential for reinforcement and new lines in both Norfolk and Suffolk. (i) Please indicate whether there is likely to be any requirement in the wider area for either: (a) reinforcement; of the existing 400 kV network; or (b) new overhead lines (400kV). (ii) Please explain how the cumulative impact on the 400 kV transmission network in the wider strategic area has been considered by the ES? (iii) Please comment on the need for further evidence and studies setting out the full implications of both Sizewell C and the planned/emerging offshore wind energy projects on the existing 400 kV network across the two Counties.
	Response	
Cu.1.21	The Applicant	**Cumulative effects with other plans, projects and programmes** Suffolk Coast & Heaths Area of Outstanding Natural Beauty (AONB) Partnership [RR-1170] considers the cumulative impacts of proposed and existing infrastructure appear to have been underplayed when taken into combination in relation to the statutory purpose of the AONB. Please provide further explanation and justification for the ES conclusion in relation to cumulative impact upon the AONB having regard to the other proposed and existing Nationally Significant Infrastructure in the area that has been referred to in that representation.

ExQ1	Question to:	Question:
	Response	
Cu.1.22	The Applicant	**Cumulative effects with other plans, projects and programmes** SCC [RR-1174] considers that the full cumulative impacts of the existing and potential future projects in the East Suffolk area have not been adequately assessed. (i) Please indicate whether any further information has come to light on the schemes considered by the ES and other schemes coming forward since the time of the assessment including offshore wind projects, inter-connector cables across the North Sea and the interconnector project to Kent; (ii) Please summarise the proposals for the delivery of traffic mitigation schemes and explain how that could be achieved in practice without disrupting traffic from other projects including use of the A12/B1122 and A12/A1094/B1069 transport corridors by East Anglia ONE North and East Anglia TWO traffic; (iii) Please explain how cumulative impacts which are not currently proposed to be mitigated due to the length of time they are expected to occur and their deemed likelihood of occurring would be monitored, identified and then mitigated should they in fact occur?
	Response	
Cu.1.23	The Applicant	**Cumulative effects with other plans, projects and programmes** SCC [RR-1174] in respect of the cumulative ecological impact, submits that it is not clear why the construction of the EA1 North and EA2 have been scoped out of the assessment of cumulative impacts, particularly in respect of Natura 2000 sites, when the cable corridor passes relatively close to the Sizewell C project. Please provide further details and reasoning to justify the scoping out of that matter from the cumulative impact assessment.
	Response	

ExQ1	Question to:	Question:
Cu.1.24	The Applicant	**Cumulative effects with other plans, projects and programmes** SCC [RR-1174] in relation to economic development and skills is critical of the ES consideration of the potential in-combination effects on the labour market of Sizewell C with other major construction projects. In addition, it indicates that the timelines for construction of East Anglia THREE (EA3) have changed and are significantly different to the timelines presented in the application. (i) What account has or will be taken of the other significant projects to be delivered in the same time period as the proposed construction of Sizewell C, as identified by the Technical Skills Legacy Study? (ii) How is it proposed that changes in the timelines for the construction of EA3 compared to those presented in the application will be reflected in the cumulative impact assessment? (iii) Please respond to the Council's criticism of the cumulative impact assessment methodology and whether this should have taken into account the different skill sets needed to deliver at particular phases of the project, rather than only concentrating on construction labour.
	Response	
Cu.1.25	The Applicant, SCC	**Cumulative effects with other plans, projects and programmes** SCC [RR-1174] considers that the cumulative pressure on the local housing stock may increase impacts in East Suffolk and may push workers to look further afield creating pressures on adjacent authorities such as Ipswich and Mid Suffolk. (i) Please respond to the criticism that appropriate monitoring and mitigation measures need to be put in place for all affected areas, to ensure housing impacts are managed and mitigated. (ii) Should anything else be included in the accommodation strategy and other measures related to housing in addition to those measures already set out in the Mitigation Route Map?
	Response	
Cu.1.26	The Applicant	**Inter-relationship effects** NPS EN-1, paragraph 4.2.6, explains that consideration should be given to how the accumulation of, and interrelationship between, effects might affect the environment,

ExQ1	Question to:	Question:
		economy or community as a whole, even though they may be acceptable when considered on an individual basis with mitigation measures in place. Please explain how the overall effects (cumulative, inter-related, intra-related and inter-related) on health and well-being for the various individual communities affected has been considered by the application?
	Response	
Cu.1.27	The Applicant	**Inter-relationship effects** ESC [RR-0342] on the topic of inter-relationship effects recognises that a summary of each element of the development and its potential impact is included in the ES and does not disagree with its findings. However, it considers that the mitigation proposed to address these potential effects lacks clarity. Please provide further details, by way of expansion of the Mitigation Route Map, of the mitigation proposed including what would be available, in particular for residential properties, to mitigate for the interrelationship effects of the proposal.
	Response	
Cu.1.28	The Applicant	**Inter-relationship effects** ES Volume 10 Project-wide, Cumulative and Transboundary Effects, Chapter 2 Inter-relationship effects [APP-575] assesses the potential for residential properties, commercial facilities and schools to experience effect interactions as a result of the Sizewell C Project. Paragraph 2.3.10 identifies that a number of receptors within close proximity to the main development site have a high potential for combined effects arising from noise and vibration, air quality and views during construction. In addition, paragraph 2.3.13, identifies a number of receptors that are also likely to have high potential for combined effects arising from impacts during operation. There are also areas where new and/or different environmental effects may be experienced including properties between Yoxford and Leiston, close to the B1122. (i) Please explain in detail any mitigation proposed to overcome these additional or new impacts. (ii) If no additional mitigation, and/or mitigation to further reduce the impact of individual

ExQ1	Question to:	Question:
		components is proposed, please explain why that approach is considered to be acceptable?
	Response	
Cu.1.29	The Applicant	**Inter-relationship effects** ES Volume 10 Project-wide, Cumulative and Transboundary Effects, Chapter 2 Inter-relationship effects [APP-575] in relation to the Northern Park and Ride, paragraph 2.3.22, identifies receptors at residential properties on the western side of Main Road adjacent to the eastern boundary of the site that have a high potential for combined effects arising from noise and vibration, air quality and landscape and visual impacts, during construction, operation and removal and reinstatement. (i) Please identify and explain in detail any mitigation proposed to overcome the additional significant adverse inter-relationship effect that is likely to be experienced by these receptors. (ii) If no additional mitigation, and/or mitigation to further reduce the impact of individual components is proposed, please explain why that approach is considered to be acceptable?
	Response	
Cu.1.30	The Applicant	**Inter-relationship effects** ES Volume 10 Project-wide, Cumulative and Transboundary Effects Chapter 2 Inter-relationship effects [APP-575] in relation to the Two Village Bypass, identifies receptors at The Red House and Timbers, Main Road; Hall Cottages, Farnham Hall, Farnham Street Farm; Farnham Hall Farmhouse; and Rosehill Cottages that have a high potential for combined effects arising from noise and vibration, air quality and landscape and visual impacts, during construction. Paragraph 2.3.36, identifies a number of receptors are also likely to have high potential for combined effects arising from impacts during operation. (i) Please identify and explain in detail any mitigation proposed to overcome the additional significant adverse inter-relationship effect that is likely to be experienced by these receptors. (ii) If no additional mitigation is proposed, and/or mitigation to further reduce the impact of individual components, please explain why that approach is considered to be acceptable?

ExQ1	Question to:	Question:
	Response	
Cu.1.31	The Applicant	**Inter-relationship effects** ES Volume 10 Project-wide, Cumulative and Transboundary Effects, Chapter 2 Inter-relationship effects [APP-575] in relation to the Sizewell Link Road, paragraph 2.3.43, identifies receptors at Kelsale Lodge Cottages; Fir Tree Farm; The Red House Farm and Rosetta; Vale Cottage and Oakfield house; Valley Farm House; Annesons Cottage; Coronation Cottages; Forge Cottage and Walnut Cottage have a high potential for combined effects arising from noise and vibration, air quality and landscape and visual impacts, during construction. In addition, a number of receptors are also likely to have high potential for combined effects arising from impacts during operation. (i) Please identify and explain in detail any mitigation proposed to overcome the additional significant adverse inter-relationship effect that is likely to be experienced by these receptors. (ii) If no additional mitigation, and/or mitigation to further reduce the impact of individual components is proposed, then explain why that approach is considered to be acceptable?
	Response	
Cu.1.32	The Applicant	**Inter-relationship effects** ES Volume 10 Project-wide, Cumulative and Transboundary Effects, Chapter 2 Inter-relationship effects [APP-575] in relation to the Freight Management Facility, paragraph 2.3.57, identifies residential properties at 1 and 2 Keepers Cottage have a high potential for combined effects arising from noise and vibration, air quality and landscape and visual impacts, during construction and removal and reinstatement. (i) Please identify and explain in detail any mitigation proposed to overcome the additional significant adverse inter-relationship effect that is likely to be experienced by these receptors. (ii) If no additional mitigation, and/or mitigation to further reduce the impact of individual components is proposed, then please explain why that approach is considered to be acceptable?
	Response	

ExQ1	Question to:	Question:
Cu.1.33	The Applicant	**Inter-relationship effects** ES Volume 10 Project-wide, Cumulative and Transboundary Effects, Chapter 2 Inter-relationship effects [APP-575] in relation to the Green Rail Route, paragraph 2.3.65, identifies that during construction, noise generated from rail movements on the East Suffolk line have the potential to interact with air quality effects from road traffic and rail emissions and could result in new and or different environmental effect within a number of areas. It recognises that there is a potential for effect interaction to occur and result in a further significant effect at those receptors where noise effects from the rail movements would be significant (within 20 metres of the East Suffolk Line). The rail noise effects would be mitigated where possible through the implementation of speed restrictions along the East Suffolk Line. (i) Please identify the receptors where the effects would be significant? (ii) Please explain further mitigation proposed and the extent to which the proposed speed restrictions would assist in that respect; (iii) How could it be ensured that the proposed speed restrictions would be implemented and adhered to?
	Response	
Cu.1.34	The Applicant	**Cumulative impact of water supply strategy** The ES Addendum Volume 1: Environmental Statement Addendum Chapter 10 Project Wide, Cumulative and Transboundary Effects - Revision 1.0 [AS- 189] paragraph 10.4.229 indicates that the proposals would require an upgrade to some existing water treatment plants and a new high capacity water main. Please provide further details and explanation to support the view set out in paragraph 10.4.232 that the preferred water supply strategy proposal would not change the conclusions of the waste and material resource cumulative assessment presented within Volume 10, Chapter 4 of the ES [APP-578], based on expected waste arisings and material quantities required due to the scale and nature of the scheme.
	Response	

ExQ1	Question to:	Question:
Cu.1.35	The Applicant	**Cumulative impact of water supply strategy** The ES Addendum Volume 1: Environmental Statement Addendum Chapter 10 Project Wide, Cumulative and Transboundary Effects - Revision 1.0 [AS-189] paragraph 10.4.233 b)(iii) Transport – explains that works associated with the preferred water supply proposal are currently programmed to coincide with the Early Years construction of the Sizewell C Project. In addition, paragraph 10.4.235 b) (iv) noise and vibration, identifies that if the earthworks for the cut and fill, and the pipelaying task for the preferred water supply proposal works were to take place at a time when other construction works associated with the Sizewell C Project is occurring nearby, there is the potential for a cumulative effect. This could occur at receptors close to construction works for the Sizewell link road, the main development site and along the Saxmundham to Leiston branch line. (i) Please explain further how it is proposed that routing and logistics associated with the water supply would be managed to ensure existing and Sizewell C traffic is not disrupted as a result. (ii) How would that be secured through the draft DCO? (iii) What further work is required to understand the programme and scope of works, and to determine the best measures to put in place? (iv) Please provide further details, for example, of anticipated trip generations and duration of works to support the view that the construction traffic generated by the preferred water supply strategy proposal would not change the conclusions of the transport cumulative assessment. (v) Please indicate if any updated information is available in relation to the temporary nature of the construction works and the extent of the works required for the installation of the water main.
	Response	
Cu.1.36	The Applicant	**Cumulative impact of water supply strategy** The ES Addendum Volume 1: Environmental Statement Addendum Chapter 10 Project Wide, Cumulative and Transboundary Effects - Revision 1.0 [AS- 189] paragraph 10.4.258 states that overall the preferred water supply connection strategy would result in no new

ExQ1	Question to:	Question:
		or different significant effects than those reported in Volume 10, Chapter 4 of the ES [APP-578]. Please confirm that that remains the position in the light of any updated information on that topic.
	Response	
Cu.1.37	The Applicant	**Project-wide effects** ES Volume 10 Project-wide, Cumulative and Transboundary Effects, Chapter 3 Assessment of Project-wide Effects [APP-577] Table 3.1, identifies receptors or receptor groups where there is potential overlap of noise impacts from different elements of the project, and where two or more of the project elements could be close enough to receptors such that combined noise levels may have a significant effect. This includes Receptor 13 (Leiston Abbey, including Pro Corda music school) combined effects are therefore considered significant. (i) Please provide further details and the timing of the proposed bespoke assessment of impacts from the Sizewell C Project on the Pro Corda Music School at Leiston Abbey; (ii) Please indicate whether there has been any progress in relation to the provision of any additional mitigation requirements? (iii) Please explain exactly how that mitigation would be secured through planning obligations.
	Response	
Cu.1.38	The Applicant	**Project-wide effects** ES Volume 10 Project-wide, Cumulative and Transboundary Effects, Chapter 3 Assessment of Project-wide Effects [APP-577] Table 3.1 identifies Receptor 14 (Lovers Lane / Sandy Lane Junction) as a location where the combined effects of the construction and construction road traffic noise may result in a perceived worsening of effects during the day during some early phase construction work at LEEIE.

ExQ1	Question to:	Question:
		(i) Please explain further the role of professional judgment in assessing the combined impact of these two noise sources. (ii) How in practice would an exceedance of the SOAEL be determined and how would that be avoided through the application of the Noise Mitigation Scheme?
	Response	
Cu.1.39	The Applicant	**Project-wide effects** [APP-577] Para 3.5.6 In terms of habitat loss and fragmentation, it is said that (i) impacts are considered to be "*temporarily moderate adverse and significant during the construction phase*" and (ii) that "*avoidance measures have been incorporated into the scheme design in the "associated design principles*". Please will the Applicant state where these are secured. Please will it also explain what is the effect with those principles in place.
	Response	
Cu.1.40	The Applicant	**Project-wide effects** [APP-577] In section 3.5, there are a number of cases where the argument for no significant project-wide effect is that there is no significant effect at the relevant individual sites, therefore there is no significant project-wide effect. But cannot several non-significant effects add up to a significant effect? Examples of paragraphs where this approach is taken are: 3.5.10; 3.5.12; 3.5.14; 3.5.15; 3.5.19; 3.5.21; 3.5.22. The Applicant's reply should not please be limited to those paragraphs but also address the issue generally across the ES.
	Response	

ExQ1	Question to:	Question:
Cu.1.41	The Applicant	**Cumulative effects with other plans etc [APP-578]** Para 4.8.30 – peak construction, breeding birds. This does not have a conclusion on effects. Please could the Applicant explain.
	Response	
Cu.1.42	The Applicant, ESC	**Cumulative effects with other plans etc [APP-578]** Para 4.8.33 – bats – this conclusion of no significant effect relies on an explicit assumption. How likely is that assumption to hold good?
	Response	
Cu.1.43	The Applicant	**Cumulative effects with other plans etc [APP-578]** Para 4.15.67. Assessment of cumulative effects of noise on harbour porpoise appears to be limited to the winter period or area only. Please could the Applicant point the ExA to the summer (and other seasons) assessment or clarify why winter alone is the correct approach. Is the answer para 9.2.7 of [APP-145]? Please could the Applicant submit an amended version of Fig 22.15 of [APP-333] to demonstrate this and confirm separation distances to the summer area?
	Response	
Cu.1.44	The Applicant	**Cumulative effects with other plans etc [APP-578]** Para 4.17.1 Assessment of cumulative navigational effects. This says schemes outside the 10 mile radius ZOI have been included if vessels may cross the route of AIL vessels for the Proposed Development, *that is* "*if* the transhipment base is at Harwich" (emphasis added). What happens if the transhipment base is not at Harwich? What other candidate locations are there?
	Response	
Cu.1.45	The Applicant	**Cumulative effects with other plans etc [APP-578]** Para 4.17.14. Presumably the reference in the heading to "construction" is a misprint for "operation". But please will the Applicant confirm this.

ExQ1	Question to:	Question:
	Response	
Cu.1.46	The Applicant	**Transboundary effects** ES Volume 10 Project-wide, Cumulative and Transboundary Effects, Chapter 5 Transboundary Effects, Appendix 5A: Long Form Transboundary Screening Matrix sets out the Applicant's response to a screening exercise using the matrix in Annex 1 of Advice Note Twelve. In relation to risk of accidents, reliance is placed upon the Nuclear Site Licence and the Euratom Treaty obligations. It indicates that the proposed UK EPR™ design of reactor has been the subject of a regulatory justification process. (i) Please confirm that reliance is no longer placed upon the Euratom Treaty obligations; (ii) Please clarify the stage of construction by which the Nuclear Site Licence must be in place; and (iii) Please indicate whether any further review of the proposed UK EPR™ design of reactor is anticipated and whether that review takes into account the latest available information on risk of accidents?
	Response	
Cu.1.47	The Applicant	**Transboundary effects** Ministry of Energy, Agriculture, the Environment and Nature – Germany and Digitalisation of the State of Schleswig-Holstein [RR-0801] expresses concern that the UK's withdrawal from Euratom may have a negative impact on reactor safety and radiation protection in relation to both existing plants and planned projects. The ES Volume 2 Chapter 27 Major Accidents and Disasters [APP-344] footnote 2 provides details of the position during the transition period for the UK exiting the EU and the Euratom Treaty. Please provide an update and/or any relevant changes to that information post Brexit.
	Response	
Cu.1.48	The Applicant	**Transboundary effects** ES Volume 10 Project-wide, Cumulative and Transboundary Effects, Chapter 5 Transboundary Effects [APP-580], paragraph 5.4.43, in relation to Major Accidents and

ExQ1	Question to:	Question:
		Disasters recognises that without mitigation, such hazards and threats could result in significant environmental effects and might result in transboundary effects. Please explain in further detail the conclusion reached that following the implementation of the identified mitigation, all risks including any potential transboundary effects are considered to be tolerable or tolerable if as low as reasonably practicable and not significant.
	Response	
Cu.1.49	The Applicant	**Transboundary effects** There are a number of RR's and other submissions made under EIA Reg 22 including Belgian State [RR-0127], Danish Emergency Management Agency [RR-0265], National Planning Agency [RR-0876], Nucléaire Stop Kernenergie [RR-0909], Stowarzyszenie 'Wspólna Ziemia' (Association Common Earth) [RR-1163], Swedish NGO Office for Nuclear Waste Review and member org [RR-1197], Ministry of Energy, Agriculture, the Environment and Nature – Germany and Digitalisation of the State of Schleswig-Holstein [RR-0801], The Ministry of Infrastructure and Water Management [RR 802] for the Netherlands and Wiener Plattform Atomkraftfrei [RR-1267] that raise transboundary issues. Please ensure that responses to the Reg 32 submissions are included as psrt of the comments on RRs.
	Response	
Cu.1.50	The Applicant	**Transboundary effects** Brigitte Artmann [RR-0155] expresses concern that the proposal as carried out to date is in breach of the Aarhus convention. Please respond to the specific points raised in relation to the requirements of this convention.
	Response	

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 written questions and requests for information (ExQ1)

Issued on 21 April 2021
Responses are due by Deadline 2: Wednesday 2 June 2021

PART 4 OF 6

DCO.1 Draft Development Consent Order (DCO)
FR.1 Flood risk, ground water, surface water
HW.1 Health and wellbeing
HE.1 Historic environment (terrestrial and marine)
LI.1 Landscape impact, visual effects and design

ExQ1	Question to:	Question:
DCO.1	**Draft Development Consent Order (DCO)**	
DCO.1.0	The Applicant	Art 2. Definition of "commence" and the exclusions from it. The EM para 3.6. states that "the Environmental Statement does not indicate that these works would be likely to have significant environmental effects". Could this be expressed positively as "The ES indicates that these works are not likely to have significant effects"? Is there a statement in the ES that the excluded works are not likely to have significant effects.
	Response	
DCO.1.1	The Applicant	Art 2. Definition of "commence" and the exclusions from it. Given that e.g. the Sizewell B Relocation Works will involve decontamination, is this exception from the definition of "commence" appropriate?
	Response	
DCO.1.2	The Applicant, the Host Authorities	Art 2. Definition of "commence" and the exclusions from it. (i) Are the exclusions justified for all of the Proposed Development? (ii) Might it be appropriate to exclude later phases and to limit the exclusions to the earliest phases of the Proposed Development? In both (i) and (ii) please explain concisely why.
	Response	
DCO.1.3	The Applicant, the Host Authorities	Art 2 definition of "harbour" and the harbour provisions in general in the DCO. This refers to a harbour "to be constructed" by the undertaker. However, the harbour does not appear to comprise any construction (Works 2A – 2L are water intakes, outfalls and tunnels). Are there legal powers to designate a harbour, harbour authority and related matters without physical construction works to create the harbour?

ExQ1	Question to:	Question:
	Response	
DCO.1.4	The Applicant, the Host Authorities	Art 2 definitions of "harbour" and "Order limits". The harbour limits described in Art 51 and shown on the Works Plans (e.g.Key Plan 3) extend beyond the Order Limits. The ExA notes that the dDCO gives powers to do other things outside the Order limits. Please will the Applicant explain: (i) what is the rationale for where the line of the Order limits is drawn; and (ii) whether it is permissible and how for the order to apply outside the Order limits? (iii) confirm that the ES assesses the extent of any proposed works if they are outside the RLB.
	Response	
DCO.1.5	The Applicant	Art 2 – definition of land. Is the reference to land covered by water intended to include (a) sea bed and (b) Crown interests in such "land"? If so, does this create any compulsory acquisition issues?
	Response	
DCO.1.6	The Applicant, the Host Authorities	Art 2 – definition of "local planning authority". This defines the phrase to mean East Suffolk Council and its successors in title. Successors in title is a phrase more normally used in relation to land interests (title) than statutory functions. Please will the Applicant and Host Authorities consider whether the phrase "successors to its functions as local planning authority as defined in the Town and Country Planning Act 1990" would be more appropriate? The ExA consider this is probably what is intended given that the functions of the local planning authority specified in the DCO are largely of a development control nature. However, might it not be simpler simply to adopt the definition in the TCPA 1990 (s.1 is the relevant section, combined with s.336). That way, any local government

ExQ1	Question to:	Question:
		reorganisation or reallocation of planning functions will be taken through to the operation of the DCO automatically rather than relying on an interpretation of who is meant by the Secretary of State as the successor to the "title" or functions of ESC, which are wider than planning. The ExA is aware of the Inspectorate's guidance note's preference for naming authorities. If the intention of the definition is to ensure that the planning matters allocated to the local planning authority by the DCO are allocated to the district council rather than to the county (which is normally limited to minerals and waste planning) then the use of the TCPA definition could be refined to exclude the county council.
	Response	
DCO.1.7	The Applicant, the Host Authorities	Art 2 – definition of "maintain" and Art 6 – power to maintain. The definition includes "alter, remove or reconstruct". On its face, that would include decommissioning and the construction of a new power station. The ExA doubts this is what is intended and notes that there is intended to be a limit by reference to new or materially different environmental effects. However, lesser reconstructions may pass that test but nonetheless be development which ought to be regulated by planning control? (i) Might the following definition be adequate: "maintain" includes inspect, repair, adjust, alter, clear, refurbish or improve, and any derivative of "maintain" is to be construed accordingly", with the addition of the prohibition relating to maintenance causing environmental effects? (ii) If the Host Authorities consider that the current definition is too wide, would they please give examples of development it permits but which the Host Authority considers should be subject to planning control? Would they please also consider whether the ExA's suggestion above would deal with their concern and give reasons? (iii) If the Applicant disagrees with the ExA's suggestion, please will it, in answering the question, explain clearly the intent of the breadth of the definition and reflect on whether it ought to be reduced? (iv) See also the ExA's questions on Sch 2 para 1 (tailpieces in the context of EIA). Taking that also into account, how does the Applicant expect that the prohibition relating

ExQ1	Question to:	Question:
		to maintenance causing environmental effects would work in practice and be enforced? How would the local planning know in advance of an item of maintenance that materially new / different effects would be caused by the maintenance? What action would they be able to take? Or is the intention and practice simply going to be that maintenance which breaches the prohibition would be without approval, a breach of the DCO and therefore a criminal offence? Please will the Host Authorities also consider question (iv) and respond?
	Response	
DCO.1.8	The Applicant	Art 2 "marine works" definition. Please will the Applicant list what development and works are included in the phrase "and any other works below mean high water springs authorised by this Order".
	Response	
DCO.1.9	The Applicant, the Host Authorities, MMO	Art 2, definition of "mean high water springs". Does the time period need to be specified?
	Response	

ExQ1	Question to:	Question:
DCO.1.10	The Applicant, National Grid	Art 2, definition of National Grid. This definition encompasses real estate ownership ("successors in title"), personal estate ownership ("assigns"), agents ("any other person exercising its powers"), and functions such as statutory functions, but not limited to those ("any other person exercising its powers or performing the same functions"). The three categories will not necessarily all be kept together (as the drafting recognises) and the references in the dDCO to National Grid may therefore devolve onto more than one entity. For example land might be sold by National Grid Electricity Transmission plc (NGET plc) to X and it's transmission functions be transferred to a different body. Are both to have the rights, duties, powers and privileges of NGET? Will it always be intended and acceptable that rights or duties, powers and privileges of (NGET plc) under the DCO can be held by more than one entity at the same time and that different aspects of the business of NGET plc may be held by different entities? At first sight it appears to the ExA that this is undesirable and that it would be better to distinguish between property rights on the one hand and statutory functions on the other. Are there other types of functions? Please will the Applicant and National Grid each explain what aspects of the involvement of National Grid Electricity Transmission plc are intended to be covered and explain either why the current drafting is appropriate or what changes should be made? Their attention is also drawn to Art 9(7) which allows transfer to amongst other "National Grid or its statutory successor". The reference to statutory successor both makes the point raised above about the range of aspects of the business of NGET and appears to be otiose if the definition remains as drafted.
	Response	
DCO.1.11	The Applicant	Art 2 – order land.

ExQ1	Question to:	Question:
		Please will the Applicant confirm that the Land Plans and the Book of Reference refer to the same land, neither more nor less? If there are differences, please explain what they are, including by reference to a plan.
	Response	
DCO.1.12	The Applicant	Art 2 – definition of Secretary of State. Why is this needed? It is contrary to the Inspectorate's advice and to normal statutory drafting practice. The Applicant will be aware that the business of government is not infrequently allocated to different or new departments from time to time and that some departments are abolished altogether when their functions are moved to others.
	Response	
DCO.1.13	ESC	Definition of Sizewell B relocated facilities permission. Please will ESC confirm that this is the correct description, date and reference number?
	Response	
DCO.1.14	The Applicant	Art 2 – definition of Sizewell B relocation works, "Work No. ID". Please will the Applicant correct the typographical error. Presumably it should read "Work No. 1D".
	Response	
DCO.1.15	The Applicant	Article 2 - definition of special direction, says "Special directions to vessels" is article 65 but the correct article appears to be 67. Please will the Applicant correct in the next draft?
	Response	
DCO.1.16	The Applicant	Art 2 - Definition of "SZC construction works" – "associated with" appears to go wider than the actual construction of Works 1A – 1D. Please will the Applicant indicate where it ends and consider amending the definition so as to apply only to the works of constructing those Works.

ExQ1	Question to:	Question:
	Response	
DCO.1.17	The Applicant, Host Authorities, EA	Art 2 – definition of watercourse. This is as follows: "includes all rivers, streams, ditches, drains, canals, cuts, culverts, dykes, sluices, sewers and passages through which water flows except a public sewer or drain: and" (i) It appears to include private storm water drains, private foul drains and private sewers. Whether this appropriate will depend amongst other factors on the use made of the word "watercourse" in the rest of the DCO. Are the Applicant and Host Authorities satisfied that the definition is appropriate in all those circumstances? If not, please explain why and suggest any amendments to the drafting. (ii) Please will the Applicant consider whether the word "and" is correct at the end of the definition and make any necessary change in the next version of the DCO?
	Response	
DCO.1.18	The Applicant, Host Authorities	Art 2(5) – references to statutory bodies. This reads as follows: "References to any statutory body includes that body's successor bodies from time to time that have jurisdiction over the authorised development". Why are bodies who do not have jurisdiction over the development excluded from the reference. Are all the references in the DCO to statutory bodies only to such bodies with jurisdiction over the development?
	Response	

ExQ1	Question to:	Question:
DCO.1.19	The Applicant	Art 2(7): "A reference in the Schedules to a "relevant site" is a reference to the site of that name shown in the Works Plans, Rights of Way Plans and Land Plans". (i)Please could the Applicant explain what is meant by this interpretation rule? There is no site named "relevant site". (ii) The ExA infers that Art 5(7) is directing the reader to find the location of the sites listed in the schedules under a column headed "relevant site" by finding the sites referred to on the Works Plans Rights of Way Plans and Land Plans. Is that right? However, beginning only with the Main Development Site ("MDS"), which plans and which notation in the legend define it? Whilst sheets 3-10 of the Works Plans are titled "Main development site and rail works plans" where is the reader told what is the MDS? The ExA has not carried out a similar enquiry with regard to the other sites shown in columns headed "relevant site". (iii) In addition, please could the Applicant provide a list of the relevant sites and explain how to find them? (iii) The phrase "relevant site" also appears in the requirements, Schedule (Sch) 2, R 24. Is the same approach intended? It does not appear so from the context.
	Response	
DCO.1.20	**Response**	Art 2. "main development site". (i) The definition is "the land within which Work No.1 may be constructed as shown on the Works Plans". However, Works Plans sheets 1-10 and Key plans 3 and 4 are titled "Main development site and rail works plans". In addition, Sheet 5 shows works which are neither Work No.1 nor rail works. The shading for Work No 1 and Work No. 4A are not always obviously distinct unless they are side by side. The legend to Key plan 4 says the dark shading is "order work areas", whereas on 1-5 and 10 it is 1A and in 8 although there is shading it does not get definition in the legend. The position is not entirely clear, at least not at first sight. Please will the Applicant supply a new plan showing only the area of Work No.1 if that is indeed the intended meaning. It would be helpful to refer to that plan in the definition. Doc 7.2 makes reference to these main site development plans ar para 2.2.1 "*Whilst the Sizewell C Project does not meet the thresholds defined in the Planning Act 2008 for highway and railway NSIPS, the equivalent information is included on the relevant plans in*

ExQ1	Question to:	Question:
		Book 2 Plans: Main Development Site Plans (Doc Ref. 2.5)". Please will the Applicant list exactly which plans it considers to be the Main Development Site Plans, and which are the plans with the "equivalent information" to meet the criteria in Reg 6(2) APFP?
	Response	
DCO.1.21	The Applicant	Art 4(1) – vertical limits of deviation. This permits unfettered vertical deviations, subject to the Requirements and provisions in Art 11 relating to streets. Art 4(2) limits vertical deviation to 1 metre for Work 4C (Saxmundham – Leiston branch line) and Works 11 and 12 (Two village bypass and the Sizewell Link Road). The ExA see that the Requirements contain some references to Parameter Plans. But to take requirement 11 as an example, it is not immediately clear that Work Nos. 1A (a) to (e) are subject to the Parameter Plans (though any variations from the Approved Plans and the design principles in Ch 5 of the Main Development Site Design and Access Statement must accord with the Main Development Site Operational Siting and Height Parameters and two of the three Main Development Site, Operational Parameter Plans). (to be found at SZC Book 2, 2.5, [APP-018]). Similarly, a somewhat close reading of the Requirements is necessary to see which Parameter Plans have been applied to which Work, whether they are applied to the right Works, to ascertain whether the whole of the Proposed Development is limited by the Parameters Plans and whether or not all the Parameters Plans have been applied. As the ExA reads the Requirements and the rest of the DCO there appears to be no general overriding rule that the development must not exceed the limits in the Parameter Plans. A clear straightforward limitation in the DCO preventing the Proposed Development from exceeding the Parameter Plans (which the ExA assumes describe the limits of what was assessed on normal Rochdale principles) would be helpful.

ExQ1	Question to:	Question:
		(i) Please will the Applicant insert such a provision in the next draft of the DCO or alternatively explain why it would be inappropriate? (ii) Please will the Applicant also provide a reconciliation of the Parameter Plans in the DCO with the project assessed in the ES? Please will the Applicant specify and explain the power for Art 4 – it is not referred to in the EM?
	Response	
DCO.1.22	The Applicant, the Host Authorities	Sizewell B relocated facilities permission Art 5(1)(b). Is limiting the exception to prior breaches appropriate? For example, are there any ongoing restoration or maintenance conditions in the Sizewell B relocated facilities permission which should continue to be enforceable?
	Response	
DCO.1.23	The Applicant, the Host Authorities	Art 5(3). Is this inserted simply for the avoidance of doubt or is there a specific concern that Art 5 restricts any other powers in the DCO?
	Response	
DCO.1.24	The Host Authorities	Art 5(5). Will the Host Authorities indicate if they are content with Art 5(5) and the list of conditions and corresponding requirements deemed to be satisfied set out in Sch 8
	Response	
DCO.1.25	The Applicant, the Host Authorities	Art 5(6). What happens if the undertaker and the local planning authority do not agree?
	Response	

ExQ1	Question to:	Question:
DCO.1.26	The Applicant, the Host Authorities	Art 9(6). The EM states (para 4.25) "As the undertaker will be entering into a section 106 agreement with local planning authorities, this provision is necessary to ensure that the transferee complies with all obligations etc. that have been imposed on the undertaker, as well as ensuring that the undertaker is released from liability upon transfer (given that it would no longer be involved in the authorised development). This approach is standard under section 106 agreements". (i) Whilst confirmation that planning obligations are to bind the transferee / lessee is welcome, why would the planning obligations under s.106 TCPA not bind the transferee under s.106(3)? Or is this paragraph addressing transfer / lease of the benefit of the DCO without transfer / lease of land? (ii) Should transfer / lease of benefit without transfer / lease of land be permitted? (iii) If so, is it proper to allow the transferor to escape from its obligations in the s.106 agreement? (iv) Is it appropriate in the case of any transfer or lease on this project to allow the original covenantor to escape from its obligations under s.106?
	Response	
DCO.1.27	The Applicant, the Host Authorities	Art 9. (i) 9(1) Is it appropriate to transfer the CA powers in this DCO? The Applicant is required to demonstrate adequate resources to pay compensation. A transferee may not be have the same resources and the article does not expressly require that they are shown to exist. (ii) 9(1)(b) Should the CA powers be lettable? What would be the lessee's title to land compulsorily acquired and to whom would such land be transferred on CA? Does CA by a lessee raise any difficulties? (iii) 9(1) and (2) What would be the criteria for the SoS to decide whether or not to consent? (iv) Art 9(4). Is it appropriate for decisions of the Secretary of State on what is largely a regulatory issue to be subject to arbitration? (v) Art 9(6)(a). It is clear that the alienation provisions of Art 9 allow alienation of part of the land or part of the benefits. It would appear that Art 9(6)(a) attempts to limit the

ExQ1	Question to:	Question:
		burdens transferred to those "imposed by virtue of the provisions to which the benefit relates". However, it is unusual for burdens to be divided up across the land or benefits. And burdens may be imposed on the whole development or project. Please will the Applicant amend the article so as to ensure that burdens, whether they relate to the whole benefit of the order or only the benefit transferred, bind the transferee or lessee as the case may be? (vi) Art 9(6). Para (b) – how can "benefits" be enforced "against" the undertaker (original or otherwise). What is the Applicant's intention by this provision? (Vii) Art 9(6). If the intent is to release the transferring undertaker from liability, is it really appropriate to release the undertaker where only a lease is created? The lessor undertaker should surely remain liable and take whatever indemnities are appropriate from the lessee. What would the position be at the end of the lease, whether it runs its full term (and the term is not known at this point in time) or is terminated for breach? (viii) Art 9(6)(c). It is good to make it clear that development consent obligations are intended to bind the transferee / lessee. Please will the Applicant state whether there are any concerns that they would not do so? Is this paragraph seeking to cut down the provisions of s.106 TCPA 1990 which make obligations bind persons deriving title? What would be the position if Art 9(8) is not complied with? Please will the Applicant amend the article so as to make it clear that in such a case the transfer or lease would be invalid?
	Response	
DCO.1.28	The Host Authorities	Art 10(1). This provides a defence to statutory nuisances relating to dust (and other effluvia), light and noise. Are the Host Authorities satisfied that the controls on these nuisances in the DCO justify the inclusion of this defence?
	Response	
DCO.1.29	The Applicant	Art 10(2). The ExA suggests that the words "will not apply" are changed to "does not apply" so as to meet statutory drafting advice.

ExQ1	Question to:	Question:
	Response	
DCO.1.30	The Applicant, SCC	Part 3 (Arts 11 – 23) generally. Please will the Applicant and SCC explain how the adoption of new roads is addressed.
	Response	
DCO.1.31	The Applicant	Arts 12(a) and 23(3). The former permits the breaking up and opening of (amongst other things) sewers and drains. The latter prohibits the creation of openings into sewers and drains except in accordance with (amongst other things) approved plans. How do they inter-relate and work together. Is the first subject to the second?
	Response	
DCO.1.32	The Applicant	Art 14. (i) Please will the Applicant explain what is meant by the word "possession" of land in Art 14(5)(a)? (ii) EM – para 5.33. Please will the Applicant explain more clearly how this provision is within the powers of the PA2008 and specifically what it is saying and its reasoning with regard to the power in Sch 5, para 17 ("stopping up highways"). The ExA notes that the definition of "street" in Art 2, to which their attention is drawn, is wide and includes what might be thought to be private spaces, such as passages, squares and courts "and any land laid out as a way whether or not it is ... a footpath or not". Is it the Applicants' case that these are within Sch 5 para 17 of the PA2008? Not all "streets" are, in law, highways. This question is also relevant to Art 17.
	Response	

ExQ1	Question to:	Question:
DCO.1.33	The Applicant	Art 18 Use of private roads for construction. The Applicant in its EM para 5.56 relies on s.120(3) as the power for this provision. Does it also consider Sch 5 para 2 applies, which allows interference with rights over land?
	Response	
DCO.1.34	The Applicant, SCC	Art 22(5)(b). In line with the ExA's earlier comments on identifying authorities by reference to function rather than name, the ExA invites the Applicant and SCC to consider whether it would be better to specify the capacity (e.g. highway authority if that is the case) in which this power is to be exercised.
	Response	
DCO.1.35	The Applicant	Art 23(5). The EM says this is a departure from DCOs it does not specify. The ExA assumes that the Applicant is referring to those at Silvertown, Wrexham, Triton Knoll and Wylfa (draft) referred to in para 6.6. The justification for 23(5) given is that "this exemption is necessary to ensure that the undertaker can undertake the necessary works to give effect to article 3 of the Order (Development consent, etc. granted by Order) even where such works may damage or interfere with watercourses.". How is this unique to the Proposed Development? This justification would appear to apply to all DCOs. Please can the Applicant explain if this is indeed their view, and if that is so, why the provision is necessary in this case. Or are other DCOs lacking?
	Response	

ExQ1	Question to:	Question:
DCO.1.36	The Applicant	Art 23. (i) Please will the Applicant confirm that nothing in Art 23 contravenes s.150 of PA 2008? (ii) Is it appropriate to impose deemed approval provisions on private individuals? If it is, should that be on condition that they are warned that silence may become consent, and warned shortly before the deemed approval period expires? (iii) At what point in time is a s.23 notice received?
	Response	
DCO.1.37	The Applicant	Art 24(2)(a). Please will the Applicant explain what is meant by "in the vicinity"? Is there a limit? What is intended to be the consenting position where a building is listed or in a conservation area? Please bear in mind that this power might be exercised some 15 years hence.
	Response	
DCO.1.38	DfT, BPA, Chamber of Shipping, UKMPG, Trinity House, Maritime and Coastguard Agency, MoJ	Part 6 – Harbour powers. Please consider and comment on Part 6 of the dDCO (comprising Arts 46 – 75) which creates a harbour (without walls) in the area of Greater Sizewell Bay adjacent to the Proposed Development. The ExA is interested in hearing your views in particular on the application of the Harbours, Docks and Piers Clauses Act 1847 with amendments (see Art 46), but that is not intended to limit any comments you wish to make. The MoJ is requested to comment on the offences and penalties created by Part 6. Please will the MoJ address specifically whether the fact that Part 6 incorporates the standard "boilerplate" for Harbour Orders addresses concerns?
	Response	
DCO.1.39	The Applicant	Part 6.

ExQ1	Question to:	Question:
		Please explain the mischiefs which the creation of a harbour is intended to address and its purpose.
	Response	
DCO.1.40	The Applicant	Part 6. Please supply a copy and explanation of any similar provisions, harbour order or other creation made in relation to Sizewell A and B (or either of them) to address the same issues as Part 6. If there are none, how was the mischief Part 6 is designed to address dealt with in those cases?
	Response	
DCO.1.41	The Applicant	Art 46(2) to (8). The wording "must have effect" is unusual. Would simply "has effect" be more appropriate?
	Response	
DCO.1.42	The Applicant, MMO	Art 46(1). (i) This incorporates s.63 of the Harbours Docks and Piers Clauses Act 1847 which prohibits vessels from lying near the entrance of harbour or dock without permission "as soon as the harbour or dock shall be so far completed as to admit vessels to enter therein". How is it envisaged that this operates for a harbour without walls, the entire boundary of which is its entrance, and what is its purpose? Is it practical from either the point of view of the undertaker or from the masters of vessels? Also from what point in time is the harbour "so far completed as to admit vessels to enter therein" in this case? (ii) It also incorporates s.74 of the same Act which makes vessel owners responsible for damage done to the harbour etc and works connected with it by any "vessel or float of timber". Is this justifiable and practical for a harbour which is not itself protected by walls or any other barrier? It would appear that the owner of drifting timber or a drifting vessel from absolutely anywhere would be liable, notwithstanding that damage to this harbour would not have been foreseeable from the place where the timber or vessel broke free or was cast adrift.

ExQ1	Question to:	Question:
		(iii) It also incorporates s.84 of the same Act. Should the incorporation expressly limit the offence to summary jurisdiction in order to meet s.120 and Sch 5 para 32B of the PA2008?
	Response	
DCO.1.43	DfT, The Applicant	Art 50. In relation to this article the MMO has commented, *"In relation to Article 50 'Application of Pilotage Act 1987' to become a Competent Harbour Authority (CHA), the MMO notes that a CHA is in relation to Pilotage and is not the same as a Statutory Harbour Authority (SHA). The MMO does not process the creation of CHAs; the method to become one is under separate legislation from the Harbours Act 1964. DfT would be the body responsible for creating CHAs. Therefore, the MMO advise that PINS should discuss this with DfT" [RR-0744]."* Please will the DfT advise? Please will the Applicant and DfT submit a statement of common ground if possible recording areas of agreement and disagreement on this issue.
	Response	
DCO.1.44	The Applicant	Art 51(2). Why would there be a discrepancy between Sch 19 and the works plans?
	Response	
DCO.1.45	The Applicant, MMO	Art 62. (i) This begins with an A which appears to be a typographical error. (ii) Why is Art 62(1) needed? What mischief is it designed to overcome? Or is it simply setting out the circumstances in which the rest of Art 62 takes effect? Please will the Applicant clarify the drafting. (iii) Is the reference to "grant" intended to include the grant of a freehold? (iv) Is the grant of a lease or freehold under Art 62(1) which includes provisions referred to in Art 62(2) intended to or capable of relieve the undertaker of the duties and functions delegated and the duties, responsibilities and consequences of their exercise? If so, how is that justified?

ExQ1	Question to:	Question:
		(v) Is the intent to put the lessee / grantee in the same position as the undertaker in the exercise of those functions, both positive and negative, both criminal and civil obligations and consequences?
	Response	
DCO.1.46	The Applicant, MMO	Art 64(9). This provides for byelaws to be available at the harbour master's office. Should they not also be available online?
	Response	
DCO.1.47	MMO	The ExA notes the MMO's concerns expressed in its RR, particularly at para 1.1.4, and its offer of further advice. Will the MMO please give its fullest advice in its written representation and follow through any responses, comments and so on to these ExQs on the Harbour Powers.
	Response	
DCO.1.48	The Applicant, MMO	Part 6 (other than Art 75). Please will the Applicant and the MMO include in their Statement of Common Ground the provisions in Part 6 setting out clearly the areas of agreement and of disagreement.
	Response	
DCO.1.49	The Applicant	Art 77. This applies to agreements for leases of all or part of the Proposed Development and to agreements for its construction, maintenance, use or operation, so far as such an agreement relates to the terms on which land is to be provided. It provides (Art 77(2)) that no enactment or rule of law in relation to the rights and obligations of the landlord or tenant is to prejudice the operation of the agreement. (i) Is the intention that it should apply to the lease granted by the agreement for lease? It seems to the ExA that this is probably the case, but it would be helpful if this could be clarified and then the drafting adjusted if necessary.

ExQ1	Question to:	Question:
		(ii) Is the intention to disapply tenant protections such as the Landlord & Tenant Act 1954? (iii) Is, for example, s.146 of the Law of Property Act 1925 also disapplied, which protects tenants facing forfeiture by giving them time to remedy the breach before the lease is terminated? (iv) The ExA are not experts in landlord and tenant law. The examples given are merely those which spring to mind. But are not all the rights and obligations of landlords and tenants the creation of rules of law or enactments? Does not this provision remove all such laws in which case how are the rights and obligations of the parties regulated? (v) The ExA is obviously concerned and the Secretary of State will wish to be assured that if the DCO is granted, the Proposed Development will actually go ahead. At present the ExA is concerned that Art 77 will adversely affect the ability of the undertaker to obtain tenants and funding. The ExA notes that the DCO for Hinkley Point C does not appear among the list of precedents for this Article in the EM and presumably did not contain an equivalent. Will the Applicants please reflect on this Article? What mischief is it designed to address? If the Applicant wishes to persist with it, please will the Applicant submit to the Examination very clear legal advice that Art 77 does not affect the fundability of the Proposed Development, the ability to let it, and the ability to construct, maintain, use and operate it. In short, that Art 77 does not prejudice the full implementation of the project on reasonable terms. The EM, para 9.6, states that the power to make Art 77 is s.120(5)(a) PA2008. However, that only applies to statutory provisions. Art 77 disapplies rules of law as well. If the Applicant is persisting with Art 77 please will it explain what power it suggests the Secretary of State adopts for this?
	Response	
DCO.1.50	The Applicant, The Host Authorities	Art 79. This allows felling and other tree surgery to any tree or shrub "near any part of the [Proposed] Development". How far is near? Could a maximum distance be added?
	Response	

ExQ1	Question to:	Question:
DCO.1.51	The Applicant	Art 80(3). Why would certified documents, which are to be submitted after the making of the DCO (see Art 80(1)), refer to draft versions of the DCO? Should those documents not be updated to refer to the DCO as made?
	Response	
DCO.1.52	The Applicant	Art 81. At what point in time are documents deemed to have been served (or received, depending on the wording of the article under which the document is sent).
	Response	
DCO.1.53	The Applicant	Art 82(2). Is it appropriate for decisions of the Secretary of State to be subject to arbitration? The Hornsea Three DCO includes an explicit provision that decisions of the Secretary of State and MMO are not to be subject to arbitration (see Art 37(2)).
	Response	
DCO.1.54	**Response**	Art 83 and Sch 23 – procedure for approvals, consents and appeals. (i) The ExA invites comments in general on Sch 23 from the Host Authorities who will be the recipients of most applications and appeals to which Sch 23 will apply. (ii) Parties to which the deemed consent provisions in the Articles of the dDCO apply are also invited to comment on Sch 23, and their attention is drawn to the EM para 9.25 and following. (iii) In para 1(2) of Sch 23, there are two different time periods for discharge of requirements depending on whether consultation is necessary. The shorter period, 5 weeks, is shorter than the period specified in the model Sch at Appendix 1 of the Inspectorate's Advice Note 15. Whilst the ExA note the Applicant's more generous 8 week period in consultation cases, what is the justification for taking a week off the standard period? (iv) Fees. The ExA notes that there is no drafting at present and that the Applicant hopes to cover these with a performance or s.106 agreement. Until such time as that is

ExQ1	Question to:	Question:
		concluded satisfactorily, the ExA would prefer to see drafting on fees in the dDCO. Please will the Applicant insert in the next draft of the dDCO the wording to be found at Sch 2 Part 2 para 3 of the Northampton Gateway DCO as made, (2019/1358). The ExA is not, by requiring this, expressing any view as to the desirability or fairness of those provisions. Please will the Applicant explain why para 3(11) of Sch 23 which reads: "the appointed person must have regard to Communities and Local Government Circular 03/2009 or any circular or guidance which may from time to time replace it" refers to Circular 03/2009 rather than "the Planning Practice Guidance published by the Department for Communities and Local Government on 6th March 2014 or any circular or guidance which may from time to time replace it" which is the wording in Appendix 1 of AN15?
	Response	
DCO.1.55	The Applicant	Art 85. Has the Applicant obtained all necessary consents from the Crown to carry out the Proposed Development?
	Response	
DCO.1.56	The Applicant (I) – (v) The Applicant and the Host Authorities (vi)	Sch 1. (i) Please will the Applicant supply a list of which parts of the Proposed Development ("authorised development" as defined in the dDCO) are associated development? (ii) Please will the Applicant clarify how it is lawful to include the temporary accommodation campus (Work No 3) given that PA2008 s.115(2)(b) says that associated development may not consist of or include the construction of one or more dwellings. (iii) The ExA notes that Doc 7.2 states at para 2.2.1: "Whilst the Sizewell C Project does not meet the thresholds defined in the Planning Act 2008 for highway and railway NSIPS, the equivalent information is included on the relevant plans in Book 2 Plans: Main Development Site Plans (Doc Ref. 2.5)". (iv) Please will the Applicant clarify how it is that Works 4A, 4B, 4C and 4D (individually or together in whatever combination) which include the construction of a 4.5 km railway line which at first sight are within s.14(1)(k) and s.25(1) are not a separate NSIP or NSIPs. In doing so please address each of the tests in PA2008 s.25.

ExQ1	Question to:	Question:
		(v) Please will the Applicant also clarify in the same way how it is that Works 11A and 11B do not constitute an NSIP or NSIPs? In doing so please address each of the tests in PA2008 s.22. (vi) Please will the Applicant and Host Authorities comment on whether, in the event that they do constitute a separate NSIP or NSIPs, the result is that the criteria and policies for such NSIPs should be applied and whether there are any other consequences for the Examination and the SoS's decision?
	Response	
DCO.1.57	The Applicant	Sch 1 Part 1. Work No. 1A, para (h) states that the work includes "buildings, structures and plant within the 'ancillary structures', including (but not limited to)—…". Please will the Applicant show what controls there are on the extent of these and how the full range has been subject to environmental assessment or that there are limits so as to ensure they do not trigger the need for such assessment.
	Response	
DCO.1.58	The Applicant	The Applicant's response [AS-006] to the first procedural decision [PD-005] Annex A, para A6 is noted. Please will the Applicant explain fully and clearly how the "structures and plant" and "associated structures and plant" which appear in Work No.1A(f) and (g) respectively after the word "including" are described in Chapter 7 and thus have been subject to assessment in the other chapters of the ES assessing the main site. The alternative would appear to be to remove those words from the DCO.
	Response	
DCO.1.59	The Applicant	Work No. 1A (w), temporary and permanent accesses [PD-005] and [AS-006]. The ExA notes the Applicant's replies to [PD-005] in [AS-006] paras 4.7
	Response	

ExQ1	Question to:	Question:
DCO.1.60	The Applicant	There are various ES documents which refer to the Combined Heat and Power Plant (CHP) for the temporary accommodation as being retained during the operation of the plant. Please explain how this has been assessed through the ES and how it would be delivered through the DCO which lists it under Work No 3 'Temporary Accommodation' and ensures upon completion of construction its removal under R16. [4]
	Response	
DCO.1.61	The Applicant, ESC, MMO, Natural England	Sch 1 Part 1. Work No 2. The routes of the tunnels are not shown. Please will the Applicant explain why. Please also confirm that whether shown or not, they will not extend outside the Order Limits or the limits to the Works comprised in Work No. 2 shown on the Works Plans. Work numbers 2B and 2D shown on the works plans indicate the separation between the cooling water intakes for units 1 and 2. Can the applicant explain the separation distances between them, which presumably accounts for tunnelling for unit 1 (work no. 2A) being 200m shorter than the corresponding water intake for unit 2 (work no. 2C)? Whilst the intake locations are set out on the works plans, the limits of deviation for the bored tunnels themselves are unlimited within the harbour area as shown on the works plans. This also applies to work no. 2E, 2G, 2I and 2K, which extend between work no 1A and terminate at work 2F, 2H, 2J and 2L respectively Can the applicant confirm what assumptions have been made regarding their alignment within the ES and HRA, and why more defined limits of deviation cannot be set out on the works plans. ESC, MMO and Natural England may also wish to comment on this.
	Response	Natural England have no comment to provide on this matter at this deadline.

ExQ1	Question to:	Question:
DCO.1.62	The Applicant, MMO, Environment Agency	Sch 1 Part 1, Work No. 2B. This includes the phrase "capital dredging". The ExA's understanding of this is that it means "dredging to a depth not previously dredged, or to a depth not dredged within the last 10 years" (https://www.gov.uk/guidance/dredging). Is that the meaning which the Applicant intends and is it an accepted definition? Would it be helpful to include this in the definitions? If not, why not? And what alternative wording does the Applicant propose?
	Response	
DCO.1.63	The Applicant	Sch 1 Part 1. Work No 4. Please will the Applicant explain why Work 4A stops at Work 1A when Work 4B goes inside 4A? See e.g. Works Plans, sheets 7 and 8.
	Response	
DCO.1.64	The Applicant	Sch 1 Part 1. Work No 4. Please will the Applicant supply a clearly labelled drawing showing where these works are in relation to other features, especially the level crossings in Work No. 4C, at a scale of 1:25,000. If this could be done on the latest Ordnance Survey sheet that would be convenient.
	Response	
DCO.1.65	The Applicant	Sch 1 Part 1, Work No. 8. This is in square brackets. Please will the Applicant point the ExA to the provision in the application documents which sets out whether or not this provision is to be included in the final DCO?
	Response	
DCO.1.66	The Applicant, SCC	Sch 1 Part 1, Work No. 9, para (b). Is reinstatement of the A12 alignment in some 60 years time the appropriate course? Or does "operational use" refer to use of the Northern park and ride? If the latter, some clarificatory wording would seem sensible.

ExQ1	Question to:	Question:
	Response	
DCO.1.67	The Applicant	Sch 1 Part 1, Work No. 12D. Should the sentence which begins "the location of the below works …" be moved to the end of 12D and read "The location of the above works …", or to the opening of the description of Work No. 12?
	Response	
DCO.1.68	The Applicant	Sch 1 Part 2, Other Associated Development. Please explain how this is limited by the Parameter Plans.
	Response	
DCO.1.69	The Applicant, ESC	Sch 1 Part 2, Other Associated Development. The Works in Sch 1 Part 2 may be carried out during both the construction period and the operational period which is some 60 years. They apply also to maintenance. Many of them are works which would normally require planning consent. For example para (b) would allow new drainage systems; (c) allows stacks and chimneys; (i) allows new amenity buildings; (i) also allows "associated structures and plant; and (i) also allows associated post-operation phase work" without stating with what they are to be associated (the post-operation phase is presumably some 60-70 years hence and includes the decommissioning phase); (k) allows extensive alterations to highways; (n) includes habitat creation; (o) includes works for the protection of land or structures; and (p) allows "such other works as may be necessary or expedient" for construction, operation and maintenance (with a reference to environmental effects). (i) Is it justifiable to have such extensive powers in relation to the operation and maintenance of the Proposed Development? (ii) Is the location of the works limited to the Order Limits? (iii) What will be the constraints in the DCO if made on the development they permit? (iv) The EM para 10.4 says they are "minor works". Where is such a limit set out in the dDCO?

ExQ1	Question to:	Question:
		(v) Please will the Applicant supply a reconciliation of the works described in Sch 1 Pt 2 with the development assessed in the ES?
	Response	
DCO.1.70	The Applicant	Sch 1 – works which include parking. Please see questions 8-12 of Annex A to the First Procedural Decision [PD-005] and subsequent responses and observations. The ExA is of the view that the difficulties it has experienced in locating (or not) these facilities within the ES, leading to the exchanges following Annex A to [PD-005], demonstrates the need for a list in the DCO of all the parking facilities, with their Work No., location, a name, number of spaces to be provided for different modes of transport and the triggers by when they are to be operational, as suggested in [PD-009]. A Requirement would secure compliance with the capacity and triggers. Such a trigger could be phase related. Unless this has already been included in the current draft DCO, please will the Applicant amend the DCO accordingly in the next version.
	Response	
DCO.1.71	The Applicant	Sch 2 (Requirements). This does not have its related article number in the heading. Please will the Applicant correct this in the next draft?
	Response	
DCO.1.72	The Applicant	Sch 2 para 1(2). Should the reference to Art 76 be to Art 80?
	Response	

ExQ1	Question to:	Question:
DCO.1.73	The Applicant, ESC	Schedule 2 para 1(3). This paragraph is relevant to approvals of details or documents under a requirement "*where compliance with a document contains the wording "unless otherwise agreed" by the discharging authority*". The approval is not to be given unless the changes or deviations have been demonstrated to the discharging authority not to give rise to "*any materially new or materially different environmental effects to those assessed in the environmental information".* Environmental assessment is a process which assesses not effects but projects to see what significant effects the project is likely to have. (i) Why is comparison with assessed effects relevant? Those effects will include things found to have various degrees of significance, which may then have been mitigated by for example secondary or tertiary mitigation. (ii) Should the assessment instead be against the position at the time of seeking the "unless otherwise agreed" - the baseline may have changed by then. If there is to be a comparison with the current assessment, or the assessment after mitigation, what is the appropriate documentation against which the comparison should be made and how is it to be identified and accessed? (iii) How is the decision on effects to be taken? Could the "subsequent application" approach in the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017/572 be applied by the DCO to the approvals addressed by para 1(3) of Sch 2 and provide a suitable procedure? The ExA notes that the subsequent approvals process incorporates a screening process so as to weed out matters not needing EIA.
	Response	
DCO.1.74	The Applicant, ESC	Sch 2 Art 1(4). This exempts external projections such as plant rooms and telecommunications infrastructure from the Parameter Plans. Such items can be sizeable. (i) Please will the Applicant explain what constraints and regulation will exist on their design, size and location in the DCO or s.106 agreement? (ii) How have they been environmentally assessed?

ExQ1	Question to:	Question:
		(iii) Please will ESC also consider this and indicate what constraints or regulation they consider is in the DCO or s.106 and indicate whether they are content with that, or propose different controls?
	Response	
DCO.1.75	The Applicant, ESC	Art 1(5). Is not the default meaning for the phrase "commencement of development" rather counterintuitive? Please will the Applicant consider reverting to the position that the phrase means commencement of any part of the Proposed Development? This would be consistent with the definition of "commence" in Art 2 of the dDCO. Please will ESC also consider and comment?
	Response	
DCO.1.76	The Applicant, ESC	R2 and (in Revision 1) R3 both refer to "removal and reinstatement" of the authorised development. Whilst this is so as to regulate such matters, what is "removal and reinstatement" this intended to cover?
	Response	
DCO.1.77	The Applicant, ESC	R2 introduces the obligation to comply with the Code of Construction Practice (CoCP). What happens on the current wording in the event of inconsistency between the CoCP and the DCO? Is it necessary to state anything on that? It should also be borne in mind that the ES relies on the CoCP in its conclusions on significance of effects.
	Response	
DCO.1.78	The Applicant, ESC	R4. (i) Please will the Applicant collate where the ES sets out the need and content of ecological monitoring which is referred to in this requirement? Please will it also explain

ExQ1	Question to:	Question:
		how R4 complies with the need for EIA prior to decision in the light of R v. Cornwall CC ex p Hardy Env L R 25; [2001] JPL 786? (ii) Why is the terrestrial ecology monitoring plan confined to the works listed on R4? Should it not be required for all the Works?
	Response	
DCO.1.79	ESC	R6, site clearance. Please will ESC say whether or not they consider the drawings referred to in this requirement to be (a) adequate and (b) the full suite relating to this aspect in the Application documents?
	Response	
DCO.1.80	The Applicant, ESC	R7. (i) How is the proper implementation of the water levels management plan to be enforced? (ii) R7 concerns the Water Monitoring and Response Strategy but in 7(3) it is called the Site Water Mitigation and Response Strategy, which would appear to be incorrect Please will the Applicant consider, respond and amend as necessary.
	Response	
DCO.1.81	ESC	R8, temporary buildings. Please will ESC say whether or not they consider the drawings referred to in this requirement to be (a) adequate and (b) the full suite relating to this aspect in the Application documents? Is the chapter no. correct?
	Response	

ExQ1	Question to:	Question:
DCO.1.82	The Applicant, ESC	R10. What obligation is there to operate the regulation of vehicular access specified in this requirement?
	Response	
DCO.1.83	The Applicant, ESC	R11. (i) Should not the reference be to "Sizewell B relocation works" rather than "Sizewell B relocated facilities"? (ii) Please will ESC say whether or not they consider the drawings referred to in this requirement to be (a) adequate and (b) the full suite relating to this aspect in the Application documents? Is the chapter no. correct?
	Response	
DCO.1.84	ESC	R12. Please will ESC say whether or not they consider the drawings referred to in this requirement to be (a) adequate and (b) the full suite relating to this aspect in the Application documents? Is the chapter no. correct?
	Response	
DCO.1.85	ESC	R13. Please will ESC say whether or not they consider the drawings referred to in this requirement to be (a) adequate and (b) the full suite relating to this aspect in the Application documents? Is the chapter no. correct?
	Response	
DCO.1.86	ESC	R14. Please will ESC say whether or not they consider the drawings referred to in this requirement to be (a) adequate and (b) the full suite relating to this aspect in the Application documents? Are the chapter no.s correct?

ExQ1	Question to:	Question:
	Response	
DCO.1.87	The Applicant, ESC	(i) It seems to the ExA that the implementation of the landscape and ecology works could be avoided simply by failing to submit the landscape scheme. Should not the prohibition on commencing the landscape works be changed to a prohibition on commencing the authorised development? (ii) Is this the Requirement referred to at para 7.1.2 of the oLEMP [APP-588]?
	Response	
DCO.1.88	The Applicant ESC	R14. (i) Please will the Applicant explain what obligation there is to maintain the landscape and ecological works arrived at via R14(1)(i) – (vii)? Should there not be an obligation to comply not only by carrying out the landscape works but also to maintain them in accordance with the landscape and ecology management plan? (ii) Should not the words "and ecology" be inserted between "landscape" and "works" in R14(2)?
	Response	
DCO.1.89	ESC	R15. Please will ESC say whether or not they consider the documents referred to in this requirement to be (a) adequate and (b) the full suite relating to this aspect in the Application documents? Are the section no.s correct? R15 – Please will ESC say whether or not they consider the documents referred to in this requirement to be (a) adequate and (b) the full suite relating to this aspect in the Application documents? Are the section no.s correct?
	Response	

ExQ1	Question to:	Question:
DCO.1.90	ESC	R17. Please will ESC say whether or not they consider the documents referred to in this requirement to be (a) adequate and (b) the full suite relating to this aspect in the Application documents? Are the parts referred to correct?
	Response	
DCO.1.91	ESC, The Applicant	R18. Please will ESC say whether or not they consider the documents referred to in this requirement to be (a) adequate and (b) the full suite relating to this aspect in the Application documents? Are the parts referred to correct? Please will the Applicant list the "relevant sections" of the Associated Development Design Principles and set them out in this requirement in the next version of the dDCO?
	Response	
DCO.1.92	ESC	R19. Please will ESC say whether or not they consider the documents referred to in this requirement to be (a) adequate and (b) the full suite relating to this aspect in the Application documents? Are the parts referred to correct?
	Response	
DCO.1.93	ESC, The Applicant	R19. Please will ESC say whether or not they consider the documents referred to in this requirement to be (a) adequate and (b) the full suite relating to this aspect in the Application documents? Are the parts referred to correct? Please will the Applicant list the "relevant sections" of the Associated Development Design Principles and the relevant plans / details in Sch 6 and set them out in this requirement in the next version of the dDCO?

ExQ1	Question to:	Question:
	Response	
DCO.1.94	ESC	R20. Please will ESC say whether or not they consider the documents referred to in this requirement to be (a) adequate and (b) the full suite relating to this aspect in the Application documents? Are the parts referred to correct?
	Response	
DCO.1.95	ESC	R21. Please will ESC say whether or not they consider the documents referred to in this requirement to be the correct documents?
	Response	
DCO.1.96	ESC	R22. Please will ESC say whether or not they consider the documents referred to in this requirement to be (a) adequate and (b) the full suite relating to this aspect in the Application documents? Are the parts referred to correct? Please will the Applicant list the "relevant sections" of the Associated Development Design Principles and the relevant plans / details in Sch 7 and set them out in this requirement in the next version of the dDCO?
	Response	
DCO.1.97	The Applicant, ESC	R24.

ExQ1	Question to:	Question:
		How will ESC be able to know that and verify that the SZC construction works have finished?
	Response	
DCO.1.98	The Applicant	R25. Please will the Applicant explain how R25 complies with the need for EIA prior to decision in the light of R v. Cornwall CC ex p Hardy Env L R 25; [2001] JPL 786?
	Response	
DCO.1.99	The Applicant	R25. (i) Please will the Applicant clarify the following: R25(1) requires a noise mitigation strategy; (2) then requires the strategy capable of avoiding exceedances "through a noise mitigation scheme". Should that be "strategy" or is the intent that the strategy in (1) is a type of "scheme"? Or is there some other intent and explanation? (ii) R25(3) then says the approved strategy referred to in (2) must be implemented. Should that not be the strategy approved under (1)?
	Response	
DCO.1.100	The Applicant, SCC	Sch 19. Article 2 in the definition of harbour limits says "Schedule 19 (Limits of harbour)" whereas the Schedule is actually named "Limits of the harbour". Please would the Applicant consider making them consistent in the next draft of the DCO?
	Response	
DCO.1.101	The Applicant, MMO	Sch 20 – deemed Marine Licence ("DML") – definition of "authorised development". Why is this needed? There is a definition already in Art 2. What is to be the position if there is a conflict between the two definitions? Surely the convention that by including the matter the draftsperson will have intended there to be meaning (and therefore a difference) will come into play. The DML uses other terms from the remainder of the DCO

ExQ1	Question to:	Question:
		without redefining them, such as Work No. 1A(m). And it includes other terms, such as "commence" giving them a different meaning. Also, the definition of "environmental information" in the DCO and the DML is different and it is not clear if this is for good reason.
	Response	
DCO.1.102	The Applicant, MMO	Sch 20 Para 1. Definition of "maintain". This originally required maintenance activities to have been subject to the assessment in the environmental information and in Revision 3 [AS-143] has the proviso that the work do not give rise to unassessed effects. (i) Should it be made clear that the mitigation required by the ES and that applied elsewhere in this DCO must be complied with? (ii) Is it right to apply this to the whole of the "authorised development" as defined in the DCO given that this is in a deemed marine licence? (iii) The same question the ExA raises on Art 2 of the dDCO in relation to "maintain" also applies here.
	Response	
DCO.1.103	The Applicant, MMO	Sch 20 Para 1, definition of "undertaker". The name given here for the company is different from the name in the definitions of the DCO. Please align the two.
	Response	

ExQ1	Question to:	Question:
DCO.1.104	The Applicant, MMO	Sch 20 Para 1, definitions of Work No. 1A(m) and other works. Is there not an element of circularity or repetition here? Para 1 tells us that Work No. 1A(m) means the Beach Landing Facility. The ExA has searched for this phrase elsewhere in the DCO. It appears only in Sch 1, Part 1, the list of works where we are told that Work No 1A(m) is "Beach landing facility, including associated structures and plant;". Beach Landing Facility is a more helpful and practical phrase than Work No.1(M), but (i) the phrase is only used in paragraph headings to the deemed marine licence and (ii) should not the definition be the other way around: "Beach Landing Facility" means Work No 1A(m)"? This may be a small drafting point. If there is more to it than that, please will the Applicant and MMO explain.
	Response	
DCO.1.105	The Applicant, MMO	Sch 20, Para 2 – change of the MMO address and email address can be notified in writing. How does this operate for members of the public who may wish to raise issues or alert the MMO to a state of affairs?
	Response	
DCO.1.106	The Applicant, MMO	Sch 20 Para 3 – transfers of the DML. This appears to allow transfers which do not fall within Art 9 of the DCO to take place, in other words for the DML to be separated from the DCO. Is it not the intention to ensure that only the transfer of both together should be possible?
	Response	
DCO.1.107	The Applicant, MMO	Sch 20 Para 4. This is the heart of the licence and para 4(1) licences any licensable marine activities under s.66(1) of the MCAAct 2009 which form part of the authorised development which are not already exempt under a s.74 provision. The attention of the Applicant and MMO is drawn at this point to the definition of "authorised development" in Art 2 of the DCO and to the definition on para 1 of Sch 20 which is apparently to the same effect. What is the purpose of Para 4(2)? It is not stated whether it expands or limits the authorisation given by para 4(1). Please will the Applicant and MMO consider, explain and amend the drafting as necessary.
	Response	

ExQ1	Question to:	Question:
DCO.1.108	The Applicant, MMO	Sch 20 Para 5(e). This allows replacement of structures. Should it be limited to like for like or otherwise limited? If not, how will environmental assessment aspects be met?
	Response	
DCO.1.109	The Applicant, MMO	Sch 20 Para 6. This refers to "sub-paragraphs (4)(a) to (4)(m)". Of which para please?
	Response	
DCO.1.110	MMO, ONR	Sch 20 Para 8. This states that certain failures by the licence holder "may render this licence invalid". This would appear to be a draconian penalty or remedy where essential elements of a nuclear power station are concerned, a remedy which cannot in reality be used when it is borne in mind that the licensed activities include maintenance and replacement of for example the cooling water intakes, outfalls and tunnels. It is obviously important that the DML is observed and that effective sanctions exist. Is invalidity a legal consequence which follows from certain failures by the licence holder? Please will the MMO explain what other remedies are available to it short of revocation whether it considers them to be adequate on the assumption that the licence could not in reality be revoked. Should there be some consultation or liaison between the MMO and ONR if invalidity or revocation were to be contemplated? These questions are addressed primarily to the MMO, and also to the ONR, but the Applicant should feel free to contribute.
	Response	
DCO.1.111	MMO, ONR, The Applicant	Sch 20 Para 11. This requires prior approvals from the MMO for each licensed activity and prohibits commencement until that approval has been issued. There are similar and allied provisions in paras 12, 13, 14, 15, 16, 17, 18, 19 and 20. This may be appropriate during the construction phase. How is it intended to work during operation (again, the repair and maintenance of the structures are licensed activities) and should there not be exceptions for urgent or emergency works? Is the defence in s.86 of the MCAAct 2009 adequate?
	Response	

ExQ1	Question to:	Question:
DCO.1.112	The Applicant, MMO	Sch 20 Part 3 – para 29 – "rock material from a recognised source". What is meant by "recognised source"? As drafted this lacks clarity and precision.
	Response	
DCO.1.113	MMO, The Applicant	Sch 20 Para 41. This regulates commencement of work on the Soft Coastal Defence Feature. Is that not above MHWS and thus outside the jurisdiction of the MMO? The ExA raises the same question in relation to the Hard Coastal Defence Feature.
	Response	
DCO.1.114	MMO, The Applicant	Sch 20 Para 43 prohibits the delivery of rock armour "until the relevant details have been submitted to and approved by the MMO". What mischief is this designed to prevent and what are "relevant details"? (a) – (f) presumably give some indication but the list is inclusive not exclusive. Is the issue quality and chemistry of the rock armour, or the delivery details or some other concern?
	Response	
DCO.1.115	The Applicant	Sch 20 Para 45. Small typo "untilo".
	Response	
DCO.1.116	The Applicant, MMO, EA	Sch 20 Para 50. Does this not overlap and duplicate the Environment Agency's controls, and if not, should it not rather be a requirement
	Response	
DCO.1.117	The Applicant, MMO	Sch 20, Part 4. Please will the Applicant supply plans showing these Works areas? Is there not a case, in the interests of practicality of use, for referring to deposited plans (which would in case of conflict be subordinate to the co-ordinates in Part 4) which can then be also be placed on the MMO website?

ExQ1	Question to:	Question:
	Response	
DCO.1.118	The Applicant	Sch 20, the DML, general. For comparison purposes, please will the Applicant provide a document setting out the provisions in the Hinkley C DCO which are equivalent to Sch 20? The ExA notes there was not a separate DML in the DCO for that NSIP. Please specify the requirements or other provisions in the Hinkley C DCO and the destination in Sch 20.
	Response	
DCO.1.119	The Applicant, MMO	Sch 20. Please will the Applicant and the MMO provide a Statement of Common Ground on the provisions in Sch 20 and Art 75 setting out clearly the areas of agreement and of disagreement, and explaining the reasoning for their positions.
	Response	
DCO.1.120	The Applicant	Sch 20. The Explanatory Memorandum [APP-060] does not contain any commentary or full explanation of the provisions of Sch 20. Please will the Applicant submit a full explanation of this schedule, either as a separate document, or (preferably) as a re-issue of the EM.
	Response	
DCO.1.121	MMO	The MMO's relevant representation does not use the examination library references. Please will the MMO submit a revised RR-0744 with the references alone added and ensure their use in future submissions to the examination.
	Response	
DCO.1.122	The Applicant, ESC	Sch 23 – procedure for approvals, consents and appeals. Will the Applicant and ESC please provide a SoCG stating: (i)The names of the discharging authorities and all other persons whose approval, consent or appeal procedure is to be subject to Sch 23 (ii)The functions of those persons subject to Sch 23

ExQ1	Question to:	Question:
		(iii) what differences there are between the procedure for approvals, consents and appeals and the procedure set out in Appendix 1 of AN15, accompanied by a trackchanges version showing the differences (iv) what parts of Sch 23 are not agreed between the Applicant and ESC (v) The case of the Applicant and ESC in relation to any parts not agreed The reason and purpose of any difference from Appendix 1 of AN15 whether or not the provision is agreed
	Response	
DCO.1.123	The Applicant	Sch 23. Will the Applicant please supply a SoCG with each IP which or who is also (a) a discharging authority or (b) an other person whose approval, consent or appeal procedure is to be subject to Sch 23 (in addition to ESC under the previous question) stating (i) Whether or not that IP agrees with the description of their function in point (ii) of the previous question and if not setting out that person's preferred description and why. (ii) The position in relation to points (iv) and (v) so far as that person's functions are subject to Sch 23 (iii) The reason and purpose of any difference from Appendix 1 of AN15 relating to that person's functions whether or not the provision is agreed (iv) What aspects are not agreed between them.
	Response	
DCO.1.124	MMO	Sch 23. The ExA notes that the MMO in its RR-0744 has concerns about Sch 23 and seeks instead that disputes over approvals pursuant to the DML should be dealt with by way of judicial review (para 2.1.12 and following). The norm in the case of regulatory approvals is for there to be an appeal process on the merits before a right to review on the law is available. Whilst the PA2008 does not contain such a process for approvals pursuant to requirements it is now common for a process along the lines of Sch 23 to be included in DCOs. Should not the comparison be with the appeal system under s.73 of the MMCAAct 2009 suitably adapted for approvals pursuant to conditions of a DML, rather than judicial

ExQ1	Question to:	Question:
		review? Will the MMO please outline the process which applies to disputes over submissions for approvals under a DML?
	Response	
DCO.1.125	The Applicant, ESC	Sch 24, para 3. Will the Applicant please explain what is the effect of this paragraph which relates to Community Infrastructure Levy? Will ESC give its understanding and indicate if it accepts this provision?
	Response	
DCO.1.126	The Applicant, ESC	Sch 24, para 5. Please will the Applicant explain the effect of para 5(2)? Surely the question of whether or not the Applicant is a person interested in the Order land is one to be determined on the facts, and not deemed. Please will the Applicant explain why it is not a person interested in the land if that is the case? The s.106 agreement must bind the land and all persons deriving title from the original covenantor. The Applicant and Host Authorities should note the questions below on s.106 agreements.
	Response	
DCO.1.127	The Applicant	Sch 24 as a whole. Please would the Applicant explain fully the purpose and effect of the modifications and exclusions set out in Sch 24, and give the statutory power for making them? The EM does not contain much explanation on this Schedule.
	Response	
DCO.1.128	ESC, the Applicant	At para 2.316 of [RR-0342] ESC state that they "would prefer a Natural Environment Fund that encompasses all areas of concern including impact on the AONB. A Natural Environment Fund would be able to address issues and provide mitigation outside of the AONB boundary should it be required which is preferable to the more restrictive boundary of the AONB". Please will ESC and the Applicant comment on what areas of concern are

ExQ1	Question to:	Question:
		appropriate and whether and how this would meet the legal tests for valid planning obligations. Are the policy tests also met?
	Response	
DCO.1.129	SCC, the Applicant	At para 8 of [RR-1175] SCC set out a list of funds they submit should be considered. Are they accepted by the Applicant and where are they secured? Please will SCC and the Applicant comment on which funds are appropriate and whether and how this would meet the legal tests for valid planning obligations. Are the policy tests also met?
	Response	
DCO.1.130	The Applicant	On Works Plan 7 (which is in [APP-011]) works are to be carried out to the existing railway near Buckles Wood Road. They are part of Work No. 4C and inside the Order Boundary. But it is not shown on SZC-EW0103 -XX-000-DRW-100102 (in [APP-016] - Rail Plans For Approval, and [AS-121] which supersedes it), as being within the "Development Site Boundary" despite the red line showing the "Development Site Boundary". Please will the Applicant clarify what is the status of the land and works along the railway between Works No. 4A and 4C. Is it within or without the Order Limits? What works are being carried out? Is the plan listed in the dDCO and if not, should it be?
	Response	
DCO.1.131	The Applicant	Please will the Applicant clarify SZC Bk 2 2.5 which is titled Rail Plans for Approval. However the individual plans are titled Main Development Site Temporary Construction Area. They do appear to relate only to rail works.
	Response	

ExQ1	Question to:	Question:
DCO.1.132	The Applicant	Material Changes. Please will the Applicant clarify why the 15 additional parking spaces at Kenton Hills Car Park (Work No. 1A (cc) in Doc 3.1B are omitted. What is the extent of the remaining improvement works, where are they described and limited in the DCO and where are they assessed in the ES?
	Response	
DCO – the questions which follow relate to the Third Draft DCO [AS-143] and focus on the changes between the original – [APP-059] and the third draft. The previous questions in this section on the DCO should be answered in the light of the changes and take changes into account. They should explain how changes affect the answer.		
DCO.1.133	The Applicant	Please will the Applicant confirm that the Explanatory Memorandum Revision 2 [AS-147] relates to Third Draft DCO [AS-143] (or otherwise).
	Response	
DCO.1.134	The Applicant	Please will the Applicant confirm that the Third Draft DCO [AS-143] includes the changes it seeks to accommodate its change request.
	Response	
DCO.1.135	The Applicant	The Explanatory Memorandum makes reference a number of times to the draft Wylfa DCO. That order was not made as the application was withdrawn in late 2020. Following withdrawal, the ExA's report to the SofS was published by the Planning Inspectorate. The Sizewell C ExA makes neither endorsement nor criticism of any of the comments of the Wylfa ExA on the DCO in that case. However, please will the Applicant take into account any comments made by the Wylfa ExA when preparing the next drafts of the DCO and the Explanatory Memorandum and explain why it proposes or rejects them. Please also state whether references to the Wylfa DCO which are already in the Explanatory Memorandum are consistent with the comments by the Wylfa ExA.
	Response	

ExQ1	Question to:	Question:
DCO.1.136	The Applicant	Has the Third Draft incorporated the changes the Applicant made in the light of the procedural decisions made by the ExA prior to the close of the Preliminary Meeting?
	Response	
DCO.1.137	The Applicant	Interpretation, Art 2: "marine works". There is a misprint in this definition. The ExA suspects that 1(bb) should be 1A(bb).
	Response	
DCO.1.138	The Applicant	Art 2 – "marine works". Please explain why work 1A(o) – the HCDF – has been removed from the definition of marine works.
	Response	
DCO.1.139	The Applicant	*The Explanatory Memorandum refers at para 2.8 to Work No 18 (works at Pakenham). Whilst the ExA at first thought that there was no Work No 18 in the Third Draft, on further reading it sees that Work No.18 is sandwiched between Works 7 and 8, presumably on the ground that Works 6-8 are grouped together as Fen meadows and marsh harrier habitat.* *Notwithstanding that, this is likely to cause confusion to many for years to come if the DCO is granted.* *Is there not a more intuitive way to deal with this?* *Please could the Applicant reflect on this and respond.*
	Response	
DCO.1.140	The Applicant	Art 2 – references to Works 1D and 1E. it is evident that the intention is that these are in the alternative. Please will the Applicant explain the criteria and method for deciding which is to apply and guide the ExA to all the parts of the DCO which are used for the decision. Please will the Applicant do the same for Sizewell B relocated facilities permission 1 and Sizewell B relocated facilities permission 2.

ExQ1	Question to:	Question:
	Response	
DCO.1.141	The Applicant, ESC	Art 2 "Sizewell B relocated facilities permission 2". Please will the Applicant and ESC report on the current position with the application for the Sizewell B relocated facilities permission 2, and the anticipated forward programme that is reasonably expected within the timeframes of the examination?
	Response	
DCO.1.142	The Applicant	Art 5 and para 4.7 of the Explanatory Memorandum. The latter states that "If the undertaker has commenced Work No. 1E, it may not thereafter carry out works under Work No.1D (article 5(3))". (i) Where does this appear in Art 5? The article appears to hinge on whether notice is served as to which Work is being implemented. (ii) What is the reason for the preventing Work No 1E(d) if Work 1D(d) or (e) have been implemented? (In passing, the term "implemented" is new at this point and is undefined. Whilst it is a common and useful term, is not "commenced" preferable in Art 5(3)?) (iii) The intention seems to be that Work 1E is preferred; please confirm that understanding. (iv) How practically will it be known that Work 1D or 1E has been commenced?
	Response	
DCO.1.143	ESC, the Applicant	Art 10. Please will ESC comment on the appropriateness of adding the Main Development Site Design and Access Statement and the Associated Development Design Principles to the defences to statutory nuisance in this Article. In particular, are they sufficiently precise documents for this purpose?
	Response	

ExQ1	Question to:	Question:
DCO.1.144	SCC, the Applicant	Art 14(1)(b) and 14(3) and Sch 10 Part 3. The Explanatory Memorandum states that this new provision allows for the status of streets from highways open to all traffic to highways for pedestrians only. They are referred to as NMUs in Sch 10 Part 3. (i) Please will SCC give its view on this? (ii)Does NMU mean "non-motorised users"? (iii) Where and when has this provision been previously publicised and consulted on? (iv) Please point the ExA to the responses to consultation on this proposal? (v) What policies apply to such a restriction being included in the DCO? (vi) What legal tests must be met for such a restriction to be included in the DCO? (vii) Art 14(3)(a) does not appear to make sense as currently drafted. What is intended? Is there a missing "and" between "the street authority" and "is open for use"? Or is something else intended? (viii) what protections are there for those who currently use the highways in question as highways for all traffic other than pedestrians / NMUs, especially owners of land which abuts either side of the highways? (ix) should protections similar to those which apply to changes under the other parts of Sch 10 be applied, and if so would they be adequate? (x) with the inclusion of an extra paragraph in Art 14 some of the cross-references need to be adjusted, for example in what is now para (5) the reference to para (5) should become a reference to para (6). There is a mirror of this issue in what is now para (6). (xi) Please will the Applicant provide specific confirmation of the power for the new provisions in Art 14 and Sch 10. (xii) Is the aim of this provision better achieved by traffic regulation orders?
	Response	
DCO.1.145	The Applicant	Art 16(1). "Order limits" has been changed to "permanent limits". Is this intentional? If so, please explain what is meant by "permanent limits".

ExQ1	Question to:	Question:
		The same phrase occurs in Art 37(1)(a)(ii). Please will the Applicant address it there as well.
	Response	
DCO.1.146	The Applicant, SCC	Art 17 – temporary stopping up of streets and private means of access. Please will the Applicant and highway authority consider whether "temporary stopping up" is the correct approach. Is not "stopping up" the extinguishment of public rights? Once the rights are extinguished the land ceases to be highway and the land that formally formed the highway (depending on the definition either about 1.5 to 2 'spit' depths) reverts to the owner of the subsoil. Thus the Highway Authority who usually maintains public highway would cease to have any interest in the land (unless they were also the landowner)? Highway Authorities are not necessarily the owner of the subsoil. Landowners dedicate the surface of the land for highway purposes but usually do not give up their ownership of the land underneath. In the absence of evidence to the contrary the subsoil will belong to the landowners on either side, up to the median line. That being the case the Applicant would need to ensure all the land under any stopped up highway was under their control in order to do any work in that land and also to be certain the landowner would rededicate the land again as highway once they had finished, the work. This point was raised at the Southampton to London Pipeline NSIP examination. Highways England agreed with it and stated they would be seeking to change the approach on their own DCOs. Would the Applicant please consider this issue and propose revised drafting or explain why the current drafting is still appropriate.
	Response	
DCO.1.147	The Applicant, MMO	Art 64(4). What is the justification for choosing 28 days rather than the original one month for notice of application for confirmation of byelaws.
	Response	

ExQ1	Question to:	Question:
DCO.1.148	The Applicant, MMO	Art 73 – use of BLFs. As the temporary BLF is not intended to be used after construction, its use for maintenance and decommissioning is surely unwarranted. If so, please will the Applicant propose amendment to this article.
	Response	
DCO.1.149	The Applicant, MMO	Art 75A – appeals in relation to deemed marine licence. There needs to be explanation of this addition in the Explanatory Memorandum. It would be helpful if that explanation could also be set out in the response to this question. Please will the MMO set out its view on this Article and Sch 20A
	Response	
DCO.1.150	The Applicant, MMO	Art 82(6) no arbitration of consents or approvals by the MMO. Please will the MMO say if it approves this wording.
	Response	
DCO.1.151	The Applicant, MMO	Art 86 – marine enforcement authority. Please will the Applicant explain and give the statutory references for the mischief this Article and the amendment since the first draft DCO is addressing. Please will the MMO also comment and say if it approves the wording in the third draft..
	Response	
DCO.1.152	The Applicant	Sch 1 Pt 1- Work No. 5. This now includes "one 3G pitch". Should this not be defined?
	Response	
DCO.1.153	The Applicant	Sch 1 Pt 1 Work No. 18. Please see question above on the Explanatory Memorandum
	Response	

ExQ1	Question to:	Question:
DCO.1.154	The Applicant, SCC	Sch 2, R3 – archaeology. Please will the Applicant explain the reason for the changes? Please will SCC indicate if they are content with the new wording and if not explain what they seek and why.
	Response	
DCO.1.155	The Applicant	Sch 2 – Requirements, generally. A number of capitalised terms have been introduced but the ExA has been unable to find corresponding definitions. Examples include Peat Written Scheme of Investigation, Statutory Nature Conservation Body and RSPB. Please will the Applicant review Sch 2 and the DCO as a whole and submit a list of terms which are not but should be defined, together with the proposed definitions. It would be helpful if the list could also show where the terms are first used in the dDCO.
	Response	
DCO.1.156	The Applicant , SCC, ESC	In a number of Reqs, terms such as "local planning authority" have been changed to the name of a council (such as in that case East Suffolk Council). Examples are R 2, 3, 4 and 5. Given that local government reorganisation occurs from time to time and that functions may move from one authority to another, is it not better to refer to the function (such as highway authority) rather than use the current name of the body?
	Response	
DCO.1.157	The Applicant	R 14B(1) – Wet woodland. Is it necessary to refer to clearance as being pursuant to Work No.1A? Surely no clearance within the Sizewell Marshes pursuant to the DCO should be commenced prior to approval of the wet woodland strategy.
	Response	

ExQ1	Question to:	Question:
DCO.1.158	The Applicant, SCC	R 6A – is "general" accord with the Public Rights of Way Strategy appropriate? Why not "in accordance"?
	Response	
DCO.1.159	The Applicant, ESC, Natural England	R 14A. The ES refers to financial contribution should the fen meadow recreation not succeed. Please will the Applicant point the ExA to where that is to be found.
	Response	Natural England reiterates our position that should the fen meadow compensation be unsuccessful in Suffolk, other sites should be explored at a national level before financial compensation is considered. For further detailed comment, see issue 49, Part II of our Written Representations (Our ref: 350822, dated 2nd June)
DCO.1.160	MMO, the Applicant	Sch 20 and Sch 20A – the deemed marine licence and the appeals procedure. Please will the MMO provide its comments on the changes to Sch 20 since the original submission and on new Sch 20A. Please will the Applicant provide a note on the reasons for the changes, or point the ExA to where the reasons may be found in the Applicant's submissions thus far.
	Response	
DCO.1.161	MMO, the Applicant	Sch 20, Pt 1, para 2(3). Should there not be an "(2) Unless otherwise advised in writing by the MMO … " introduction to this sub-para? Otherwise, a change to the web address or new system would appear to require a variation of the DCO. This question applies to other instances of addresses and telephone numbers in the deemed licence, e.g. Sch 20, Pt 3 para 9
	Response	
DCO.1.162	MMO, the Applicant	Sch 20, Pt 2 para 4(2)(c)(ii).

ExQ1	Question to:	Question:
		Does this make sense? What is "by pass (movement alongshore)"?
	Response	
DCO.1.163	MMO, the Applicant	Sch 20, Pt 2, para 7A. This contemplates transfer of the deemed marine licence to an entity which is not the Undertaker. Would it not be preferable for and Art 8 (or should the reference be to Art 9?) transfer to transfer also the deemed marine licence?
	Response	
DCO.1.164	MMO, the Applicant	Sch 20, Pt 2, para 7A. Are the remedies in s.72 of the Marine and Coastal Access Act 2009 likely to be used in practice? Are modifications, strengthenings or other sanctions and remedies necessary in the case of a nuclear power station?
	Response	
DCO.1.165	MMO, the Applicant	Sch 20, Pt 2, para 7B. Should the amendments to plans etc in this Art be subject to the usual EIA limitation?
	Response	
DCO.1.166	MMO, the Applicant	Sch 20, Pt 3, para 10. What is meant by "(a) a planned timetable for each activity *as outlined in Part 2*". The reference to Part 2 appears to be Part 2 of a different document.
	Response	
DCO.1.167	MMO, the Applicant	Sch 20, Pt 3 para 17. Application for approval of a Coastal Processes Monitoring and Mitigation Plan. By sub-para (f) this application "must include (f) confidence that the proposed mitigation will be effective". (i) Should it not rather be demonstrating confidence? In addition, what level of confidence, how is misplaced confidence avoided? (ii) Should there be a statement of the purpose for which the mitigation is to be "effective"?

ExQ1	Question to:	Question:
		(iii) Whatever the answer to (ii), please explain what is the purpose of this mitigation.
	Response	
DCO.1.168	MMO, the Applicant	Sch 20, Pt 3 para 39. This has been deleted. What process is now proposed for UXO clearance? Please will the MMO state whether or not it agrees with that process.
	Response	
DCO.1.169	ESC, SCC, the Applicant	Sch 23, unless dealt with in the SoCGs on Sch 23 required above, will ESC and SCC please comment on the changes to Sch 23 between the original dDCO and Revision 3 [AS-143]. If such matters are dealt with in those SoCGs please will ESC, SCC and the Applicant state as much in their reply to this ExQ.
	Response	
FR.1	**Flood risk, ground water, surface water**	
FR.1.0	The Applicant	**Main Platform – Temporary Coastal Defences** Paragraph 7.1.12 of [AS-018] states a temporary reinforced coastal flood defence will be built to form the haul road. Paragraph 4.2.6 of [AS-157] confirms that a temporary sheet pile wall of 7.3m AOD is now also proposed. There is little detail on the process of constructing these temporary works, including removing existing sea defences, placing temporary defences and constructing the permanent defences. Additionally, there is little detail on the timing of the various elements of sea defence works. Figures 2.2.20 to 2.2.23 [AS-190] provide some detail. Provide more detail on the sea defence construction programme and plans showing how they will develop in relation to construction phases.
	Response	

ExQ1	Question to:	Question:
FR.1.1	Environment Agency	**Main Platform – Temporary Coastal Defence** The EA's RR [RR-0373] raised concerns regarding the Applicant's intention to remove the existing coastal flood defences before the new coastal flood defences had been constructed. As part of the Applicant's material change, installation of a temporary sheet pile wall (with a crest set at a minimum level of 7.3m AOD) is now proposed around the construction area, prior to the removal of the existing defences. Could the EA comment on the extent to which the temporary sheet pile wall addresses its concerns in this regard, considering the revised overtopping assessment presented in the MDS FRA Addendum [AS-157] and accompanying Appendix E [AS-170]?
	Response	
FR.1.2	The Applicant	**Main Platform – Adaptive Sea Defence** Paragraph 3.1.9 of [AS-157] states that the designed crest level of the sea defences with landscaping will be 14.6m AOD. The defence would have an adaptive design with the potential to raise the crest up to 16.4m AOD in the future if required to address sea level rise and change in wave conditions due to climate change. Explain in relation to the requirements in the draft DCO how the following would take place: (i) Monitoring to understand the need for any adaptive sea defence works; (ii) How such monitoring would be secured within the DCO; and (iii) How the adaptive sea defence works would be secured and delivered in the DCO.
	Response	
FR.1.3	The Applicant	**Main Platform – Adaptive Sea Defence** The Environment Agency [RR-0373] and other IP's ask for more detail on the design and construction of the Hard Coastal Defence Feature (HCDF). Paragraphs 4.2.13 to 4.2.17 and Plates 4.3 and 4.4 of [AS-157] provide some information on the HCDF. However, the detailed design and construction of the HCDF has still not been set out. Provide a detailed description of the design and construction of the HCDF including how any subsequent adaptive element will be provided.
	Response	

ExQ1	Question to:	Question:
FR.1.4	The Applicant	**Main Platform- Internal Flooding** Paragraph 7.2.27 [AS-018] sets out a worst case internal flooding scenario of around 70 - 170mm of water for up to three hours during the extreme tidal cycle. Managing such a low probability event through a temporary shut-down of operations is considered adequate by the Applicant. Explain: (i) How such an event would affect operation, and (ii) Any implications for the storage of radioactive material on site.
	Response	
FR.1.5	The Applicant	**Main Platform – Construction Groundwater Management** Paragraph 7.5.7 [AS-018] explains the groundwater management approach for the main development platform. It includes the provision for a low permeability cut-off wall. Explain: (i) The construction process for the proposed cut-off wall; and (ii) How groundwater will be managed whilst the cut-off wall is being constructed.
	Response	
FR.1.6	The Applicant	**Main Platform – Cut off Wall Extent** Provide a plan showing the extent of the cut-off wall and also sections of the main development platform showing the cut-off wall extent and also any deep excavations for underground structures proposed within the area enclosed by the cut-off wall or adjacent to it.
	Response	
FR.1.7	The Applicant	**Groundwater Overtopping of Cut off Wall** Paragraph 7.5.19 of [AS-018] explains that the final top level of the cut-off wall is not yet confirmed so groundwater levels over-topping the cut-off wall could pose a risk to underground structures. Explain how the design and construction process will mitigate such a risk.

ExQ1	Question to:	Question:
	Response	
FR.1.8	The Applicant	**Water Monitoring and Response Strategy [AS-236]** Appendix 2.14A relates to both surface water and groundwater, whereas Requirement 7 of the draft DCO relates to groundwater. Explain how: (i) Surface water regime monitoring is secured within the draft DCO; and (ii) Any necessary responses or remedial action will be secured and delivered within the draft DCO.
	Response	
FR.1.9	East Suffolk Council, East Suffolk Internal Drainage Board, Environment Agency, Suffolk County Council	**Water Monitoring and Response Strategy [AS-236]** Provide comment of the coverage and suitability of the proposed strategy and the process to secure any required mitigation
	Response	
FR.1.10	The Applicant	**Breach Modelling** Paragraph 11.2.6 of [AS-018] refers to results shown in Table 8.2. It is not readily apparent how the figures quoted in the paragraph relate to Table 8.2. Clarify this analysis.
	Response	
FR.1.11	The Applicant	**Main Development Site FRA Addendum [AS-157]** Paragraph 2.2.1 This paragraph suggests reviews and updates have been undertaken in response to both the EA and other key stakeholders. Other key stakeholder engagement is not outlined in Appendix A or B. Outline any other key stakeholders' engagement and how this has also affected the review and update.
	Response	
FR.1.12	Environment Agency	**Main Development Site FRA Addendum [AS-157]** Are you satisfied that the modelling undertaken on the effects of the revised design of the HCDF provides a robust assessment of the safety of people during construction and operation of the Proposed Development?

ExQ1	Question to:	Question:
	Response	
FR.1.13	The Applicant	**Main Development Site FRA Addendum [AS-157]** Table 2.1, 200 year return period, 2140 epoch Explain why different Climate Change criteria is used for this particular prediction?
	Response	
FR.1.14	Environment Agency	**Main Development Site FRA Addendum [AS-157]** The EA [RR-0373] highlighted that the Proposed Development would result in an increase in hazard rating category for 4 residential properties and increased fluvial flood risk to 5/6 non-residential properties, as set out in the MDS FRA [APP-093, updated by AS-018]. The EA advised that compensatory flood storage measures (or other appropriate measures) should be investigated to mitigate fluvial flood risk to residential and non-residential properties. The Applicant has made design changes intended to mitigate fluvial flood risk and undertaken further assessment work, as presented in the MDS FRA Addendum [AS-157]. To what extent does this address the EA's concerns in this regard?
	Response	
FR.1.15	The Applicant	**Main Development Site FRA Addendum [AS-157]** Paragraph 3.3.18, Is this saying that there is no property at this postcode or that it would not be flooded?
	Response	
FR.1.16	The Applicant	**Main Development Site FRA Addendum [AS-157]** Paragraph 3.3.27 has the doorstep height of any affected residential properties been checked to ascertain whether even a small increase in flood depth could create a significant flooding issue?
	Response	

ExQ1	Question to:	Question:
FR.1.17	The Applicant, Environment Agency, Suffolk County Council	**Main Development Site FRA Addendum [AS-157]** **Fen Meadow Mitigation Habitat** Paragraph 5.1.20 At what point will the ExA be able to understand whether the proposed mitigation sites are suitable?
	Response	
FR.1.18	Environment Agency, Suffolk County Council	**Main Development Site FRA Addendum [AS-157]** **Surface Water Drainage** Paragraph 5.1.46, What is you view of the suitability of the proposals at this stage of the development?
	Response	
FR.1.19	The Applicant	**Main Development Site FRA Addendum [AS-157]** **Flood Risk Activity Permits** The MDS FRA Addendum explains that a Flood Risk Activity Permit (FRAP) would be required in relation to the proposed fen meadow habitat compensation areas. The Applicant states that since the design of the scheme is ongoing, the application for the FRAP will be prepared and submitted to the EA "...at an appropriate stage of the Project". The EA's RR also indicates that works to remove existing flood defences are likely to require a permit. The ExA notes the contents of PINS Advice Note 11: Working with public bodies in the infrastructure planning process (Annex D) in this regard, which states that if the DCO and permit application(s) are not appropriately coordinated, there is a risk that the EA will be unable to comment on detailed technical matters raised by the Inspectors during the examination of the DCO. In view of these matters, can the Applicant confirm how many FRAP applications would be required and provide any firm commitment on the likely timescales for submission of these application(s) to the EA? The Other Consents, Licenses and Agreements document [APP-153] should also be updated, as required.
	Response	
FR.1.20	The Applicant	**Two Village Bypass FRA**

ExQ1	Question to:	Question:
		Paragraph 7.2.17 [APP-119] and paragraph 2.1.5 [AS-171] state that talks are ongoing with the relevant landowner with respect to increased flood depth, hazard and velocity in an affected area. Provide an update on the current status of negotiation with the relevant landowner.
	Response	
FR.1.21	East Suffolk Internal Drainage Board, Environment Agency, Suffolk County Council	**Sizewell Link Road FRA [APP-136]** It is explained [APP-136] that two of the proposed watercourse crossings have not been hydraulically modelled (SW4 and SW7). The Applicant confirms there would be no impact from SW4. For SW7, the Applicant sets out its proposed approach to addressing the current lack of information regarding the existing culvert and lack of modelling, at detailed design stage. Please comment on the Applicant's approach in this regard.
	Response	
FR.1.22	The Applicant	**Water Framework Directive Compliance Assessment (WFDCA) Part 2 or 4 [APP-621]** The Environment Agency [RR-0373] state that the Fen Meadow compensation area water body areas have been incorrectly identified and that the correct water body areas should be screened in and assessed. Respond to their concerns.
	Response	
FR.1.23	The Applicant	**Water Framework Directive Compliance Assessment (WFDCA) Part 2 or 4 [APP-621]** Paragraph 2.5.156 does not mention the pressure on groundwater bodies that would be created depending on the final solution for site water supply. The assessment should include impact on groundwater bodies depending on the possible impact of the water supply solution proposed. Explain how this is addressed and provide references to particular sections of the WFD Compliance Assessment report.
	Response	

ExQ1	Question to:	Question:
FR.1.24	The Applicant	**Water Framework Directive Compliance Assessment (WFDCA) Part 2 or 4 [APP-621]** Paragraph 2.1.160 does not mention the implications for surface water levels and consequently river water bodies of the requirement for demand for water in both construction and operation of the proposal. Depending on the water supply solution, should this not be a consideration in the assessment?
	Response	
FR.1.25	The Applicant	**Water Framework Directive Compliance Assessment (WFDCA) Part 2 or 4 [APP-621]** Paragraph 2.2.196 Explain where the decommissioning area is and the distance to the mentioned site boundary.
	Response	
FR.1.26	The Applicant	**Water Framework Directive Compliance Assessment (WFDCA) Part 2 or 4 [APP-621]** Paragraph 2.4.8 first bullet point. Explain how the presence of the power station platform and the cut of wall could also result in indirect effects on the Suffolk coastal water body.
	Response	
FR.1.27	The Applicant	**Water Framework Directive Compliance Assessment (WFDCA) Part 2 or 4 [APP-621]** Paragraph 2.4.26. Given the detailed plume information was unavailable at the time of scoping, what are the implications for the effects assessed and at what stage will the detailed plume information be available so that the effects can be properly considered?
	Response	
FR.1.28	Environment Agency	**Water Framework Directive Compliance Assessment (WFDCA) Part 2 or 4 [APP-621]** Paragraph 2.5.38 "For the purpose of this WFD Compliance Assessment, only biological elements of relevance to WFD (fish, invertebrates and aquatic flora) are outlined below." Is this an acceptable approach?

ExQ1	Question to:	Question:
	Response	
FR.1.29	The Applicant	**Water Framework Directive Compliance Assessment (WFDCA) Part 2 or 4 [APP-621]** Paragraph 2.5.46 Figure 2.8 is not in APP-629, signpost or provide.
	Response	
FR.1.30	The Applicant	**Water Framework Directive Compliance Assessment (WFDCA) Part 2 or 4 [APP-621]** Paragraph 2.5.60 Figure 2.9 is not in APP-629, signpost or provide
	Response	
FR.1.31	The Applicant	**Water Framework Directive Compliance Assessment (WFDCA) Part 2 or 4 [APP-621]** Paragraph 2.5.98 Explain the significance of the exceedance of the Environmental Quality Standard for levels of zinc in the Suffolk coastal marine water body.
	Response	
FR.1.32	The Applicant	**Water Framework Directive Compliance Assessment (WFDCA) Part 2 or 4 [APP-621]** Paragraph 2.5.106 Explain the significance of the Centre for Environment, Fisheries and Aquaculture Science (Cefas) Action levels with respect to this assessment.
	Response	
FR.1.33	The Applicant	**Water Framework Directive Compliance Assessment (WFDCA) Part 2 or 4 [APP-621]** Paragraph 2.5.153 Explain why the current baseline conditions are considered appropriate for the whole construction period that could be as long as 12 years.
	Response	

ExQ1	Question to:	Question:
FR.1.34	The Applicant	**Water Framework Directive Compliance Assessment (WFDCA) Part 2 or 4 [APP-621]** Paragraph 2.5.156 Explain the implications of Defra's "Water Abstraction Plan" to this assessment.
	Response	
FR.1.35	The Applicant	**Water Framework Directive Compliance Assessment (WFDCA) Part 2 or 4 [APP-621]** Paragraph 2.5.196 states "all foul waters generated during construction would be collected in a self-contained chemical system and tankered off site for disposal". The Outline Drainage Strategy [APP-181] sets out in paragraph 3.6.5 "Disposal to sea following treatment has been selected, as the receiving waters are less sensitive, and dilution of the treated effluent is much greater than for a watercourse." Explain the apparent discrepancy in these two statements.
	Response	
FR.1.36	The Applicant	**Water Framework Directive Compliance Assessment (WFDCA) Part 2 or 4 [APP-621]** Paragraph 2.5.248 Explain: (i) The term "synthetic baseline"; and (ii) Where in Chapter 19 of Volume 2 of the ES the data relating to Leiston Beck referred to, can be found.
	Response	
FR.1.37	The Applicant	**Water Framework Directive Compliance Assessment (WFDCA) Part 2 or 4 [APP-621]** Paragraph 2.3.335 state whether the stated concentrations have any implications for the compliance assessment or not.

ExQ1	Question to:	Question:
	Response	
FR.1.38	The Applicant	**Water Framework Directive Compliance Assessment (WFDCA) Part 2 or 4 [APP-621]** Paragraph 2.5.336 provide references to the relevant paragraphs above.
FR.1.39	The Applicant	**Water Framework Directive Compliance Assessment (WFDCA) Part 2 or 4 [APP-621]** Paragraph 2.5.346 Is it correct to assume that the reactors will be commissioned in succession not as this seems to imply only one reactor will be commissioned?
	Response	
FR.1.40	The Applicant	**Water Framework Directive Compliance Assessment (WFDCA) Part 2 or 4 [APP-621]** Paragraph 2.5.363 Given the site is in most documents is stated to have an operational life of 60 years and it is stated in Paragraph 2.5.153 of this section to be operational until approximately 2100, explain the discrepancy in operational life stated here of 2130.
	Response	
FR.1.41	The Applicant	**Water Framework Directive Compliance Assessment (WFDCA) Part 2 or 4 [APP-621]** Table 2.45 Explain why the bottom part of the Table abandons the column headings in the top part.
	Response	
FR.1.42	The Applicant	**Water Framework Directive Compliance Assessment (WFDCA) Part 2 or 4 [APP-621]** Paragraph 2.5.537 Does this include staff for an outage and if not, what effect does the additional staff during an outage have?

ExQ1	Question to:	Question:
	Response	
FR.1.43	The Applicant	**Water Framework Directive Compliance Assessment (WFDCA) Part 2 or 4 [APP-621]** Paragraph 2.5.553 What are the implications for the WFDCA of an exceedance of the absolute 23°C threshold mentioned?
	Response	
FR.1.44	The Applicant	**Water Framework Directive Compliance Assessment (WFDCA) Part 2 or 4 [APP-621]** Paragraph 2.5.649 What is the implications for the WFDCA of the predicted exceedance of the EQS?
	Response	
FR.1.45	The Applicant	**Water Framework Directive Compliance Assessment (WFDCA) Part 2 or 4 [APP-621]** Paragraph 2.5.651 refers to Biological Oxygen Demand not exceeding the EQS but what is the conclusion for the rest of physico-chemistry?
	Response	
FR.1.46	The Applicant	**Water Framework Directive Compliance Assessment (WFDCA) Part 2 or 4 [APP-621]** Page 265 O4 Suffolk Explain the implications for the WFDCA is there is an impact on hydromorphological parameters created by the hard coastal defence.
	Response	
FR.1.47	The Applicant	**Water Framework Directive Compliance Assessment (WFDCA) Part 2 or 4 [APP-621]** Page 265 O5 Suffolk. Provide paragraph reference numbers to where considerations, stated in the last sentence, of other adjacent water bodies is set out.
	Response	

ExQ1	Question to:	Question:
FR.1.48	The Applicant, Relevant Authorities	**Flood Risk Emergency Plan (FREP) Appendix F [AS-170]** The Suffolk Resilience Forum comments in Appendix A of the FREP: (i) Do they relate to this version of the FREP? (ii) If not, have they been consulted on this version; and (iii) Provide any additional comments they may have made.
	Response	
FR.1.49	Environment Agency	**Main Development Site (MDS) - Flood Risk Emergency Plan (FREP) Appendix F [AS-170]** The Applicant has now provided a FREP. Could the EA confirm: (i) Whether this plan addresses its concerns regarding safety during any fluvial, coastal and tidal breach flood events, as outlined on pages 24 and 28 of its RR [RR-0373]? (ii) Any other outstanding matters of concern with respect to the FREP.
	Response	
FR.1.50	The Applicant	**(MDS) Flood Risk Emergency Plan (FREP) Appendix F [AS-170]** (i) How would adherence with the measures set out in the FREP be secured through the DCO? (ii) Whilst the MDS FREP contains reference to the permanent SSSI crossing, it is unclear from this document how the Applicant intends to manage the risk of fluvial flooding to the temporary SSSI crossing and people using it. In view of the EA's comments on page 27 of its RR [RR-0373], can the Applicant provide clarity on this point and make any necessary updates to the FREP?
	Response	

ExQ1	Question to:	Question:
FR.1.51	The Applicant	**Outline Drainage Strategy (ODS) [APP-181]** Paragraph 3.4.4 the Temporary Sewage Plant location is not indicated on Plate 3.4. This plate and subsequent plates are clearly extracted from larger plans that have a number of areas, facilities and buildings shown and annotated. Provide: (i) Full annotation on all relevant plates in the ODS; and (ii) A set of the full plans that show more detailed layouts of the temporary construction areas.
	Response	
FR.1.52	The Applicant	**Outline Drainage Strategy (ODS) [APP-181]** Paragraph 3.4.13 Explain: (i) How surface water runoff from the main construction area will be conveyed both to Water Management Zone (WMZ) 1 and WMZ2; (ii) Identify which attenuating features in WMZ1 need to be sized accordingly and how that analysis will be undertaken. (iii) Page 29 of the EA's RR [RR-0373] outlined concerns relating to the Applicant's proposals for Water Management Zone 1. The Applicant sets out how it intends to address these comments in paragraphs 5.1.3 – 5.1.7 of the MDS FRA Addendum [AS-157], confirming that a temporary outfall from the main platform area out to the sea is now proposed (prior to construction of the permanent Combined Drainage Outfall). Management of flood risk during construction of the earth bund for Water Management Zone 1 has also been discussed within the MDS FREP (Appendix F [AS-170]) (as part of the 'temporary construction area'). To what extend does this address the EA's concerns in this regard?
	Response	
FR.1.53	The Applicant	**Main Development Site FRA Addendum [AS-157]- Temporary Outfall** Provide an updated Outline Drainage Strategy that includes the role of the temporary outfall
	Response	

ExQ1	Question to:	Question:
FR.1.54	The Applicant	**Outline Drainage Strategy (ODS) [APP-181]** Paragraph 3.4.57 Explain, with reference to the Schedule of Other Consents, Licences and Agreements document [APP-153], how permission would be obtained for discharge of treated storm water to the foreshore in extreme storm conditions.
	Response	
FR.1.55	The Applicant	**Outline Drainage Strategy (ODS) [APP-181]** Tables 3.1 and 3.2, Row 7 Discharge to Combined Sewer discounted due to no known combined sewers. Could the Combined Drainage Outfall (CDO), once constructed not be considered in the event of flooding?
	Response	
FR.1.56	The Applicant	**Outline Drainage Strategy (ODS) [APP-181]** After WMZ2 all subsequent text about WMZs have errors in referencing the correct plate number. These are WMZ3 paragraphs 3.4.28 and 3.4.36, WMZ6 paragraphs 3.4.37 and 3.4.43, WMZ4 paragraph 3.4.45, WMZ5 paragraphs 3.4.50 and 3.4.53, WMZs 7, 8 and 9 paragraphs 3.4.55 and 3.4.59, WMZ10 paragraph 3.4.65 and LEEIE paragraph 3.4.80. Correct this referencing.
	Response	
FR.1.57	The Applicant	**Outline Drainage Strategy (ODS) [APP-181]** Table 3.4 Row 5 – Discharge to watercourse. "Surface water may be discharged into the surrounding watercourses following appropriate measures to account for the volume of surface water and the presence of silt and contaminant load." All the other Group 1 WMZs state that water will be discharged "indirectly into surrounding watercourses" Explain: (i) Is direct discharge intended in WMZ6; and (ii) Describe the appropriate measures referred to in this context.
	Response	

ExQ1	Question to:	Question:
FR.1.58	The Applicant	**Outline Drainage Strategy (ODS) [APP-181]** Plate 3.17. (i) It is assumed that the red dotted line on this plate is the CDO. Confirm this assumption and explain the operation of the CDO including identifying any elements on the plate that relate to such operation; and (ii) In Paragraph 3.4.59 explain which other techniques are shown on Plate 3.17 (3.16 sic).
	Response	
FR.1.59	The Applicant	**Outline Drainage Strategy (ODS) [APP-181]** Paragraph 3.4.61 states that the CDO will be discontinued once cold commissioning is completed. Explain whether this also means that the CDO will be removed at this point and if not, when will it be removed?
	Response	
FR.1.60	The Applicant	**Outline Drainage Strategy (ODS) [APP-181]** Paragraph 3.4.64. Explain which tunnel the access shaft connects to is it the CDO or cooling water tunnel?
	Response	
FR.1.61	The Applicant	**Outline Drainage Strategy (ODS) [APP-181]** Table 3.7 Row 6 There is little description of the capacity and suitability of surface water drainage system referred to. Explain how its suitability has been assessed.
	Response	
FR.1.62	The Applicant	**Outline Drainage Strategy (ODS) [APP-181]** Paragraph 3.4.82. Explain why underground geocellular storage is suitable for parts of the LEEIE and also how the necessary maintenance regime will be undertaken in the areas suggested for its use.

ExQ1	Question to:	Question:
	Response	
FR.1.63	The Applicant	**Outline Drainage Strategy (ODS) [APP-181]** Paragraph 3.5.10. Has the groundwater model been used to model the potential impact of the cut off wall so that after its construction the ongoing monitoring could be used to examine any significant adverse impacts not originally modelled?
	Response	
FR.1.64	Environment Agency and other Relevant Authorities	**Appendix 19F – Monitoring and Response Strategy [APP-309]** Provide comment on the Monitoring and Response strategy set out in this document.
	Response	
FR.1.65	The Applicant	**Main Development Site FRA Addendum [AS-157]- Water Resource Storage Area** Paragraph 5.1.21 states that "The water would be used for construction activities and would not have direct links to the outline drainage strategy methods as it is for water storage." This area is now proposed to be in WMZ5, how will the non-potable water be collected if not by some form of drainage system. Explain how this collection system and distribution system will operate and also why this has not been included in the ODS.
	Response	
FR.1.66	The Applicant	**Outline Drainage Strategy (ODS) [APP-181]** Figure 2A.6. The proposed foul water network has been indicated on a plan of the existing area. Provide a fully annotated plan shown on a base layer showing indicative layouts of the Main and Temporary Construction Areas. By way of example of base layer most of the plates used in the ODS have a base layer that would mean the proposed foul drainage system could be related to temporary works proposed.
	Response	

ExQ1	Question to:	Question:
FR.1.67	The Applicant	**Outline Drainage Strategy (ODS) [APP-181]** Paragraphs 3.6.13 to 3.6.14 describe a number of options for foul water drainage at the LEEIE. Has work to secure a feasible option progressed? and if so, explain the option that will be pursued.
	Response	
FR.1.68	The Applicant	**Outline Drainage Strategy (ODS) [APP-181]** Foul water drainage of associated development sites could, if all more suitable alternatives prove not to be feasible, rely on tankering to works. Has suitable treatment works capacity been identified should this be required?
	Response	
FR.1.69	The Applicant	**Outline Drainage Strategy (ODS) [APP-181]** East Suffolk Council [RR-0343] express concern that the ODS does not at this stage demonstrate that appropriate sustainable drainage systems can be implemented at all sites. Comment on the level of certainty that can be attributed to the total implementation of sustainable drainage solutions for the Proposed Development.
	Response	
FR.1.70	The Applicant	**Outline Drainage Strategy (ODS) [APP-181]** East Suffolk Council [RR-0343] have queried whether suitable pollution control techniques will be implemented as part of the drainage solutions at the Associated Development sites. Explain how any runoff pollution will be dealt with as part of the sustainable drainage solution for those works.
	Response	

ExQ1	Question to:	Question:
FR.1.71	The Applicant	**Outline Drainage Strategy (ODS) [APP-181]** Suffolk County Council [RR-1174] paragraph 125 state they have "not yet seen evidence that any of the surface water drainage infrastructure proposed to serve the Main Development Site, the Land East of Eastlands Industrial Estate and Associated Developments can be facilitated within the proposed red line boundaries to a satisfactory standard." Comment on whether the drainage design strategy being developed can provide the necessary reassurance to the Council.
	Response	
FR.1.72	The Applicant	**Outline Drainage Strategy (ODS) [APP-181]** The East Suffolk Internal Drainage Board (ESIBD) [RR-0345] raise an issue concerning the importance of Minsmere Sluice in relation to surface water drainage. Their concern is that Minsmere Sluice is reaching the end of its useful life and changes to water level and discharge volumes as a result of the development will accelerate the change to a pumping station that could have significant implications for surface water management. Has this concern been considered as part of the surface water management regime of the development?
	Response	
FR.1.73	The Applicant	**Outline Drainage Strategy (ODS) [APP-181]** ESIDB [RR-0345] have expressed concerns that changes to coastal processes as a result of the HCDF element of the Proposed Development could hamper discharge to the sea from Minsmere. Explain how this has been considered?
	Response	
FR.1.74	Environment Agency, Suffolk County Council, East	**Outline Drainage Strategy (ODS) [APP-181]** Provide any comments you have on the coverage and content of the ODS at this stage.

ExQ1	Question to:	Question:
	Suffolk Council, East Suffolk Internal Drainage Board	
	Response	
HW.1	**Health and wellbeing**	
HW.1.0	ESC, SCC, CCG, Sizewell Health Working Group	**Methodology** (i) Do you agree that the methodology and scope for assessment of effects from the proposed development as set out in [APP 346] is appropriate and has properly assessed the potential health and wellbeing impacts of the proposed development on the local community? (ii) Do the Councils agree with the methodology in determining the degree of intimidation from traffic and in particular from HGVs? (iii) Do you consider the findings of this part of the ES have been adequately justified?
	Response	
HW.1.1	The Applicant	**Uniform Approach** Please respond to East Suffolk Councils concern [RR-0342] that by adopting an approach which uniformly applies across the whole area that particular groups might have been missed and therefore this might underplay the degree of effect in certain circumstances.
	Response	
HW.1.2	The Applicant, SCC, ESC part (ii)	**Severance** Concern has been expressed by a number of RRs including (RR-0758, RR-1008) with regard to the degree of severance that could occur for their local community either through physical barriers – e.g. Sizewell Link Road, or through volume of additional traffic.

ExQ1	Question to:	Question:
		(i) Please advise how you consider the proposal minimises these affects for each community and how the scheme has taken into account consideration for more vulnerable groups. (ii) Do the Councils consider the assessment of severance has justified the approach taken, or do you consider there are more adverse effects than have been reported? (iii) In answering please comment on the suitability of the methodology used and be specific in respect of the locations where there remain concerns should this be the case.
	Response	
HW.1.3	Relevant local authorities, CCG	**Severance** Do the Councils and CCG agree the assessment of severance as set out in [APP-198] reasonably reflects the degree of effects of severance on the local communities concerned such that the ExA can be confident that the proposed development would not have any indirect health impacts or adversely affect access to key public services as sought by the NPS EN-1.
	Response	
HW.1.4	The Applicant, SCC, ESC	**On Street Parking B1078** Concern has been expressed [RR-0762] that the removal of on street parking in this locality would have an adverse effect particularly on the disabled and elderly, please respond to this concern and whether this has been considered as part of any equalities assessment.
	Response	
HW.1.5	The Applicant	**Potential Delays** Please explain if the ES has considered the potential for delays in the construction programme, and how if at all this potential has been considered in terms of the potential

<table>
<tr><th>ExQ1</th><th>Question to:</th><th>Question:</th></tr>
<tr><td></td><td></td><td>effects on the local community from the works extending beyond an already lengthy build programme.</td></tr>
<tr><td></td><td>Response</td><td></td></tr>
<tr><td>HW.1.6</td><td>The Applicant</td><td>Equality Statement
Table A1.2 [APP-158]
Appears to have a series of errors the table below has been populated with what are believed the corrected figures highlighted, please clarify and check the rest of this table and confirm what are the correct figures.
<table><tr><td>Ward</td><td></td><td>0-15</td><td>%</td><td>16-64</td><td>%</td><td>65+</td><td>%</td></tr><tr><td>Leiston</td><td>6360</td><td>1167</td><td>18.3%</td><td>3819</td><td>60.0%</td><td>1374</td><td>21.6%</td></tr><tr><td>Saxmundham</td><td>4913</td><td>894</td><td>18.2%</td><td>2765</td><td>56.3%</td><td>1254</td><td>25.5%</td></tr><tr><td>Snape</td><td>1911</td><td>271</td><td>14.2%</td><td>1126</td><td>58.9%</td><td>514</td><td>26.9%</td></tr><tr><td>Yoxford</td><td>1901</td><td>215</td><td>11.3%</td><td>1022</td><td>53.8%</td><td>664</td><td>34.9%</td></tr><tr><td>Aldeburgh</td><td>3225</td><td>329</td><td>10.2%</td><td>1519</td><td>47.1%</td><td>1377</td><td>42.7%</td></tr></table>
Have the apparent errors affected any of the subsequent conclusions?</td></tr>
<tr><td></td><td>Response</td><td></td></tr>
<tr><td>HW.1.7</td><td>The Applicant</td><td>Equality Statement
(i) Paragraph 1.6.26 [APP-158] Please advise on what basis you reach this conclusion, when the evidence suggests there is a higher proportion of the population in the locality in the higher age groups.
(ii) Do you have direct evidence of the age profile of users of the PROW network?</td></tr>
<tr><td></td><td>Response</td><td></td></tr>
</table>

ExQ1	Question to:	Question:
HW.1.8	The Applicant	**Equality Statement** (i) Paragraph 1.6.31 [APP-158] limited control would be available over a certain proportion of the journeys, in these circumstances at what level would the mitigation be applied? (ii) How would this be communicated and subsequently controlled in conjunction with other major projects?
	Response	
HW.1.9	SCC, ESC	**Equality Statement** The Applicant considers that with mitigation significant adverse transport effects on schools, nurseries, places of worship, GP surgeries and community facilities would not be significantly adverse. Paragraph 1.6.39 [APP 158] (i) Do you agree that the mitigation identified would overcome any significant adverse effects? (ii) Do you consider the mitigation is adequately secured?
	Response	
HW.1.10	The Applicant, SCC, ESC, CCG	**Equality Statement** The Applicant advises that the Public Services Contingency Fund which would be secured through the S106 would be an appropriate response to the concerns identified in respect of the difficulties associated with recruiting and retaining staff. Paragraph 1.6.49 [APP 158] (i) Please provide an update on the progress of the S106 (ii) Do the Councils and CCG regard this as an appropriate method of mitigation?

ExQ1	Question to:	Question:
	Response	
HW.1.11	Ipswich and East Suffolk, CCG, West Suffolk CCG	**Anchor Institution** (i) Please explain what you mean when you refer to 'an Anchor Institution approach' [RR-500] and how you envisage this approach might be delivered through the DCO. (ii) In light of point 7 of your [RR-500] please explain in detail your concerns regarding the shortcomings of the assessment and how you consider these could be addressed to ensure appropriate mitigation. (iii) Has the reliance on historic data as referred to in the [RR-500] at paragraph 6 diminished the findings of the ES such that you consider the findings could not be relied upon? (iv) How would the CCG wish to see this issue addressed? (v) At paragraph 10 of your [RR-500] you refer to 'most active county' objectives – what/where does this come from? If the ExA is to rely on this document it will need to be submitted into the Examination?
	Response	
HW.1.12	The Applicant	**Housing Market** (i) Please respond to the concerns identified by the CCG [RR-500]in respect of the additional volatility they anticipate in the housing market and the knock-on effects to healthcare. (ii) How would you propose to minimise these effects such that the indirect health impacts are not caused as a consequence of the proposed development? (iii) How would the mitigation proposed be secured?
	Response	
HW.1.13	The Applicant	**Care Home Residents**

ExQ1	Question to:	Question:
		The CCG [RR-500] raise questions of the conclusions reached in para 28.6.80 of [APP-346] particularly the potential impact upon two care homes, please respond to this specific concern and highlight how you have assessed any likely effects on this potentially vulnerable group.
	Response	
HW.1.14	The Applicant	**Vulnerable Groups** The Suffolk Safeguarding Group [RR-1179] express concern about insufficient risk assessments of the potential impact on vulnerable groups and the lack of a strategy to minimise the risks which may arise from the proposed development. Please respond to this specific concern and advise how the information provided meets the tests set out in the NPS EN-1.
	Response	
HW.1.15	The Applicant	**Vulnerable Groups** The CCG [RR-500] and Suffolk Constabulary [RR-1174] also raise the concern over potential exploitation of vulnerable groups. (i) What is proposed to be in place to mitigate this concern? (ii) How would it be secured?
	Response	
HW.1.16	The Applicant	**Vulnerable Groups** Impact on the wellbeing of the older community in the locality is a concern expressed by both the CCG [RR-500], and Suffolk Safeguarding Partnership [RR-1179] amongst others. How do you propose to ensure that appropriate mitigation would be in place to support this sector of the community and mitigate any adverse effects such that they could be regarded as not significant?
	Response	

ExQ1	Question to:	Question:
HW.1.17	ESC, SCC, CCG, Suffolk Safeguarding Partnership	**Vulnerable Groups** In light of the concerns expressed [RR-1179, RR-500, RR-1140, RR- 0342, RR-1174] in respect of the age demographic in the locality and the potential effects on the older population, do you consider the assessment on health and wellbeing and the equality assessment is adequate?
	Response	
HW.1.18	The Applicant, Suffolk Constabulary	**Community Safety** From the [RR- 1140] it would appear you are working together on a Strategic Relationship Protocol (SRP). Assuming this is agreed, is this intended to form part of the examination and be delivered through the DCO or a separate side agreement between the parties?
	Response	
HW.1.19	The Applicant, Network Rail	**Rail Safety** Network Rail [RR-006] identifies concerns, that by introducing any Freight Trains onto the East Suffolk line will (due to their slower running speeds), cause an increased risk and delay to users of level crossings. (i) Please respond to this concern and advise if any mitigation could be provided to address this issue. (ii) If this were appropriate, how would it be delivered through the DCO?
	Response	
HW.1.20	The Applicant	**AONB** The AONB is designated in part due to the unspoilt landscape and the opportunity this provides for recreation and the enjoyment, peace and health benefits that can arise for the public from having access to such a location. The ESC [RR-0342] and AONB [RR-1170] Partnership both express concerns regarding the impact of the proposed development on the broader noise environment as well as the access to this area. Please respond to these concerns and in particular, advise how the proposed mitigation might reduce effects to ensure there are not knock on effects to health and wellbeing.

ExQ1	Question to:	Question:
	Response	
HW.1.21	The Applicant	**Health Impact Assessment** Please respond to the concerns raised by RRs with regard to potential health impacts [RR-0291, RR-0376, RR-853] and the concern raised by others over the lack of a Health Impact Assessment – [RR-1255, RR-0051]
	Response	
HW.1.22	The Applicant, ESC	**Ozone** Please respond the concern raised in [RR-392] over the potential effects from the proposed development on the release/creation of ozone.
	Response	
HW.1.23	ESC, SCC, CCG, East of England Ambulance Service, PHE	**Effects on Mental and Physical Health** A number of RRs including [RR-376, 546, 853, 291, 241] express concerns over the direct or indirect effects on health that the construction could have on an individual's health. (i) Please respond to the concerns and advise whether you consider the assessment properly addresses the potential effects of the proposed development. (ii) Additionally, is there confidence that the mitigation proposed adequately addresses any concerns and that this is appropriately secured?
	Response	
HW.1.24	ESC, SCC	**Sizewell Link Road** In paragraph 2.126 of the ESC [RR-0342] adverse effects on 19 receptor groups are identified for residential receptors. (i) Are the mitigation measures proposed considered within the ES sufficient? (ii) Is the method of securing the mitigation appropriate and enforceable?

ExQ1	Question to:	Question:
	Response	
HW.1.25	ESC, SCC, CCG, Sizewell Health Working Group	**Methodology** (i) Is it agreed that the methodology and scope for assessment of effects from the proposed development is appropriate and has properly assessed the potential health and wellbeing impacts of the proposed development on the local community? (ii) Do you consider the findings of this part of the ES have been adequately justified?
	Response	
HW.1.26	The Applicant	**BLF** (i) With increased activity on the beach from the introduction of the changed BLF and increased number of deliveries, please explain how these changes have been assessed in terms of the effects on the amenity and recreational use of the beach and the coastal path both during construction and subsequent operation (ii) What implications would this have for tourism and or numbers of users of the coastal path and the beach?
	Response	
HW.1.27	The Applicant, Network Rail	**Change Request No. 2** The Change Request could see an increase in the number of freight trains running along the line. Please advise how this could be safely delivered to ensure there would not be unacceptable risks to users of level crossings both for the branch line and the Ipswich to Lowestoft main line.
	Response	
HW.1.28	The Applicant, Network Rail, Suffolk Constabulary, East of England Ambulance	**Change Request No. 2** In the event the number of trains were to be increased, please explain what implications this may have for the operation of level crossings on the branch line and the main Ipswich

ExQ1	Question to:	Question:
	Service, Suffolk Fire and Rescue, SCC, ESC	to Lowestoft line and the effect on severance of communities or impacts on emergency services.
	Response	
HW.1.29	East of England Ambulance Service	**Service Impact Model** (i) Please advise on the latest position in respect of the model being developed to assess the effects of the proposed development on service delivery? (ii) Has this model been agreed as an appropriate method to assess effects with the applicant or any other party?
	Response	
HE.1 Historic environment (terrestrial and marine)		
General		
HE.1.0	The Applicant	**Guidance** In respect of the '2011 Research and Archaeology Revisited: A Revised Framework for the East of England' it is noted that additional period-based summaries have become available since the submission of the DCO (Paragraph 1.2.36 [APP-171]). Have the new summaries been reviewed? How has any new relevant content been taken into consideration in the formulation of mitigation strategies?
	Response	
HE.1.1	The Applicant	**Site Investigation Surveys** In addition to location specific questions relating to survey work detailed below, please provide a general update as to whether any additional site investigation surveys have been undertaken since the submission of the DCO? Please confirm how findings will be incorporated into the existing assessments?
	Response	

ExQ1	Question to:	Question:
HE.1.2	ESC, SCCAS, Historic England	**Overarching Written Scheme of Investigation (WSI)** Please provide a critique of the Overarching WSI contained within Appendix 2.11.A of [AS-210]. Are you satisfied that the content and level of detail would allow you to discharge your responsibilities?
	Response	
Main Development Site (MDS)		
HE.1.3	The Applicant	**Public Outreach** Please provide a response to the request made by ESC at paragraph 1.97 [RR-0342] that public outreach for archaeology should be secured via either a Requirement or s106.
	Response	
HE.1.4	The Applicant	**Built Heritage Repair** Please provide a response to the statement made by ESC at paragraph 2.15 [RR-0342] that the proposed investment for built heritage repair appears very low compared to the landscape and ecology investment.
	Response	
HE.1.5	ESC, SCCAS, Historic England	**Evaluation Trenching** At paragraph 16.3.31 [APP-272], the Applicant confirms several limitations in respect of the assessment. One such limitation is that it has not been possible to undertake evaluation trenching on some areas of the site, however most of the site has been subject to a magnetometry survey. Are you satisfied with this approach?
	Response	
HE.1.6	The Applicant	**Evaluation Trenching** Has evaluation trenching been completed east and south east of Lower Abbey Farm (Paragraph 16.4.31 [APP-272])? If so, how are the findings to be incorporated into the assessment?
	Response	

ExQ1	Question to:	Question:
HE.1.7	ESC, SCCAS, Historic England	**Summary of Survey Status** Table 16.5 [APP-272] confirms where geophysical surveys and/or evaluation trenching has not been undertaken. In such areas, the Applicant has confirmed that a programme of further work will be set out in a site-specific Written Scheme of Investigation. Do you see any significant limitations with this approach?
	Response	
HE.1.8	The Applicant	**Summary of Survey Status** Please confirm if the name of the field listed in row 20 of Table 16.5 and row 19 of Table 16.6 [APP-272] is complete?
	Response	
HE.1.9	The Applicant	**Summary of Survey Status** Has the evaluation trenching at Area 4, as detailed in Table 16.5 [APP-272], been completed? If so, how are the findings to be incorporated into the assessment?
	Response	
HE.1.10	The Applicant	**Unrecorded Heritage Assets** Paragraph 16.4.69 [APP-272] discusses the potential for heritage assets which have not previously been identified or recorded to be present in areas of the site that have not been subject to geophysical surveys and/or evaluation trenching. Please confirm if the SSSI crossing and borrow pit field 2 have been subject to survey? If not, please explain why.
	Response	
HE.1.11	The Applicant	**Offsite Heritage Assets** Please detail the archaeological interest for the following: (i) Aldeburgh Conservation Area (paragraph 16.4.146 [APP-272]) (ii) Slaughden Martello Tower (paragraph 16.4.154 [APP-272]) (iii) Southwold Conservation Area (paragraph 16.4.158 [APP-272]) (iv) Orford Castle (paragraph 16.4.166 [APP-272])

ExQ1	Question to:	Question:
	Response	
HE.1.12	ESC, SCCAS, Historic England, English Heritage	**Direct Effects on Heritage Assets – Construction** Paragraph 16.6.55 [APP-272] notes that groundworks associated with the construction of the accommodation campus, roundabout and site entrance of the MDS has the possibility of potentially harming buried archaeological remains associated with the Leiston Abbey assets (LB 121573, LB 1215754, LB 1216380 and LB 1268290). Please comment as to whether such assets comprise relatively minor and peripheral elements of the monastic landholding? Would harm to such designated assets discernibly affect the informative potential of them?
	Response	
HE.1.13	ESC, SCCAS, Historic England	**Peat Strategy** Please confirm whether the content of the Peat Strategy contained within Appendix 16G [APP-275] is satisfactory? If required, please provide suggested amendments or additions.
	Response	
HE.1.14	The Applicant	**Leiston Abbey Asset Group (SM 1014520, LB 1215753, LB1215754, LB 1216380 and LB 1268290)** Paragraphs 16.6.45 to 16.6.61 [APP-272] sets out the assessment of construction effects on the setting of the Leiston Abbey assets. It is acknowledged that changes to setting would occur given the proposed length of construction, visibility of at-height construction, noise levels and visibility of construction infrastructure for visitors travelling by road from both the north and south. It is identified at paragraph 16.6.50 [APP-272] that the construction features experienced would diminish the contribution of the setting to the heritage significance of the asset group. Given the presence of these new features, please explain how the retention of arable land between the asset group and the B1122 (Abbey Road) would serve to maintain a strong perceptual buffer between the proposed development and the asset group (paragraph 16.6.49)?

ExQ1	Question to:	Question:
	Response	
HE.1.15	The Applicant, English Heritage	**Leiston Abbey Second Site – Sustainable Conservation and Management Plan** Please provide detail and a progress update on the proposed Sustainable Conservation and Management Plan. To the Applicant - Is the plan to be included as mitigation? If so, how is this to be secured?
	Response	
HE.1.16	The Applicant	**Non-Designated Coastguard Cottages, Dunwich Heath** Due to their prominent positioning, the Coastguard Cottages are highly visible within their landscape setting and have a medium heritage significance for architectural and historical interests. Whilst they directly face Sizewell B power station, it is stated that the distance and intervening landscape provides a noticeable sense of separation and isolation. It is noted that both the construction and operation phases would result in intensification of industrial buildings and infrastructure. In addition, there would be a notable reduction in sense of seclusion and the aesthetic appreciation of the asset, particularly when the Coastguard Cottages are viewed from the north. Please provide further justification for the finding of a minor adverse effect which would not be significant in respect of the historic interest and diminution of aesthetic appreciation of the asset.
	Response	
HE.1.17	ESC	**Abbey Cottage (LB 1216395)** In respect of significance of effect on the setting of Abbey Cottage, paragraph 16.6.82 [APP-272] concludes changes would be significant during construction. Due to the

ExQ1	Question to:	Question:
		decommissioning of the proposed accommodation campus, main site entrance hub and various storage areas, no effect is anticipated during operation. Please provide further detail in respect of paragraph 2.16 [RR-0342] as to where the contradiction occurs and what mitigation is required.
	Response	
HE.1.18	ESC	**Sizewell B Relocated Facilities – Pillbox Field (Change 3)** Noting comments made in [AS-307] in respect of Pillbox Field (Option 1), are you satisfied with the following: i) The proposed location of the landscaping scheme in regard of the location of archaeologically sensitive areas; and ii) The production of a management plan within a site specific WSI to outline how remains are to be preserved in-situ during and after proposed landscaping works. If further measures are considered necessary, please detail.
	Response	
HE.1.19	ESC, SCCAS, Historic England, National Trust	**Enhancement of the Permanent Beach Landing Facility (BLF) (Change 2)** Due to the proposed enhancement of the permanent BLF, it is stated that increased visibility of construction plant is likely from the Coastguard Cottages, Leiston Abbey first site and from the edges of the Aldeburgh and Southwold Conservation Areas. Are you satisfied that, as detailed in [AS-181], such an increase in visibility would not alter the level of significance of effect on the above assets?
	Response	
HE.1.20	ESC, SCCAS, Historic England, National Trust	**Temporary Beach Landing Facility (BLF) (Change 2)** Are you satisfied that the construction of the temporary BLF would be seen within the wider context of construction related activity and visibility would be relatively limited? Do

ExQ1	Question to:	Question:
		you concur that as a consequence of such limited visibility the level of significance of the effects on Coastguard Cottages, Leiston Abbey first site and from the edges of the Aldeburgh and Southwold Conservation Areas would not change to that detailed in the initial assessment findings in [APP-272]?
	Response	
HE.1.21	The Applicant	**Additional Fen Meadow Habitat at Pakenham (Change 11)** Please confirm what survey work has been undertaken at Pakenham to date.
	Response	
HE.1.22	The Applicant	**Site of Special Scientific Interest Crossing (Change 6)** Both ESC and SCC state that the terrestrial historic environment should be considered because of the change in design [AS-307]. Please expand on why this change does not alter the assessment of effects on the terrestrial historic environment.
	Response	
HE.1.23	ESC, SCCAS, Historic England, English Heritage	**Mitigation** Alongside of the proposed site-specific WSI and Peat Strategy, is any further mitigation necessary in relation terrestrial heritage effects at the MDS? If necessary, how do you consider such measures should be secured?
	Response	
Sizewell Link Road (SLR)		
HE.1.24	The Woodland Trust	**Veteran Trees** Please confirm, on an annotated plan, the location of the veteran oak tree which may be lost due to the proposed SLR, as referred to in [RR-1213].
	Response	
HE.1.25	The Applicant	**Ancient and Veteran Trees**

ExQ1	Question to:	Question:
		Please confirm whether ancient and veteran trees would be retained and adequately protected during construction? Would measures employed comply with Natural England's Standing Advice in relation to tree buffer zones?
	Response	
HE.1.26	ESC, SCCAS, Historic England	**Historic Landscape Character - Important Hedgerows** Paragraph 9.4.21 [APP-467] confirms that it is likely that most surviving hedgerows within the site would be considered important under the Hedgerow Regulations. Are you satisfied that these hedgerows are best considered of low heritage significance?
	Response	
HE.1.27	The Applicant	**Site Investigation Surveys** Figures 9.4A and 9.4B [APP-469] illustrate archaeological fieldwork undertaken at the time of submission of the DCO. Has any further access been granted to areas highlighted 'no access'? Please confirm how much of the route remains unassessed?
	Response	
HE.1.28	The Applicant	**Archaeological and Historical Background - Theberton Hall and Theberton House** Paragraph 9.4.47 [APP-467] refers to both the parkland landscape at Theberton Hall and the garden area of Theberton House. Please confirm whether the final sentence of paragraph 9.4.47 [APP-467] refers to Theberton Hall, Theberton House or both assets?
	Response	
HE.1.29	ESC, SCCAS, Historic England	**Primary Mitigation - Theberton Hall** Would the proposed woodland planting to the west of the SLR, described at paragraph 9.5.5 [APP-467], in the vicinity of Dovehouse Farmhouse adequately compensate for the loss of woodland in the belt west of Theberton Hall? In addition, would the proposed woodland planting east of the SLR successfully minimise views from Theberton Hall Estate and help integrate the proposed Pretty Road overbridge into the surrounding landscape?

ExQ1	Question to:	Question:
	Response	
HE.1.30	The Applicant	**Significance of Effect** Paragraph 9.6.61 [APP-467] describes noise related to construction activity as being limited and long-term temporary. In respect of significance of effect, paragraph 9.6.62 [APP-467] states any change as being short-term temporary. Please explain why the significance of effect is considered short-term if it is previously accepted that noise elements would be long-term temporary?
	Response	
HE.1.31	ESC, SCCAS, Historic England	**Historic Landscape Character - Construction** Are you satisfied that although the construction of the SLR would bisect several fields and truncate historic boundaries it would not eliminate the overall landscape pattern or ability to understand it (paragraph 9.6.67 [APP-467])?
	Response	
HE.1.32	ESC	**Historic Road Pattern – Yoxford to Leiston** Please provide additional detail regarding the conclusion that the effects of the interruption and realignment of the historic road pattern from Yoxford to Leiston would be moderate adverse and significant (Paragraph 2.105 [RR-0342]).
	Response	
HE.1.33	The Applicant and ESC	**Moat Farmhouse (LB 1228246)** To the Applicant - Please respond to the statement made by ESC in respect of Moat Farmhouse in [RR-0342] that the assessment findings cannot be supported as the land to the north is one of the earliest farming landscapes in Suffolk. Noting this, please consider whether a review of the finding of no significant adverse effects is required?

ExQ1	Question to:	Question:
		To the ESC - Please provide further detail in support of your concerns regarding the assessment of Moat Farmhouse. If additional mitigation is considered necessary, please provide detail.
	Response	
HE.1.34	ESC, SCCAS, Historic England	**Mitigation** Alongside of the proposed site-specific WSI, is any further mitigation considered necessary in relation terrestrial heritage effects at the SLR? If necessary, how do you consider such measures should be secured?
	Response	
HE.1.35	ESC, SCCAS, Historic England	**Outline Landscape and Ecological Management Plan (oLEMP)** Would the proposed landscape measures within the oLEMP [AS-264] minimise impacts on cultural heritage resources? If not, please detail why.
	Response	
Freight Management Facility (FMF)		
HE.1.36	The Applicant	**Site Size** At paragraph 9.4.6 [APP-528] the site is described as approximately 9.4 hectares (ha). In other ES chapters, the site is described as 11 ha. Please confirm the size of the site.
	Response	
HE.1.37	ESC, SCCAS, Historic England	**Historic Landscape Character - Construction** Please comment on the effectiveness of the proposed planting at the eastern, northern and western borders of the FMF in ensuring that any change to existing landscape would be kept internal to the field (paragraph 9.6.15 [APP-528].
	Response	

ExQ1	Question to:	Question:
HE.1.38	ESC, SCCAS Historic England	**Historic Landscape Character - Operation** Would the retention of existing boundary vegetation, the 10m buffer zone around the north, east and west site boundaries and the addition of three landscape bunds be effective in adding a visual screen and close the operational facility off from the rest of the agricultural landscape (paragraph 9.6.25 [APP-528])?
	Response	
HE.1.39	ESC, SCCAS, Historic England	**Effect on Setting of Heritage Effects - Operation** In respect of assets located to the south west of Redhouse Farm (SM 1011344), would the provision of additional planting in existing hedgerows and the landscape bund on the eastern boundary be sufficient in order to reduce any sense of intrusion experienced during operation (paragraph 9.6.20 [APP-528])?
	Response	
HE.1.40	ESC, SCCAS, Historic England	**Secondary Mitigation Measures** Would the proposed secondary mitigation measures detailed in paragraph 9.7.4 [APP-528] reduce the low magnitude of adverse impact on the bowl barrow south west of Redhouse Farm (SM 1011344) to a residual minor adverse effect that would be not significant?
	Response	
HE.1.41	ESC, SCCAS, Historic England	**Mitigation** Alongside of the proposed site-specific WSI, is any further mitigation considered necessary in relation terrestrial heritage effects at the FMF? If necessary, how do you consider such measures should be secured?
	Response	
Southern Park and Ride (SPR)		
HE.1.42	ESC, SCCAS, Historic England	**Landscaping Scheme**

ExQ1	Question to:	Question:
		Would the proposed landscaping scheme, as detailed on the illustrative masterplan [AS-196], minimise the impact on setting of historic assets and the historic landscape character?
	Response	
HE.1.43	ESC, SCCAS, Historic England	**Historic Landscape Character - Important Hedgerows** Hedgerows on the site boundary to the east and in a small enclosure in the south-west [AS-196] are considered important under the Hedgerow Regulations. Are you satisfied that these hedgerows are best considered of low heritage significance?
	Response	
HE.1.44	ESC, SCCAS, Historic England	**Mitigation** Alongside of the proposed site-specific WSI, is any further mitigation considered necessary in relation terrestrial heritage effects at the SPR? If necessary, how do you consider such measures should be secured?
	Response	
Marine Historic Environment		
HE.1.45	The Applicant	**Figures 23.1.-23.3 - Update** Please can Figures 23.-23.3 [APP-336] be updated to reflect Change 2.
	Response	
HE.1.46	ESC, SCCAS, Historic England	**Enhancement of the Permanent BLF and Construction of Temporary BLF (Change 2)** Are you satisfied that the proposed changes in respect of BLFs would not alter the assessment conclusion detailed in [APP-334]? If not, please provide detail.
	Response	
HE.1.47	The Applicant	**Enhancement of the Permanent BLF and Construction of Temporary BLF (Change 2) – Wreck Sites**

ExQ1	Question to:	Question:
		Please confirm the distance of both the permanent BLF and temporary BLF sites from wreck sites MSF20289 and MSF11344?
	Response	
Two Village Bypass (TVB)		
HE.1.48	ESC, SCCAS, Historic England	**Outline Landscape and Ecological Management Plan (oLEMP)** Would the proposed landscape measures within the oLEMP [AS-263] minimise impacts on cultural heritage resources? If not, please detail why.
	Response	
HE.1.49	The Applicant	**Extension and Reductions of Order Limits (Change 12)** Both ESC and SCC state that the terrestrial historic environment should be considered because of the change in design [AS-307]. Please provide a response.
	Response	
HE.1.50	ESC, SCCAS, Historic England	**Mitigation** Alongside of the proposed site-specific WSI, is any further mitigation considered necessary in relation terrestrial heritage effects at the TVB? If necessary, how do you consider such measures should be secured?
	Response	
Northern Park and Ride (NPR)		
HE.1.51	ESC, SCCAS, Historic England	**Oak Hall (LB 1030664) – Operational Effect on Setting** Considering the assessment findings and the representative viewpoint provided at Figure 6.14 [APP-362] do you concur that during operation of the NPR there would be no change to heritage significance?
	Response	
HE.1.52	ESC, SCCAS, Historic England	**Old Hall (LB 1198815) – Operational Effect on Setting**

ExQ1	Question to:	Question:
		Due to the existing landscaping and buildings located to the north and west of Old Hall, due you concur that there would be no change to either the non-designated parkland or setting of the building?
	Response	
HE.1.53	ESC, SCCAS, Historic England	**Mitigation** Alongside of the proposed site-specific WSI, is any further mitigation considered necessary in relation terrestrial heritage effects at the NPR? If necessary, how do you consider such measures should be secured?
	Response	
Rail		
HE.1.54	The Applicant	**Post-Medieval and Modern – Heritage Significance** What is the level of heritage significance for archaeological interest for post-modern and medieval periods within the study area?
	Response	
HE.1.55	The Applicant	**Change to the Setting of Archaeological Heritage Assets – Abbey Complex** Paragraph 9.6.14 [APP-560] confirms that the perception of construction works to the south of the Abbey complex would result in a discernible loss of historic interest. Please confirm the significance of this effect.
	Response	
HE.1.56	The Applicant	**Increased Frequency of Freight Train Movements (Change 1) – Abbey Ruins** Paragraph 9.6.32 [APP-560] states that the limited number of rail movements means that perceptibility of rail operations would be intermittent and infrequent and would not significantly affect that ability to understand or appreciate the assets interests. Please signpost to where consideration on significance of effect of Change 1 in relation to the setting of the Abbey ruins is located.
	Response	

ExQ1	Question to:	Question:
HE.1.57	ESC, SCCAS, Historic England, English Heritage, Pro Corda Trust/Leiston Abbey	**Mitigation** Alongside of the proposed site-specific WSI and Heritage s106 agreement to provide for enhancements to the visitor experience for the two Leiston Abbey sites, is any further mitigation considered necessary in relation terrestrial heritage effects? If necessary, how do you consider such measures should be secured?
	Response	
Yoxford Roundabout and Other Highway Improvements (YROHI)		
HE.1.58	ESC, SCCAS, Historic England	**Mitigation** Alongside of the proposed site-specific WSI, is any further mitigation considered necessary in relation terrestrial heritage effects at the YROHI? If necessary, how do you consider such measures should be secured?
	Response	
LI.1 Landscape impact, visual effects and design		
General		
LI.1.0	The Applicant	**Design Approach** Design is a matter which is cross-cutting in relation to multiple topics identified within the Initial Assessment of Principal Issues. Please explain the design approach and design credentials of the Main Development Site and Associated Development Sites. Reference should be made to the objectives listed in section 4.5 of NPS EN-1 and how the proposed development seeks to address or exceed the expectations of good design as set out in the National Design Guide. Whilst noting that the NPS is the primary source of policy under which applications will be considered, reference should also be made to policy within the National Planning Policy Framework (NPFF) which stipulates good design. In addition, please also have regard to 'Design Principles for National Infrastructure', published by the National Infrastructure Commission (February 2020) in respect of Climate, Places, People and Value in construction, operation and where relevant, decommissioning.

ExQ1	Question to:	Question:
	Response	
LI.1.1	The Applicant, ESC, SCC, Historic England, Natural England, Suffolk Coast & Heaths AONB Partnership, Parish and Town Councils, Together Against Sizewell C, Stop Sizewell C	**Design Approach** It is imperative that the proposal represents a good quality sustainable design which can be effectively integrated into the landscape. As such, please comment on whether the following measures would ensure this would be achieved in the detailed design, construction and operation phases: i) A 'design champion'. Such a role would advise on the quality of sustainable design and the spatial integration of the both the Main Development Site and Associated Development Sites ii) A 'design review panel' to provide a 'critical friend' role. Such a role would provide comment on the development of sustainable design proposals iii) The production of an approved 'design code' or 'design approach document' which would establish the approach to delivering the detailed design specifications to ensure good quality sustainable design (as approved in the Hinkley Point C Connector Project (EN020001)). Please advise on how such measures could be secured. In addition, please comment as to whether any other measures or approaches are considered necessary?
	Response	This is a nuclear power station proposed for the highly sensitive setting of an Area of Outstanding Natural Beauty, and the largest scheme of its type ever proposed for an AONB. Unlike Sizewell B, this is not a bespoke design for the AONB, but an existing power station design with some modifications deemed deliverable and compatible with the operational and safety needs of the nuclear facility. Design measures can of course enable the scheme to be integrated into the landscape to some extent (and that is welcome) but not 'effectively' if that means reducing the adverse effect on the landscape, and consequently the statutory purpose, of the AONB to a below significant level. Its individual presence, and the combined effect with the existing power stations and other energy infrastructure would, we believe, be too great to achieve that outcome. However, this does not mean that all potential design mitigation measures should not be explored and assessed to reduce, as far as possible, the effect on the AONB

ExQ1	Question to:	Question:
		and its statutory purpose. An exhaustive exercise of that sort is commensurate with this nationally designated landscape. The design of the scheme has already been guided by a set of agreed design principles. The Design Council has also reviewed the scheme, although Natural England was not involved and not briefed on whether and how the statutory purpose of the AONB led that exercise. A limitation to design modifications is that operational and safety requirements take precedent. Therefore, for the reactor buildings and associated major structures a design champion or review panel would either need to accept the assurances of the developer that all possible design measures had been identified and applied, or have enough knowledge of nuclear facility operational design parameters to be able to challenge that. Regarding the Hinkley Point C scheme. If the 'Connector' Project refers to the Hinkley Connection Project that was a National Grid cabling scheme rather than the power station itself and therefore of very limited or no relevance to Sizewell. The Hinkley C power station is not in a designated landscape and so the same planning and design considerations do not apply. The design bar for an AONB is much higher.
LI.1.2	ESC, SCC, Historic England, Natural England, Suffolk Coast & Heaths AONB Partnership, Parish and Town Councils, Together Against Sizewell C, Stop Sizewell C	**AONB – Adverse Effects** Has sufficient weight has been given to the statutory purpose and need for protection of the landscape, character and special qualities of the Suffolk Coast and Heaths AONB both within and outside its boundary, in accordance with paragraphs 5.9.9 and 5.9.12 of NPS EN-1? Please qualify your answer. If not, please identify what additional measures are required?
	Response	Firstly, a fundamental point. The national importance, status and statutory purpose of the AONB should have been reflected in a bespoke design for the proposed power station, as was delivered for the Sizewell B station. In those terms sufficient weight has not been given to the statutory purpose and related matters of landscape character and quality. Moving on to the assessment of landscape effects and proposed mitigation measures. We do not consider that the developer's assessment of the effect of this scheme on the

ExQ1	Question to:	Question:
		delivery of the area's statutory purpose is realistic, both for the construction and operational phases of the power station. In that context it can be argued that insufficient weight has been given to the statutory purpose, or to put it another way the vulnerability of the statutory purpose to this proposed development may have been under played. A combination of the extent and long duration of the construction phase, the scale of the operational scheme, and its in-combination effect with the existing power stations, all within a narrow neck of the AONB presents a risk that this part of the AONB will no longer be contributing to the statutory purpose. We have no 'additional measures' to add but anticipate that the examination process will give appropriate (i.e. significant) weight to the statutory purpose.
LI.1.3	The Applicant, ESC, SCC, Natural England	**AONB and Heritage Coast** In their RR [RR-1170], the Suffolk Coast and Heaths AONB Partnership state that the linking of the AONB designation to the Heritage Coast in various places throughout the ES is misleading. The AONB Partnership requests that each of the designations should be treated separately and the impacts on the purposes of each of the designations should be undertaken in recognition of each of their defined purposes. Please provide a response to this statement. To ESC, SCC and Natural England – Are you satisfied with the approach adopted by the Applicant in respect of the two designations? If not, please provide detail.
	Response	The AONB Partnership is justified in seeking separate assessments of effects on the AONB (which is the statutory designation with clear legislative and planning policy protections) and the Heritage Coast (which is a non-statutory 'designation' with its own set of purposes). This hasn't been a major issue for NE in considering the scheme as a whole in relation to the AONB's statutory purpose, but we recognise that it could be a hindrance for those, like the AONB Partnership, in looking at individual effects on the AONB and Heritage Coast.

ExQ1	Question to:	Question:
		NE has commented in its Relevant Representations (PINS ref: RR-0878, our ref: 306236, dated 30th Sep 2020) that the proposed development is not compatible with a Heritage Coast 'designation' which is applied to stretches of largely undeveloped coastline. Whilst some residential or marine related development may be present a Heritage Coast would not be expected to feature a line up of three nuclear power stations. We understand that the applicant does not accept this.
LI.1.4	ESC, SCC, Natural England and AONB Partnership	**Baseline Photographs and Visualisations** Are you satisfied with the presentation of baseline photographs and visualisations prepared for the Proposed Development, including the Associated Development Sites?
	Response	Yes, in relation to our considering the scale and appearance of the scheme in relation to the area's statutory purpose. We defer to the local authorities and AONB Partnership as to whether the baseline photographs and other visuals are adequate in relation to the assessment of individual landscape effects.
LI.1.5	ESC, SCC, Natural England and AONB Partnership	**Night-Time Assessment of Lighting** No specific guidance exists on which to base a night-time assessment of lighting on landscape and visual receptors. Are you satisfied with the approach adopted by the Applicant?
	Response	NE has not been able to assess lighting issues in any detail in relation to the AONB and its statutory purpose. We recognise of course that lighting will form part of the raft of construction phase effects impacting on the AONB.
LI.1.6	The Applicant	**Landscape and Visual Impact Assessment (LVIA)** Did the LVIA for both the Main Development Site and Associated Development Sites include an assessment of sequential views, for instance relating to users of public right of way networks?
	Response	
LI.1.7	SCC	**Mitigation and Offsetting** Please provide additional detail in respect of concerns raised in [RR-1174] regarding inadequate proposals for mitigating and offsetting landscape impacts both within and beyond the AONB.

ExQ1	Question to:	Question:
	Response	
LI.1.8	The Applicant	**Outline Landscape and Ecological Management Plans – Ecological Steering Group** Which stakeholders would be involved in the proposed Ecological Steering Group [APP-588]? The Steering Group is proposed to advise on the management measures to be specified within the LEMP. The establishment of such a group is not proposed for the Two Village Bypass oLEMP [AS-263] or the Sizewell Link Road oLEMP [AS-264]. Please confirm why not? How are management measures within the two additional LEMPs to be advised upon?
	Response	
LI.1.9	The Applicant	**Associated Development Design Principles** Please confirm how the Associated Development Design Principles are to be secured in the DCO?
	Response	
LI.1.10	The Applicant	**Associated Development Design Principles – Gas Mitigation Measures** Please confirm what gas mitigation measures are, as referred to in 'Building Design Principles' in respect of the proposed Northern Park and Ride, Southern Park and Ride and Freight Management Facility in [APP-589].
	Response	
LI.1.11	The Applicant	**Sizewell B Infall and Outfall Structures** Please confirm the distance of the Sizewell B infall and outfall structures from MHWM.
	Response	
LI.1.12	SCC	**Detailed Design** Noting comments made in [RR-1174] please expand on what additional control SCC considers necessary in respect of detailed design issues within the DCO requirements?
	Response	

ExQ1	Question to:	Question:
Main Development Site (MDS)		
LI.1.13	The Applicant	**Landscape and Visual Impact Assessment (LVIA)** Please confirm whether findings from the noise and vibration assessments have been included as a source of data for the LVIA? If not, please explain why.
	Response	
LI.1.14	The Applicant	**Proposed Landscape Masterplan** Please confirm how the proposed Landscape Masterplan [AS-117] is to be secured?
	Response	
LI.1.15	ESC, SCC, Natural England, AONB Partnership	**Outline Landscape and Ecological Management Plan (oLEMP)** The overarching objective of the oLEMP [APP-588] is to create a large area of Dry Sandlings Grassland bordered by native woodland and scattered trees/scrub. Alongside of the proposed increase in biodiversity value, the oLEMP considers that the new habitats would enhance the landscape character of the Estate Sandlands LCT. Are you satisfied, once established, that the LCT would be enhanced?
	Response	We defer on the specific point regarding this LCT to the AONB Partnership and the local authorities. We however, make a wider and important point about the OLEMP in our response to question LI 1.99.
LI.1.16	ESC, SCC, Natural England, AONB Partnership	**Pillbox Field - Planting** Would the one hectare of new woodland and woodland edge planting proposed within Pillbox Field provide adequate replacement planting for the loss of Coronation Wood? In addition, would the planting successfully provide enhanced visual screening of the power station infrastructure from Sizewell Gap and Sandy Lane?
	Response	We defer on this point to the AONB Partnership and local authorities.
LI.1.17	The Applicant	**Pillbox Field – Soil Conditions** In their consultation response to the proposed changes [AS-307], ESC commented that the potential problems of establishing trees on light sandy soils has recently been agreed

ExQ1	Question to:	Question:
		in respect of the 2019 Town and Country Planning Act consent. Please provide a summary of how this issue is to be addressed.
	Response	
LI.1.18	The Applicant	**Sizewell B Relocated Facilities - Planting** Please comment on Suffolk Preservation Society [AS-307] request for additional levels of planting within the car park and at the boundaries of the western access road to soften potential industrialising effects in the landscape.
	Response	
LI.1.19	The Applicant	**Sizewell B Relocated Facilities – Coronation Wood** Please provide a response to the concerns raised by the Suffolk Preservation Society [AS-307] that the loss of Coronation Wood to accommodate Sizewell B relocated facilities has not been adequately mitigated. Please review as to whether the proposed planting would be sufficient to screen, soften and/or provide filtered views of the facilities.
	Response	
LI.1.20	The Applicant	**Sizewell B Relocated Facilities – Parameters** Where possible please confirm maximum height of the following infrastructure: i) Outage Store ii) Training Centre iii) Visitor Centre iv) Administrative Building
	Response	
LI.1.21	The Applicant	**Design** A significant proportion of the proposed design of the MDS is a replica of the Hinkley Point C site. In [RR-1170] the AONB Partnership raises concern that this is not appropriate as the Hinkley Point C design fails to recognise the siting within a nationally designated landscape. Please provide a response.

ExQ1	Question to:	Question:
	Response	
LI.1.22	The Applicant	**Photomontages/Wireframes** In respect of construction impacts, the AONB Partnership does not consider the visualisations submitted are fit for purpose [RR-1170]. In addition, they also consider similar visualisations as provided for the Wylfa project would be more useful. Please respond and explain how the Wylfa visualisations differ to those submitted? How would the production of material similar to that provided for the Wylfa project assist the ExA?
	Response	
LI.1.23	AONB Partnership	**Photomontages/Wireframes** Please expand on why you consider the submitted visualisations are not fit for purpose in respect of construction impacts, as detailed in [RR-1170]. Please also confirm how the production of material similar to that provided for the Wylfa project would assist the ExA? Are you satisfied in respect of operational visualisations?
	Response	
LI.1.24	The Applicant	**Photowire Visualisations** Please provide operational phase photowire visualisations for the existing view, year 1 and year 15 for the following: • Viewpoint 10: Suffolk Coast Path and Sandlings Walk east of Hill Wood • Viewpoint 26: 1800m directly east of Sizewell power stations Please confirm whether, given the proposed changes, it is also necessary to update the following photowire visualisations in [APP-219]? If not, please detail why. • Viewpoint 5: Footpath south of Leiston Abbey • Viewpoint 6: Suffolk Coast Path east of Goose Hill • Viewpoint 8: Footpath north of Leiston Abbey • Viewpoint 9: Sizewell Gap south of Greater Gabbard sub-station • Viewpoint 14: Suffolk Coast Path at Minsmere Sluice • Viewpoint 17: National Trust Dunwich Coastguard Cottages car park

ExQ1	Question to:	Question:
	Response	
LI.1.25	The Applicant	**Photomontages – Construction Lighting** Please provide visualisations for the worst-case scenario in respect of construction lighting (to show infrastructure up to and including exceptional height parameters) for the following: • Viewpoint 5: Footpath south of Leiston Abbey • Viewpoint 6: Suffolk Coast Path east of Goose Hill • Viewpoint 8: Footpath north of Leiston Abbey • Viewpoint 9: Sizewell Gap south of Greater Gabbard sub-station • Viewpoint 10: Suffolk Coast Path and Sandlings Walk east of Hill Wood • Viewpoint 14: Suffolk Coast Path at Minsmere Sluice • Viewpoint 16: RSPB Minsmere (Whin Hill) • Viewpoint 17: National Trust Dunwich Coastguard Cottages car park • Viewpoint 26: 1800m directly east of Sizewell power stations
	Response	
LI.1.26	The Applicant	**Landscape and Visual Impact Assessment – Night-time** The AONB Partnership do not consider the night-time impacts of the proposal have been appropriately assessed against the AONB criteria [RR-1170]. Please provide a response to this and confirm whether, considering the comments made, it is necessary to amend the night-time assessment?
LI.1.27	ESC	**Operational Effects – AONB** At paragraph 1.54 of [RR-0342], the findings in respect of operation effects on the AONB and Heritage Coast are stated as being a 'highly dubious and unsatisfactory conclusion'. Please expand upon the reasoning behind this conclusion.
	Response	
LI.1.28	The Applicant	**General Arrangement Plan**

ExQ1	Question to:	Question:
		Please explain why the building numbering on Figure 2.2 of [APP-183] is different to the building numbering on Figures contained with the Part 2 of the Main Development Site Design and Access Statement [APP-586].
	Response	
LI.1.29	The Applicant	**Turbine Halls and Operational Service Centre (OSC)** Please provide additional visual information confirming how the plinth storeys to the turbine halls and OSC would appear.
	Response	
LI.1.30	The Applicant	**Main Access Building – Design** Noting the comments made in [RR-0342] and the proposed location of the main access building, what consideration been given to a more innovative design?
	Response	
LI.1.31	The Applicant	**Design Council Review – Operational Service Centre (OSC)** The Design Council, in their November 2019 correspondence, (Appendix B [APP-587]) stated 'The design of the OSC appears to address the wider site considerations of the AONB at the expense of the staff within the proposed building the site layout of the worker's accommodation does not appear to have been designed with the users in mind'. Please provide a response, confirming how the proposed design has considered the needs of users.
	Response	
LI.1.32	The Applicant	**Design Council Review - Cladding** In their 2019 review the Design Council (Appendix B [APP-587]) commented that consideration should be given to the proposed colour of the panels in respect of the sky rather than the earth. Furthermore, the proposed colour palette was stated as limited as reference is only from Autumnal colours. Please provide a response to these points. The Design Council also suggested that a large-scale mock-up of the proposed cladding panels may be beneficial to further assess how the façade would work. Has any

ExQ1	Question to:	Question:
		consideration been given to such an exercise? Please confirm whether this would be feasible.
	Response	
LI.1.33	The Applicant	**Cladding Colour Assessment** The cladding colour assessment was undertaken over a two-day period. In which season was the assessment was undertaken? Please confirm how seasonal variations, in respect of weather conditions and lighting, were taken into consideration?
	Response	
LI.1.34	The Applicant	**Cladding Selection** Has a final design been made in regard of which pressed panel profile variant is to be utilised, as detailed at Figure 7.28 of [APP-586]?
	Response	
LI.1.35	ESC, SCC, AONB Partnership, Natural England	**Ancillary and Plant Buildings** The ancillary and plant buildings are likely to be clad with profiled sheet metal. It is proposed that they would have a consistent façade treatment which is likely to comprise a darker, visually recessive colour. Are you satisfied that the use of a darker finish would allow the ancillary and plant buildings to appear grounded within the wider operational platform?
	Response	We defer on this point to the AONB Partnership and local authorities.
LI.1.36	The Applicant	**Accommodation Campus** In their 2019 review the Design Council (Appendix B [APP-587]) commented that the design of proposed accommodation campus is 'largely constraints-driven, suboptimal in terms of its use of land and does not create a welcoming sense of place. The proposal also

ExQ1	Question to:	Question:
		seems to prioritise car movements and car parking within the site, and is constrained by sightline and key views, potentially to the detriment of the quality of life on the site'. Please respond to this statement confirming how the comments made have been taken into consideration in the proposed design.
	Response	
LI.1.37	The Applicant	**Accommodation Campus – Materials Palette** Paragraph A.30.6 [APP-587] states that the materials palette will not be fixed at this stage of the design process. However, specific colour palettes and illustrative elevations and perspectives depicting the palette of colours are shown in figures A.39-A.44 [APP-587]. Please confirm if the detailed colour palette is fixed?
	Response	
LI.1.38	The Applicant	**Accommodation Campus – Materials Palette** Please respond to the statement made by ESC [RR-0342] regarding how the local vernacular would lend itself to a modular form of construction.
	Response	
LI.1.39	The Applicant	**Accommodation Campus – Modular Design** Please respond to the statement made by ESC [RR-0342] regarding the need to ensure the design of the accommodation campus avoids a stacked portacabin effect.
	Response	
LI.1.40	ESC, SCC, AONB Partnership, Natural England	**Accommodation Campus – Massing Model and Photomontage/Wireframe Visualisations** Following the Procedural Decision letter in December 2020 [PD-0009] the Applicant has supplied an annotated 3D massing model and photomontage/wireframe visualisations from three viewpoints in respect of the accommodation campus. Please review the additional information and provide any comment considered necessary.

ExQ1	Question to:	Question:
	Response	We have not had an opportunity to review this material. Nonetheless, and considering the future delivery of the statutory purpose, this part of the development by itself would constitute major development immediately abutting the AONB and therefore impacting on its statutory purpose. It will form part of construction phase changes right across this part of the AONB from the shoreline to its inland boundary and setting.
LI.1.41	ESC, SCC, Natural England, AONB Partnership	**Accommodation Campus – Key Design Principles** Alongside of the relevant parameter plans, the Key Design Principles listed at Table A.1 [APP-587] provides the detail for the delivery of the proposed accommodation campus. Are you satisfied that Table A.1, as drafted, is sufficiently robust and precise?
	Response	We defer on this point to the AONB Partnership and local authorities.
LI.1.42	ESC, SCC, Natural England, AONB Partnership	**Accommodation Campus – AONB** In respect of the location of the proposed accommodation campus, please provide a detailed response regarding potential effects on the statutory purpose of the AONB.
	Response	In terms of the actual effects of this part of the scheme on the AONB we defer to the AONB Partnership and local authorities. We would however: • Emphasise that national planning policy is clear that development within the setting of an AONB can impact on the designated area itself. • Refer back to our answer to question LI 1.40 and the contribution that this element of the scheme makes to construction phase activities which span the width of the AONB from shoreline to the land which constitutes its 'setting'.
LI.1.43	Yoxford Parish Council	**Accommodation Campus – Scale** Please provide additional information as to why it is considered that the proposed accommodation campus would not provide enough accommodation [RR-1277].
	Response	
LI.1.44	The Applicant	**Accommodation Campus – Refuse Stores** Paragraph A.33.1[APP-587] refers to the location of dedicated refuse stores on Figure A.17. Please confirm where on Figure A.17 the refuse stores are depicted? Should the reference be to Figure A.25? Please also clarify which figure also shows the larger refuse

ExQ1	Question to:	Question:
		store as stated in paragraph A.33.2 [APP-587]. Please make any amendments as necessary.
	Response	
LI.1.45	The Applicant	**Outage Car Park** SCC consider that the staff car parking and outage car parking at Goose Hill represents additional development within the AONB for which there is no overriding need in the proposed location ([RR-1174] and [AS-307]). What consideration has been given to less sensitive locations, including the shared use of the Sizewell B outage car park?
	Response	
LI.1.46	The Applicant	**SSSI Crossing – Design (Change 6)** The MDS Flood Risk Assessment Addendum [AS-157] states that by 2090 the maximum crest height of the SSSI crossing is likely to need to be increased to 10.5m AOD. Noting the comments made by SCC in [AS-307], please explain why no further change is proposed in respect of the height of the crossing to mitigate against future flood overtopping? What consideration has been given to any future disturbance in respect of established landscaping on the embankments if an increase in height is required in the future?
	Response	
LI.1.47	ESC, SCC, AONB Partnership, Natural England	**SSSI Crossing – Assessment (Change 6)** Would the changes made to the embankment slopes on the SSSI crossing [AS-181] better integrate the crossing into the landscape from coastal viewpoints? Are you satisfied that because of the change, the level of significance of effects during the operational phase would remain as stated in [APP-216]?
	Response	We defer on this point to the AONB Partnership and local authorities.

ExQ1	Question to:	Question:
LI.1.48	AONB Partnership	**Alison Farmer Associates Report** Please provide a copy of the Alison Farmer Associates report as referred to in your response to the proposed project changes [AS-307].
	Response	
LI.1.49	The Applicant	**Independent Environmental Trust** In respect of the proposed independent Environmental Trust, please provide further detail on the following areas: i) Governance and Implementation ii) Financing iii) Membership Would the Trust form part of any mitigation for the proposed development?
	Response	
LI.1.50	SCC	**Pylons – Underground Cabling Options** In respect of the proposed changes Richard Smith, Suffolk County Councillor for the Blything Division refers to a report [AS-307] produced by SCC which examines underground cabling options. Please provide a copy of the report and any responses received from the Applicant regarding it.
	Response	
LI.1.51	The Applicant	**Pylons – Alternatives and Impact** The change to both the location of pylon parameter zone P3 and reduction in height of the southernmost pylon from 79m AOD to 59m AOD is noted. Nonetheless, concern has been raised by several IPs, including [RR-0877, RR-0878, RR-1170, RR-1174], regarding the impact within a sensitive landscape and whether all alternatives to pylons have been adequately discounted. Noting the comment made at paragraph 3.2.82 of Appendix 8.4A [APP-591] please confirm the outcome of any further assessment regarding undergrounding options. Please also confirm what consideration has been given to the use of Gas Insulated Lines.

ExQ1	Question to:	Question:
	Response	
LI.1.52	SCC	**Pylons – Mitigation** In respect of the use of pylons, please confirm what a 'significant compensation package' would consist of, as detailed in paragraph 86 of [RR-1174].
	Response	
LI.1.53	The Applicant	**Interim Spent Fuel Store (ISFS)** In their review the Design Council stated that they 'strongly recommend the inclusion of the dry fuel store as a detailed component of the DCO application given its key role' [APP-587]. Whilst parameters of the ISFS are detailed within [AS-202], please comment on why detailed design of the ISFS is to be submitted to and approved by the relevant local planning authority before construction commences.
	Response	
LI.1.54	The Applicant	**Changes to Proposed Development – AONB Characteristics** The AONB Partnership [AS-307] state a specific detailed assessment of the potential change impacts in relation to the statutory purpose of the AONB has not been undertaken. Please advise if such an assessment has been undertaken and signpost to its location.
	Response	
LI.1.55	The Applicant	**Enhanced Beach Landing Facility (BLF) – Assessment (Change 2)** Has the operational assessment considered the visual impact of additional moored and moving vessels due to the enhanced BLF?
	Response	
LI.1.56	The Applicant	**Temporary Beach Landing Facility (BLF) – Visual Receptor Group 20 (Change 2)**

ExQ1	Question to:	Question:
		In respect of Visual Receptor Group 20 – Sizewell to Thorpeness Coast, at what distance would effects become moderate (not significant) and adverse further south of the temporary BLF?
	Response	
LI.1.57	The Applicant	**Enhanced and Temporary Beach Landing Facilities (BLF) – Lighting (Change 2)** How often would the enhanced permanent and temporary BLF be used at night-time? Please signpost to detail of the required navigation lighting for both the enhanced and temporary BLF.
	Response	
LI.1.58	ESC, SCC, MMO, Natural England and AONB Partnership	**Temporary Beach Landing Facility – Assessment (Change 2)** Are you satisfied with the findings of effects relating to the temporary BLF detailed in section 2.8 [AS-181] as compared to the judgements in [APP-216]?
	Response	We defer on this point to the AONB Partnership and local authorities.
LI.1.59	The Applicant	**Lighting Management Plan** Due to proposed Changes 1, 2 and 3 Natural England have commented [AS-307] that the Lighting Management Plan [APP-182] should be reviewed. Please confirm as to whether this is considered necessary. If not, please explain why.
	Response	
LI.1.60	The Applicant	**Coastal Defences – Supporting Vegetation (Change 9)** Please confirm what measures are proposed to ensure the safeguarding of the sand and shingle supporting coastal vegetation.
	Response	
LI.1.61	The Applicant	**Coastal Defences – Landscaping/Vegetation (Change 9)** Please confirm how long it is likely to take for the proposed landscaping/vegetation on the HCDF to mature to reflect the visualisation provided at Figure 2.2.24 [AS-190]?
	Response	

ExQ1	Question to:	Question:
LI.1.62	The Applicant	**Coastal Defences – Northern Mound (Change 9)** Please confirm how long it is likely to take for vegetation to become established on the top of the substrate on the rock armour on the Northern Mound? Also, how long will it take for the Northern Mound profile to match the profile of the existing Sizewell B defences?
	Response	
LI.1.63	The Applicant	**Coastal Defences – Adaptive Design (Change 9)** In respect of the adaptive design, paragraph 2.8.110 [AS-181] states that substantial uncertainties exist regarding the characteristics of future baseline conditions so the exact nature and significance of effects cannot be accurately reported. Is it possible to apply a range of possible worst-case scenarios to enable the significance of effects to be considered?
	Response	
LI.1.64	The Applicant	**Additional Fen Meadow Habitat at Pakenham (Change 11)** Please confirm the following: (i) The distance of the residential dwellings off Fen Road and Thurston Road (Old Hall) from the Pakenham site? (ii) Is lighting required during the construction phase? If so, has this been included within the assessment? (iii) What is the proposed length of establishment works?
	Response	
LI.1.65	The Applicant	**New Bridleway Link between Aldhurst Farm and Kenton Hills (Change 15)** How much hedgerow vegetation would be lost due to the new bridleway link and how much mitigation hedgerow planting is proposed? Please annotate on a plan.
	Response	
LI.1.66	The Applicant	**Change to Certain Parameter Heights and Activities – Pylon Parameter Zones**

ExQ1	Question to:	Question:
		(Change 4) Please confirm from which locations visibility of the southernmost pylon would be reduced? Please annotate on a plan.
	Response	
LI.1.67	The Applicant	**Change to Certain Parameter Heights and Activities – Bat Barn (Change 4)** Paragraphs 2.2.114 and 2.11.26 [AS-181] and Figure 2.2.1 [AS-190] refer to a new operational parameter zone 1G for a proposed bat barn. Figure 2.2.1 [AS-190] depicts zone 1K. Please confirm the correct zone reference. If necessary, please update plans and documentation accordingly.
	Response	
LI.1.68	ESC, SCC, Natural England, AONB Partnership	**Mitigation** What, if any, further mitigation is considered necessary in relation to the MDS? If necessary, how do you consider such measures should be secured?
	Response	We defer on this point to the AONB Partnership and local authorities. We would however, make a general point that it is for the applicant to identify all practicable mitigation measures for a very large and complex site and scheme such as this. Only they have the engineering, site and project management and related skills to advise what is achievable.
Freight Management Facility (FMF)		
LI.1.69	The Applicant	**Draft DCO** Work No. 13 as described in Schedule 1 [AS-145] states '(c) landscape works; including the provision of ecological habitat, hardstanding, and vehicle, motorcycle and bicycle parking areas;'. Please confirm where within the proposed FMF is the provision of ecological habitat? If the ecological habitat is no longer proposed, please update Work No. 13 in the next version of the draft DCO.
	Response	

ExQ1	Question to:	Question:
LI.1.70	The Applicant	**Parameter Plan** Parameter Plan Figure 2.6 [APP-513] states that Zone 1A is to include: ○ amenity and welfare building up to 4m ○ security building up to 4m ○ shelters (smoking and cycle) up to 3m ○ HGV screen and search canopy up to 6m These parameters are also reflected at Table 2.1 [APP-511]. However, the Freight Management Facility Proposed General Arrangement Plan (Drawing SZC-SZ0204-FP-000-DRW-100026 Rev 01) [APP-512] states different heights for the amenity and welfare building and security building. The height of the HGV screen and search lane is not stated. Please confirm the correct heights of all buildings within Zone 1A. Please update all relevant documents to reflect any amendments made.
	Response	
LI.1.71	The Applicant	**Landscape Bund** The proposed 3m high landscape bund does not run the whole length of the eastern boundary (Figure 2.1 [APP-513]). (i) Please confirm if this is due to the location of the unlined infiltration swale on the southern/eastern boundary? (ii) If so, please confirm whether it would be possible to reorientate the swale to enable the bund to extend the full length of the eastern boundary? Would such a change make any difference to the assessment findings? (iii) Where necessary, please update all relevant documents to reflect any amendments made.
	Response	
LI.1.72	The Applicant	**Representative Viewpoint 1: Junction of Bridleways E-365/007/0 and E-365/006/0** Please provide a wireframe for Figure 6.5 [APP-522] with mature planting in-situ.

ExQ1	Question to:	Question:
	Response	
LI.1.73	The Applicant, ESC, SCC	**Representative Viewpoint 3: Footpath E-169/017/0** In respect of Figure 6.7 [APP-522] construction and removal/reinstatement effects would be of medium scale and adverse. During operation, fencing, parking areas, lighting columns, site buildings, shelters, the screen and search canopy and vehicle movements would be visible. It is accepted that such views would be seen in conjunction with traffic movement along the A14. Despite the FMF remaining a prominent feature, it is stated that once planting begins to mature effects would be reduced to small scale. (i) Is the reduction in scale of effect solely due to the increased height of the planting? (ii) Whilst accepting that the lower elements of the development would be screened, several structures and buildings would remain visible above the landscaping. The Applicant is therefore requested to review the assessment made in respect of Figure 6.7 and provide comment. Are the Councils satisfied that effects would reduce from medium scale to small scale as the proposed planting matures at this viewpoint?
	Response	
LI.1.74	The Applicant	**Lighting** Please explain why only lighting along the perimeter of the FMF is to be fitted with demountable light shields to reduce the backward spill of light? Why is it not necessary for all lighting columns on the FMF to be fitted with such shields?
	Response	
LI.1.75	The Applicant	**Lighting** What, if any, is the predicted level of light spill anticipated to occur beyond the site boundary of the FMF?
	Response	
LI.1.76	ESC, SCC	**Lighting**

ExQ1	Question to:	Question:
		Are you satisfied that the effects of the operational night-time lighting from the FMF would be not significant for the LCTs and identified Visual Receptor Groups [APP-520]? In answering please be specific in respect of location if any concern exists.
	Response	
LI.1.77	The Applicant	**Primary Mitigation – Landscaped Buffer Zone** Please provide additional information in respect of the proposed landscaped buffer zone. Please provide detail of: i) Proposed species ii) Proposed height of planting at year 1 and year 10
	Response	
LI.1.78	The Applicant	**Landscape Character Types** Please confirm how the design of the proposed FMF complies with the landscape management guidelines contained within the Guidance Note which supports the Suffolk Landscape Character Assessment (Paragraph 6.6.15 of [APP-520]). Please respond in respect of both the Estate Sandlands and Plateau Estate Farmlands LCT.
	Response	
LI.1.79	ESC, SCC	**Landscaping** Would the retention of the existing boundary vegetation, the implementation of a 10m buffer zone and three landscape bunds be effective in adding a visual screen and therefore contain the FMF from the adjoining agricultural landscape [APP-520]? In answering please be specific in respect of location if any concern exists.
	Response	
LI.1.80	ESC, SCC, Natural England	**Mitigation** What, if any, further mitigation is considered necessary in relation to the FMF? If necessary, how do you consider such measures should be secured?

ExQ1	Question to:	Question:
	Response	NE is only able to provide 'landscape' advice with regard to the AONB and its statutory purpose. We therefore defer on this point to the local authorities.
Sizewell Link Road (SLR)		
LI.1.81	The Applicant	**Description Figure** Figure 2.1 is referred to in paragraph 2.2.5 [APP-446] but is not found in [APP-449] which is said to be the suite of Figures 2.1-2.11. Please confirm the location of Figure 2.1 or if found to be missing, please supply a copy.
	Response	
LI.1.82	The Applicant	**Outline Landscape and Ecological Management Plan (oLEMP)** Please provide higher resolution versions of Plates 4.1 to 4.7 [AS-264].
	Response	
LI.1.83	ESC, SCC, Natural England	**Outline Landscape and Ecological Management Plan (oLEMP)** In respect of the proposed oLEMP [AS-264], please comment on the following: (i) Would the proposed measures and monitoring within the oLEMP ensure post-construction habitats would be created correctly and provide adequate management to allow the successful establishment and integration within the surrounding landscape? (ii) Would the proposed new habitats contribute to the enhancement of the landscape character of this section of the Ancient Estate Claylands and Rolling Estate Claylands LCT? (iii) Would the new habitats help to minimise any visual impact of the SLR in views from the surrounding landscape and ensure the long-term sustainability and resilience of the landscape?
	Response	We defer on the specific point regarding this LCT to the local authorities. We however, make a wider and important point about the OLEMP in our response to question LI 1.99.
LI.1.84	The Applicant	**Outline Landscape and Ecological Management Plan (oLEMP)** Please provide a detailed plan to illustrate the extent of the proposed additional native woodland to be created east of the East Suffolk line.

ExQ1	Question to:	Question:
	Response	
LI.1.85	The Applicant	**AONB Statutory Purpose** Paragraph 6.4.46 [APP-457] states that no effects on the AONB and its special qualities are predicted and as such, the AONB is not considered within the assessments of effects. The RR received from the Suffolk Coast and Heaths AONB Partnership [RR-1170] states that the introduction of the SLR would bring development into the AONB that would not conform with its statutory purpose and would also permanently split the AONB and negatively impact on the setting of the AONB. Please provide a response.
	Response	
LI.1.86	The Applicant	**Rosetta Lodge** Red House Farm and Rosetta Lodge are both referred to in the Community Impact Report [APP-156] as having the potential to be significantly affected by the proposed SLR. In [APP-446] the new three arm roundabout required for the SLR is described as approximately 180m north of Red House Farm. Please confirm: (i) Is Rosetta Lodge a residential property? (ii) How close is it to the three-arm roundabout to Rosetta Lodge? (iii) Has this property been included within the assessment? If not, please explain why not.
	Response	
LI.1.87	The Applicant	**Planting** Tree and shrub planting is proposed in Area 1 around the roundabout at the junction with the A12. Figure 2.2 [APP-449] depicts a grassed area with proposed hedgerow planting. Is tree planting also proposed in this area? If necessary, please update Figure 2.2.
	Response	

ExQ1	Question to:	Question:
LI.1.88	ESC, SCC	**Lighting** In respect of night-time lighting effects, Receptor Group 1 would experience a significant effect [APP-458]. As such effects would be permanent are any mitigation measures necessary?
	Response	
LI.1.89	ESC, SCC, Natural England	**Lighting and Special Landscape Area (SLA)** Are you satisfied that effects from the proposed lighting around the A12 roundabout is unlikely to be experienced within the SLA (Appendix 6B, paragraph 1.4.31 [APP-458])? If not, please provide detail.
	Response	We defer on this point to the local authorities.
LI.1.90	ESC	**Layout** Please can you expand on the statement made at paragraph 2.102 [RR-0342] in respect of potential adverse impacts on settings and views from existing properties due to layout issues. Where necessary please provide annotated plans to show specific locations.
	Response	
LI.1.91	The Applicant	**Photowire Visualisations** Please provide additional photowire visualisations for the following: i) Representative Viewpoint 2: Footpath E-515/004/0, west of Theberton ii) Representative Viewpoint 3: Pretty Road, west of route iii) Representative Viewpoint 6: Footpath E-396/023/0 near Trust Farm iv) Representative Viewpoint 7: Littlemoor Road v) Representative Viewpoint 8: Footpath E-584/016/a, south of route
	Response	
LI.1.92	The Applicant	**Planting** Please explain how woodland planting east of the proposed SLR would assist in integrating the Pretty Road overbridge into the surrounding landscape?

ExQ1	Question to:	Question:
	Response	
LI.1.93	The Applicant	**Pretty Road Overbridge** Please provide an illustrative example of the proposed Pretty Road overbridge.
	Response	
LI.1.94	The Applicant	**Pretty Road Overbridge – Operation Effects** Permanent residual significant effects, once the proposed planting has become established by year 15 of operation, have been identified in the vicinity of the proposed Pretty Road overbridge. Such effects would also be experienced by the users of the nearby public footpaths. Given the orientation of the bridge and the associated earthworks, it is noted that it would not be possible to successfully implement mitigation planting that would screen the structure from view (Paragraph 6.7.2 [APP-457]). The bridge would be widely visible from Theberton, surrounding residential properties and footpaths in the locality. What consideration has been given to alternative, potentially more innovative, design options?
	Response	
LI.1.95	The Applicant	**Receptor Group 1 – Operation Effects** By year 15 of operation, effects are stated as not significant for this receptor group 1 (Paragraph 6.6.4 [APP-457]). It is however noted that whilst the proposed hedgerows and planting would have matured, the highest points of the road and traffic travelling on it would remain visible and users of the diverted public footpaths would still be required to cross it. Furthermore, the A12 roundabout would introduce a focused area of artificial lighting into a predominately unlit area. Please provide additional detail to support the 'not significant' assessment finding for this receptor group.
	Response	

ExQ1	Question to:	Question:
LI.1.96	SCC	**Design and Mitigation** Paragraph 42 [RR-1174] states that if the ExA was to disagree with SCC and conclude that the SLR should be retained then satisfactory detailed designs with suitable landscape mitigation would be required. Please provide detail as to what would be considered appropriate in respect of landscape design and mitigation.
	Response	
LI.1.97	The Applicant	**Landscape Character Types** Please confirm how the design of the proposed SLR complies with the landscape management guidelines contained within the Guidance Note which supports the Suffolk Landscape Character Assessment (Paragraphs 6.6.18 and 6.6.25 of [APP-457]). Please respond in respect of both the Estate Sandlands and Plateau Estate Farmlands LCT.
	Response	
LI.1.98	ESC, SCC, Natural England	**Mitigation** What, if any, further mitigation is considered necessary in relation to the SLR? If necessary, how do you consider such measures should be secured?
	Response	We have highlighted the risk of this road within the setting of the AONB presenting as other than a rural road if a significant amount of standard kerbing, lighting and signage introduce 'suburbanising' features into this area. The DCO should include a detailed design which minimises these elements.
Two Village Bypass (TVB)		
LI.1.99	ESC, SCC, Natural England	**Outline Landscape and Ecological Management Plan (oLEMP)** In respect of the proposed oLEMP [AS-263], please provide comment on the following: (i) Would the proposed measures and monitoring within the oLEMP ensure post-construction habitats would be created correctly and provide adequate management to allow the successful establishment and integration within the surrounding landscape?

ExQ1	Question to:	Question:
		(ii) Would the proposed new habitats contribute to the enhancement of the landscape character of this section of the Rolling Estate Claylands, Rolling Estate Sandlands and Valley Meadowlands LCT? (iii) Would the new habitats help to minimise any visual impact of the TVBP in views from the surrounding landscape and ensure the long-term sustainability and resilience of the landscape?
	Response	We defer on this point to the AONB Partnership and local authorities. We believe however that the oLEMP deserves to be scrutinised to ensure that its full potential to help mitigate for the effect of the power station can be realised. There are limits to which this development's impact of the statutory purpose of the AONB can be mitigated by design measures and screening. Therefore, the capacity of the oLEMP to deliver landscape enhancements which might provide a degree of 'counterbalance' to the remaining significant effects of the operational power station is, we believe, an important consideration. We advise that this also applies to new habitat provisions within the Natural Environment Fund.
LI.1.100	The Applicant	**Outline Landscape and Ecological Management Plan (oLEMP)** Please define 'in the vicinity of' in respect of the proposed creation of native planting near Foxburrow Wood [AS-263].
	Response	
LI.1.101	The Applicant	**Outline Landscape and Ecological Management Plan (oLEMP)** Please provide a detailed plan to illustrate the extent of the proposed reinforcement and expansion of existing linear wooded corridors and new corridors [AS-263].
	Response	
LI.1.102	The Applicant	**Outline Landscape and Ecological Management Plan (oLEMP)** Please provide detail as to how the new broadleaved woodland planting would link with existing areas of woodland within the site [AS-263].
	Response	
LI.1.103	The Applicant	**Outline Landscape and Ecological Management Plan (oLEMP)** Please provide a high-resolution version of Plate 4.1 [AS-263].
	Response	

ExQ1	Question to:	Question:
LI.1.104	The Applicant	**Foxburrow Footbridge Design** The RSPB and Suffolk Wildlife Trust have stated their disappointment [AS-307] in respect of the design of the footbridge. Please respond to this and confirm whether, given the likely significance effects during the early years of operation, consideration has been given to an alternative bridge design?
	Response	
LI.1.105	The Applicant	**Landscape Character Types** Please confirm how the design of the proposed TVB complies with the landscape management guidelines contained within the Guidance Note which supports the Suffolk Landscape Character Assessment (Paragraphs 6.6.18, 6.6.25 and 6.6.32) of [APP-421]). Please respond in respect of the Rolling Estate Sandlands, Valley Meadowlands and Rolling Estate Claylands LCT.
	Response	
LI.1.106	ESC, SCC, Natural England	**Mitigation** What, if any, further mitigation over and above that detailed in Section 6.5 [APP-421] is considered necessary in relation to the TVBP? If necessary, how do you consider such measures should be secured?
	Response	NE is only able to provide 'landscape' advice regarding the AONB and its statutory purpose. We therefore defer on this point to the local authorities.
LI.1.107	The Applicant	**Photowire Visualisations** Please provide additional photowire visualisations for the following: vi) Representative Viewpoint 1: A12 north of junction with A1094 vii) Representative Viewpoint 6: Tinker Brook near access to Glemham Park viii) Representative Viewpoint 7: A12 north west of route
	Response	
Northern Park and Ride (NPR)		

ExQ1	Question to:	Question:
LI.1.108	The Applicant	**Lighting** Darsham Parish Council has confirmed that the village is a dedicated dark sky village and home to the Darsham And Surrounding Villages Astronomical Society [AS-307]. Given that the village is visited by an astronomical society, please confirm why a 'community value' in respect of sensitivity has been allocated to this landscape character type? Please review and confirm whether a 'local value' sensitivity would be more appropriate. What, if any, implications would this have on the assessment undertaken?
	Response	
LI.1.109	The Applicant	**Lighting** What, if any, is the predicted level of light spill anticipated to occur beyond the site boundary of the NPR?
	Response	
LI.1.110	The Applicant	**Landscape Character Types** Please confirm how the design of the proposed NPR complies with the landscape management guidelines contained within the Guidance Note which supports the Suffolk Landscape Character Assessment (Paragraphs 6.6.1-6.6.15 [APP-360]).
	Response	
LI.1.111	ESC, SCC, Natural England	**Mitigation** What, if any, further mitigation is considered necessary in relation to the NPR? If necessary, how do you consider such measures should be secured?
		NE is only able to provide 'landscape' advice regarding the AONB and its statutory purpose. We therefore defer on this point to the local authorities.
Southern Park and Ride (SPR)		
LI.1.112	The Applicant	**Landscape – Legacy**

ExQ1	Question to:	Question:
		Marlesford Parish Council have requested the delivery of a long-term legacy of landscape improvements within/around the site of the SPR [AS-307] and have provided specifics relating to this. Please provide a response.
	Response	
LI.1.113	The Applicant	**Representative Viewpoint 5: Footpath E-178/003/0 Near Bottle and Glass Cottages - Photowire** Please provide a photowire of the proposed development for Representative Viewpoint 5.
	Response	
LI.1.114	The Applicant, Wickham Market Parish Council	**Representative Viewpoint – Wickham Market** Please liaise with Wickham Market Parish Council as to a suitable location for an additional representative viewpoint to be produced from within the Wickham Market locality.
	Response	
LI.1.115	The Applicant	**Dark Skies Area** Both Hatcheson Parish Council and Marlesford Parish Council [AS-307] and [RR-0758] state that the location of the SPR is within a Dark Skies Area. Please confirm what consideration has been given to this?
	Response	
LI.1.116	The Applicant	**Lighting – Light Spill** What, if any, is the predicted level of light spill anticipated to occur beyond the site boundary?
	Response	
LI.1.117	The Applicant	**Lighting – Dark Night Sky** Please respond to the concern raised by Pettistree Parish Council [AS-307] that Pettistree will lose its enjoyment of its present relatively dark night sky.
	Response	
LI.1.118	The Applicant	**Landscape Character Types**

ExQ1	Question to:	Question:
		Please confirm how the design of the proposed SLR complies with the landscape management guidelines contained within the Guidance Note which supports the Suffolk Landscape Character Assessment (Paragraphs 6.6.13 and 6.6.15 of [APP-390]).
	Response	
LI.1.119	The Applicant	**Landscape Bunds** Please provide a detailed plan annotated to confirm the heights of the proposed bunds. Please ensure the plan clearly shows where the bunds are reduced from 3m.
	Response	
LI.1.120	ESC, SCC, Natural England	**Mitigation** What, if any, further mitigation is considered necessary in relation to the SPR? If necessary, how do you consider such measures should be secured?
	Response	NE is only able to provide 'landscape' advice regarding the AONB and its statutory purpose. We therefore defer on this point to the local authorities.
Rail		
LI.1.121	The Applicant	**Photowire Visualisations** Please provide an additional photowire visualisation for Representative Viewpoint 5: Footpath E-363/006/0.
	Response	
LI.1.122	The Applicant	**Ballast Stockpiling** Please annotate on a plan the proposed location for ballast stockpiling, as detailed in paragraph 2.4.75 [AS-256] and confirm the maximum height of the stockpile.
	Response	
LI.1.123	The Applicant	**Landscape Character Types** Please confirm how the design of the proposed Rail developments comply with the landscape management guidelines contained within the Guidance Note which supports the Suffolk Landscape Character Assessment (Paragraphs 6.6.15 and 6.6.21 of [APP-551]).

ExQ1	Question to:	Question:
		Please respond in respect of both the Ancient Estate Claylands and the Estate Sandlands LCT.
	Response	
LI.1.124	Pro-Corda/Leiston Abbey, English Heritage	**Design – Leiston Abbey** Does the design of the rail extension route effectively minimise the visibility of the route from Leiston Abbey?
	Response	
LI.1.125	ESC, SCC, Natural England,	**Mitigation** What, if any, further mitigation is considered necessary in relation to the Rail proposals? If necessary, how do you consider such measures should be secured?
	Response	NE is only able to provide 'landscape' advice regarding the AONB and its statutory purpose. We therefore defer on this point to the local authorities.
Yoxford Roundabout and Other Highway Improvements		
LI.1.126	The Applicant	**Landscape Character Types** Please confirm how the design of the proposed Rail developments comply with the landscape management guidelines contained within the Guidance Note which supports the Suffolk Landscape Character Assessment (Paragraphs 6.4.75 and 6.4.82 of [APP-490]). Please respond in respect of both the Rolling Estate Claylands and Valley Meadows and Fens LCT.
	Response	
LI.1.127	ESC, SCC, Natural England,	**Mitigation** What, if any, further mitigation is considered necessary in relation to the Yoxford Roundabout and other highway improvements? If necessary, how do you consider such measures should be secured?

ExQ1	Question to:	Question:
	Response	NE is only able to provide 'landscape' advice regarding the AONB and its statutory purpose. We therefore defer on this point to the local authorities.

The Planning Inspectorate

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

The Examining Authority's written questions and requests for information (ExQ1)

Issued on 21 April 2021
Responses are due by Deadline 2: Wednesday 2 June 2021

ExQ1 Part 5 of 6

Ma.1 Marine water quality and sediment
MN.1 Marine Navigation
NV.1 Noise and Vibration
R.1 Radiological considerations

ExQ1	Question to:	Question:
Ma.1 Marine water quality and sediment **In the following questions, unless otherwise stated, paragraph numbers are to [APP-314] with section references drawn from [AS-034] (A.b.b and so on)**		
Ma.1.0	The Applicant, MMO, EA	Para 21.2.8 Section D, eel management plans. Please explain further the importance in legal and policy terms, of the relevant plan, any non-compliance arising from the Proposed Development, and what is in place should the Proposed Development be non-compliant.
	Response	
Ma.1.1	The Applicant	Para 21.3.109 Section G.b.b; is the ExA to understand that all of scenarios A, D, D1 and E have been assessed?
	Response	
Ma.1.2	The Applicant	Para 21.3.17, section D. This para states that the influence of marine water quality is considered "in conjunction" with the Shadow HRA. As pointed out elsewhere in these ExQs, the HRA operates on different regulations and criteria. Is it intended that any of the material including conclusions of that document are imported and necessary for the understanding and conclusions of the Chapter? If this chapter of the ES is incorporating parts of the Shadow HRA, please succinctly but adequately summarise them in terms applicable to the ES, giving cross-references and EL numbers.
	Response	
Ma.1.3	The Applicant	Para 21.6.122, section C.d.b, on cooling water discharges. (i) Please will the Applicant explain this paragraph carefully. It discusses thermal values and uplifts of over a certain amount (e.g. absolutes of >23°C or uplifts of >2°C respectively) as a 98th percentile. Given that a percentile is a figure NOT exceeded, what is being described and discussed here? (ii) Where the para refers to absolute values >23°C the normal meaning of the sentences suggests that includes >28°C. But there is a WFD standard referred to in the previous

ExQ1	Question to:	Question:
		paragraph of >28°C. The position is similar for uplifts. Please will the Applicant explain what is the intention. (iii) This issue carries through into table 21.19 a couple of paragraphs later. In para 26.1.120 it is said that the WFD maximum uplift figure for 98th percentile "good" is "2.C < Uplift</= 3.C". But in Table 21.19 it is said it is >2 which would include >3. This applies to both Sizewell B only, C only and B and C together.
	Response	
Ma.1.4	The Applicant	Para 21.6.126 Section C.d.b states that effects of future climate change and warming sea temperatures re: thermal discharges are considered further. Please state where.
	Response	
Ma.1.5	The Applicant	Para 21.6.129 Section C.d.b Please would the Applicant expand this paragraph to spell out: (i) what are the standards to which it refers, giving the figures and the publications in which they are found, (ii) the actual exceedance areas (presumably the figures in Table 21.19) (iii) the likely time periods of exceedance (iv) comparators which have been used to conclude that the above threshold period is "relatively short". In the case of the exceedance of the Habitats Directive standards, please give the cross-references to where these exceedances are considered elsewhere in the ES or in the HRA assessment and explain how they affect the appropriate assessment, IROPI, compensation and conclusions of the HRA assessment.
	Response	
Ma.1.6	The Applicant	Para 21.6.137, (or 21.6.138 in [AS-034] section C.d.c states that the thermal uplift was applied to "this contemporary annual baseline". Please can the Applicant explain what is meant by contemporary baseline within the Chapter?' Does it mean "present day"? The word "contemporary" is used several times in this section on the effect of climate change on cooling water discharges..
	Response	

ExQ1	Question to:	Question:
Ma.1.7	The Applicant	Paras 21.6.132 – 144 Section C.d.c (Effect of climate change on cooling water discharges: Temperature changes) as a whole. What is the conclusion of this section as to whether there will be major, moderate, minor or negligible significant effects?
	Response	
Ma.1.8	The Applicant	Para 21.6.166, Section C.d.d.b. The PNEC (Predicted No Effect Concentration) for bromoform is 5µg/l as a 95th percentile (para 21.6.160). The average concentration from 10 power stations is 16.3 µg/l, with range of 1-43 µg/l (para 21.6.164). How does the ES conclude that discharges which are on average four times the PNEC and up to almost nine times are minor adverse, not significant?
	Response	
Ma.1.9	The Applicant	Para 21.6.243 of [APP-314] (21.6.244 of AS-034]), section C.f.c. (i) "*The level of total ammonia discharged including current background levels is low and represents an increase of ca.30% of the present mean background total ammonia*" be better written "*The level of ammonia discharged represents an increase of ca.30% of the present mean background total ammonia but the total of discharge and background levels is low*". Please will the Applicant clarify the sentence. (ii) It is apparent that an extra paragraph has crept in to [AS-034] or that the numbering has jumped by one. Please will the Applicant clarify what has happened.
	Response	
Ma.1.10	The Applicant	Para 21.7.7, Section B (Monitoring). "… monitoring may be extended…". Please explain enforceable criteria and action, together with the dispute resolution procedure.

ExQ1	Question to:	Question:
	Response	
Ma.1.11	The Applicant, EA	Tables 21.22 and 23 – summary of effects for the construction and commissioning phase (22) and operation (23). In many places, these tables identify the need for additional mitigation in the form of WDA permits and the monitoring set out in those permits. The Environment Agency has indicated that it is not able to issue Letters of No Impediment (which presumably will relate to these permits, amongst others) prior to the end of the examination. (i) Please will the Environment Agency say whether it considers that the mitigation will be appropriate? (ii) Please will the Applicant and the Environment Agency set out how the absence of Letters of No Impediment will affect (a) the conclusions in relation to residual effects and (b) the assessment in this Chapter 21.
	Response	
MN.1	**Marine Navigation**	
In the following questions, unless otherwise stated, paragraph numbers are to [APP-337]		
MN.1.0	The Applicant	Para 24.3.18 – assessment methodology – marine developments under construction have been taken into account. What account has been taken of the EAOne and Two windfarm NSIPs currently in examination?
	Response	
MN.1.1	The Applicant	Para 24.3.19 – assumptions and limitations. The reader is referred to Vol 1 Appx 6T (which is [APP-171] pages 811 and ff). Have any of the assumptions and limitations changed?
	Response	

ExQ1	Question to:	Question:
MN.1.2	The Applicant	Para 24.5.6 – tertiary mitigation, construction phase. The mitigation measures set out in paragraph 24.5.6 are stated to be secured via conditions of the marine licence listed in Schedule 20 of the DCO however, not all of the activities listed are secured here. Can the Applicant clarify this discrepancy? (i) Please explain how these measures are secured in the DCO or elsewhere. The delivery and logistics plan for AILs for example does not obviously appear to be tertiary mitigation. (ii) What is the role and power of the Fisheries Liaison Officer?
	Response	
MN.1.3	The Applicant	Para 24.7.3 – Mitigation – buoyed construction zone and patrol launch to assist vessels in difficulty. How are these secured in the DCO or other documentation? How is the availability of the launch, its capacity and the frequency and range of it patrols specified and secured?
	Response	
NV.1	**Noise and Vibration**	
NV.1.0	The Applicant, ESC (ii) only	**Methodology** The Council in their [RR-0342] raise concern that relying simply on a fixed sound level could underestimate the impact on a receptor. (i) How do you respond to this concern? (ii) What additional information do you (ESC) seek to improve the assessment of effect?
	Response	
NV.1.1	ESC	**Methodology** In paragraph 1.9 of the RR it is indicated that using a noise level such as LOAEL or SOAEL may not be of sufficient sensitivity. (i) How does the Council wish this concern to be addressed? (ii) Would this be a specific assessment for each receptor or noise generating activity or would a broad approach be considered appropriate?

ExQ1	Question to:	Question:
		(iii) What parameters is the Council looking to define such that ongoing monitoring could be undertaken to ensure that any obligations/requirements are achieved? In responding to the above please support the answer with reference to relevant guidance or precedents.
	Response	
NV.1.2	ESC	**Rochdale Envelope** In light of the comments you make in paragraph 1.11 of your RR can ESC explain what justification is required to acknowledge that the Proposed Development is not abusing the flexibility of the Rochdale Envelope in line with case law?
	Response	
NV.1.3	ESC	**DCO Requirement** Is the Council seeking a requirement within the DCO to ensure there is a commitment to ongoing monitoring and provision of mitigation if appropriate as set out in [RR-0342]? Please provide a draft of such a requirement if this is what is being sought.
	Response	
NV.1.4	ESC	**Underestimate of Effects** Paragraph 1.14- 1.19 of [RR-0342] suggests that that the ESC have concerns about the noise assessment and whether effects could have been underestimated. Are there particular areas that this concern refers to? Please clarify the position.
	Response	
NV.1.5	ESC	**Tranquillity** A tranquillity assessment has been undertaken [APP-270] [Volume 2, Chapter 15, APPENDIX 15E] (i) Does this not achieve what you are asking for? (ii) What additional work would you expect to be carried out?

ExQ1	Question to:	Question:
	Response	
NV.1.6	The Applicant, ESC (part iii only)	**LOAEL and SOAEL** (i) Please explain why the noise from new road schemes differentiates the measurement from free field during the day to facade level during the night? [Table 11.13 APP-202] (ii) The Day period overlaps with the night period 23:00 – 24:00 – in the event noise is generated during this period – which level would apply as a trigger? [Table 11.13 APP-202] (iii) Are the Council content that this approach would give them appropriate methods of monitoring and enforcement? (iv) In light of the range of SOAEL levels for construction work set out in Table 11.11 [APP-202] and the different levels road traffic noise in Table 11.13, please explain which level would apply where a receptor was subject to both noise sources and how this could be monitored and enforced. (v) Where a receptor is subject to noise from construction, road and rail traffic which SOAEL and LOAEL levels would apply?
	Response	
NV.1.7	ESC	**Setting of LOAEL and SOAEL** (i) What LOAEL/SOAEL levels would you consider appropriate for the assessment of night time noise arising from the different elements of the proposed development? (ii) On what would this be based?
	Response	
NV.1.8	The Applicant	**Requirements** Do you agree the requirement suggested by ESC at 1.33 of their RR is appropriate? If not please explain your position.
	Response	
NV.1.9	The Applicant	**Code of Construction Practice** [APP-615] CoCP Part C para 1.1.6 – "avoid use of noisy works"

ExQ1	Question to:	Question:
		This term is imprecise and would be difficult to enforce – and in this respect it is hard to see what mitigation the CoCP would provide. The NPS EN1 advises that a standard should be provided to ensure appropriate mitigation is achieved. Please provide the details of the standards which should be achieved to avoid significant adverse effects.
	Response	
NV.1.10	The Applicant	**Combined Heat and Power Plant** (i) How would the DCO ensure that the final CHP, Air Source Heat Pump system and / or back-up generator did not exceed 35dB LAr, for 15 minutes? (ii) If this were to be measured outside the nearest residential receptor whilst this might be satisfactory in protecting residential amenity, what standard or safeguard would it achieve for tranquillity within the AONB?
	Response	
NV.1.11	The Applicant	**Rail Noise** The assessment [APP-546] does not appear to make clear how the mitigation of speed restriction, and stopping of trains at certain points along the line will be delivered through the DCO. (i) Please clarify how this would be achieved/delivered through the DCO. (ii) A train pulling 20 trucks is suggested to be what is likely to be used. Is this due to a physical constraint on site/on the line? If not, what controls would be in place to ensure this were the maximum size of train? (iii) What would the implications be if the train were to be longer? Has this been assessed? (iv) A train travelling at 20mph with 20 trucks would take how long to pass a single point? (v) How will the restriction on the number of trains and the timetable they are to operate to be adhered to/delivered through the DCO? (vi) Please describe how you envisage a typical timetable for delivery and departure of trains to and from the site would occur, so the effect on the site and the receptors along the rail routes can be fully understood. It may be helpful to support this with a plan indicating the locations and times the trains would be expected to be at each location.

ExQ1	Question to:	Question:
	Response	
NV.1.12	The Applicant, Network Rail(part iii only)	**Rail Noise** (i) The mitigation proposed appears to rely upon welds not being within a certain distance of sensitive receptors. What distance is required between receptor and the track to achieve the LOAEL and SOAEL levels? (ii) Please clarify where the measurements are taken from and to. (iii) How would this be delivered through the DCO?
	Response	
NV.1.13	The Applicant, Network Rail part iii only)	**Rail Noise** (i) The placement of matting under the ballast would appear to be required for all locations where a sensitive receptor is within 20m of the centreline of the railway, and this matting should extend 10m beyond the end of the receptor building. How would this be delivered through the DCO? (ii) Does this require a specific standard of matting to be provided and method of laying of the matting and the ballast to meet the minimum noise absorption required and therefore is a specific minimum specification required? If so, how is this to be secured? (iii) Do Network Rail agree to this method of installation?
	Response	
NV.1.14	The Applicant	**Rail Noise/Freight Management** (i) The information provided in support of the train noise assessment indicates [APP 545] that a typical truck has the capacity to carry 77.9t of cargo. Assuming this to be the case a train with 20 trucks would have a payload of 1,558t. Please explain why this figure exceeds the quantum of material said to be imported per train as set out in the Freight Management Strategy? (ii) Assuming trains were loaded to full capacity what implications would this have for the noise assessment?

ExQ1	Question to:	Question:
	Response	
NV.1.15	The Applicant	**Rail Noise** Part of the mitigation proposed is to hold trains on the branch line and only allow them to enter Leiston after 07:00 in the morning.[AS-258] Please explain why it is considered appropriate Leiston should benefit from this protection, but other areas along the proposed freight rail route should not.
	Response	
NV.1.16	The Applicant	**Rail Noise** In undertaking the noise assessment, a test train was run in August 2020, it is understood this was unladen. (i) How representative of the noise of a fully loaded train would this be? (ii) Please explain what differences in acoustic terms you could expect for acceleration and breaking, relative to a fully laden train.
	Response	
NV.1.17	The Applicant, Network Rail	**Rail** [APP-558] makes reference to trains travelling at 25mph para 8.6.45, this would appear to conflict with the speed restriction of 20mph, please clarify the position.
	Response	
NV.1.18	The Applicant, ESC, SCC	**Rail SOAEL and LOAEL** The SOAEL and LOAEL is based at least in part on the assessment for HS2, and the justification of a higher rating appears to be based on the quantum and speed of rail traffic associated with HS2 as opposed to here. (i) Do the Councils agree this is a reasonable position to take in setting the SOAEL and LOAEL for rail noise?

ExQ1	Question to:	Question:
		(ii) In the event the Councils do not agree, what method would be considered would provide a reasonable approach in the circumstances of this case?
	Response	
NV.1.19	The Applicant, ESC, SCC, PHE	**Rail SOAEL and LOAEL** As currently assessed, the LOAEL would be exceeded at receptors within 42m of the line with trains travelling at 10mph and within 50m of the line for trains travelling at 20mph. In light of the need to protect human health from noise, and length of construction period should not the potential for noise mitigation be made available to all receptors where the LOAEL would be exceeded?
	Response	
NV.1.20	The Applicant. Network Rail	**Rail Freight Option** What controls are there over when trains would run, what engines would be used, and therefore how realistic is the assessment that has been carried out?
	Response	
NV.1.21	The Applicant	**Rail Freight Locomotive type** (i) A preference for a type 66 locomotive is expressed [AS-258] what is the reasoning for this? (ii) This preference would not appear to be a commitment but be dependent upon what the freight companies have available – is this correct? (iii) Is the type 66 locomotive a 'conservative' locomotive in terms of noise profile? (iv) Are quieter trains available, if so why has this eventuality not been put forward as a potential mitigation?
	Response	

ExQ1	Question to:	Question:
NV.1.22	The Applicant	**Rail** It is asserted that to operate trains on a rail line is not development. Consequently, this would not be directly authorised by the DCO but is one of the methods to facilitate the NSIP development. If this is the case, what controls can the ExA rely upon to ensure that rail activity associated with the construction of the development is carried out in a way which minimises harm to residents and other sensitive receptors?
	Response	
NV.1.23	The Applicant	**Rail Noise** There are a series of cottages along the branch line which are in close proximity to the line and therefore are susceptible to significant disturbance. (i) It is suggested that due to the historic association with the railway line those properties built with the railway could/should expect a degree of noise and disturbance from railway activity. What guidance or other precedence is available to sustain this position? (ii) Please provide information evidencing when these properties would have last been subject to rail activities, and as such whether the historic association could still be regarded as a material consideration and this position justified.
	Response	
NV.1.24	The Applicant	**Rail Noise** ESC have indicated in the [RR-0324] that significant concern remains in respect of the potential significant adverse effects that could occur from night-time rail operations. The Council do not consider this concern would be fully addressed by limiting speeds to 20mph, or that the assessment fully reflects the distance from the rail line that properties would experience adverse effects. Please respond to these concerns.
	Response	

ExQ1	Question to:	Question:
NV.1.25	The Applicant	**Rail Noise** In light of the length of time that the construction period would last, would not occupiers of properties within close proximity of the rail line need to be rehoused for the duration to avoid being subject to regular significant disturbance? (Currently the ES suggests that the SOAEL would be exceeded at a distance of 5m at 10mph but this would not yet appear to be an agreed position.) The s106 agreement [PDB-004] explains on pg 77 that the Noise Mitigation Scheme will either be secured through the DCO or the s106 agreement, but this is still under consideration please explain the latest position on how this mitigation would be secured
	Response	
NV.1.26	The Applicant, Network Rail, ESC, SCC	**Rail Noise** In order to minimise disturbance to receptors in close proximity to the rail line, particularly at night, would a period excluding train operations be reasonable and or enforceable?
	Response	
NV.1.27	ESC, SCC	**Rail Noise** In the Additional information supplied by the Applicant in [AS 257] an assessment of sleep disturbance has been set out. Do the Councils agree the methodology of assessment and the subsequent justification for the setting of the LOAEL and SOAEL in this respect?
	Response	
NV.1.28	ESC, SCC, PHE	**Rail Noise** It would appear that the ES recognises a significant harm to between 100 and 110 properties. Would this accord with NPS EN1 Policy to avoid harm to human health, or the aims of the Noise Policy Statement for England? Do the Councils or PHE consider the approach justified in seeking to set a SOAEL at a higher level than the significant level identified through the ES assessment?

ExQ1	Question to:	Question:
	Response	
NV.1.29	ESC	**Rail Noise** The Applicant concludes [APP 545] that up to 460 properties would be subject to noise above the L_{Amax} based LOAEL. Do you agree that the secondary mitigation offered would minimise the adverse effects on health and quality of life?
	Response	
NV.1.30	The Applicant, Network Rail	**Saxmundham Points System** (i) Has it been confirmed that the automatic points system at Saxmundham can be implemented to avoid trains stopping and starting? (ii) How is this to be secured?
	Response	
NV.1.31	The Applicant, Network Rail	**Rail Noise Mitigation Scheme** [APP-545] – makes reference to mitigation that 'could' include selection of alternative plant, working methods, barrier screening and or stand off margins. (i) Are Network Rail satisfied that there is the space to accommodate barrier screening, or increase stand off margins? (ii) In the event neither of these are possible, what are the implications for receptors?
	Response	
NV.1.32	The Applicant, Network Rail	**Level Crossing Warning Alarms** [APP-545] indicates that warning alarms would need to be limited to a maximum of 70dB at night measured at 1m. It is also indicated that alarms should be set a minimum of 4m from noise sensitive receptors. How are these two methods of mitigation to be delivered?
	Response	
NV.1.33	The Applicant	**Main Development Site**

ExQ1	Question to:	Question:
		(i) Piling is potentially a significant noise source; please provide a schedule of piling for the development at the main development site. It would be helpful to understand which elements of the project include piling and therefore please provide the breakdown setting out the information, so this is understood? (ii) Within the schedule set out an approximate time frame for such activities for each location and over what period this anticipated to take place?
	Response	
NV.1.34	The Applicant	**Main Development Site** (i) In trying to understand the possible effects on Crown Lodge and the area near the LEEIE, please confirm where the drop off and collection point for the proposed buses serving the LEEIE is proposed to be. (ii) Has a plan been provided indicating the location, turning and routing for the buses, if so please advise where this can be found. (iii) If no such plan has been provided, how will the final arrangements be secured?
	Response	
NV.1.35	The Applicant	**Upper Abbey** Within the ES Chapter on Noise (para 11.3.9) of [APP-202] Upper Abbey is not assessed for noise impacts as it is advised it would not be occupied during construction. (i) To which property(ies) does this refer? (ii) How will it be ensured the properties would not be occupied throughout the period of construction?
	Response	
NV.1.36	The Applicant	**Accommodation Campus** In the Design and Access Statement 'Accommodation Campus Design Principles' the description indicates that a reasonable standard of internal and external acoustic amenity would be achieved.

ExQ1	Question to:	Question:
		Please explain what standard BS 8223 would achieve for both internal and external spaces and how this is to be secured?
	Response	
NV.1.37	The Applicant	**Two Village Bypass** It would appear from the conclusions in Table 4.21 and 4.23 of Vol 6 Ch 4 significant adverse effects would occur at several properties both during construction and subsequently during operation. Please advise how you consider the scheme achieves the noise policy aims of the NPSE and para 5.11.9 of NPS for Energy (EN-1). • avoid significant adverse impacts on health and quality of life; • mitigate and minimise adverse impacts on health and quality of life; and • where possible, contribute to the improvement of health and quality of life.
	Response	
NV.1.38	The Applicant	**Two Village Bypass** In the Community Impact Report [APP-156] Table 5.6 appears to list different properties that would be adversely affected and the terminology used is not entirely consistent to the terms used in Vol 6 Ch 4 Table 4.21 [APP-415] please clarify and confirm which terminology correctly reflects the effects assessed within the ES and which properties are considered to be adversely affected.
	Response	
NV.1.39	The Applicant	**Two Village Bypass** In light of the fact the road you are proposing is an associated scheme to the main NSIP proposal and would not be forthcoming without the NSIP, is it reasonable to assess effects only in respect of the noise from the traffic associated with the NSIP development?

ExQ1	Question to:	Question:
	Response	
NV.1.40	The Applicant	**Two Village Bypass** How would the noise from the traffic associated with the development be differentiated from other traffic noise?
	Response	
NV.1.41	The Applicant	**Two Village Bypass** In assessing the benefits where they occur from diverting existing traffic from current routes, should this be disregarded in the balance of assessment of harms versus benefits, if the consequential harm that arises elsewhere is not to be taken into account?
	Response	
NV.1.42	The Applicant	**Two Village Bypass** In identifying Farnham Hall as a receptor, several RRs confirm this is a series of properties. ([RR-109, RR-110, RR-112, RR-113, RR-114, RR-115, RR-116, RR-117]) (i) Please advise of the addresses and number of properties in this location and describe how each might be affected. (ii) In understanding the effects in this location; as the properties would be at different distances and orientated in different directions how has the specific affect been assessed? (iii) Can the details of the effects for each as currently set out be regarded as conservative? (iv) As there are several properties which are potentially significantly adversely affected, should this weigh more heavily against the scheme in considering the planning balance?
	Response	
NV.1.43	The Applicant	**Two Village Bypass** Paragraph 4.5.4 [APP-415] indicates that one of the primary mitigations is having the road in a cutting. This does not appear to be an accurate description when viewing the

ExQ1	Question to:	Question:
		plans included which suggest a good portion of the proposed road is either at grade or elevated above current ground levels. (i) What mitigation is proposed to be delivered for those sections of road not in cutting? (ii) In undertaking the noise assessment what information for proposed levels has been used to inform the assessment?
	Response	
NV.1.44	The Applicant	**Two Village Bypass** (i) What acoustic benefit is achieved for the section of the road in cutting? (ii) Where is this set out within the ES? (iii) Has the Noise Assessment been based on specific plan and as a consequence the relative height of the receptor to the noise source? (iv) Assuming a plan was used, is it in the list of approved plans within the DCO?
	Response	
NV.1.45	The Applicant	**Two Village Bypass** In light of the above has an acoustic barrier been considered for those sections of road either at grade or elevated above ground, or either side of the proposed bridge? In the event this has not been considered in light of the acknowledged adverse effects, please clarify why this has not been considered or it has been ruled out.
	Response	
NV.1.46	The Applicant	**Two Village Bypass** (i) The ES [APP-415] identifies that during the first year of operation 2034 significant adverse effects would remain at Hill Farm, Pond Barn Cottages, Farnham Hall, Farnham Hall Farmhouse and Walk Barn Farm. This significant adverse effect would appear from Table 4.23 to remain following the implementation of the Noise Mitigation Scheme. Please confirm this understanding is correct. (ii) This being the case there would appear to remain a significant adverse effect in the long term. Is this understanding correct?

ExQ1	Question to:	Question:
		(iii) Please explain how this is considered to accord with the NPS EN1 and NPSE approach which aims to avoid such occurrences. (iv) Receptor 13 would appear to have been chosen as a representative location for properties in this vicinity – how many properties might be significantly adversely affected in this location?
	Response	
NV.1.47	The Applicant	**Two Village Bypass** [APP-415] para 4.6.14 should this reference be to Appendix 11H? please clarify the position.
	Response	
NV.1.48	The Applicant	**Two Village Bypass/Sizewell Link Road** No mention of the potential for quieter road surfacing has been suggested, or additional acoustic barriers as referred to above. Please explain whether this has been assessed to improve the environment for receptors indicated to be adversely affected by traffic using the road particularly in light of the advice in the NPS EN1 that noise insulation is a valid form of mitigation " **only** when **all** other forms of noise mitigation have been exhausted"(our emphasis). Or explain why this has been discounted and where this is explained within the ES?
	Response	
NV.1.49	The Applicant, ESC, SCC	**Two Village Bypass** In light of the recognised significant adverse effects that would arise from the use of the two village bypass during operation, can this be regarded as sustainable development?
	Response	
NV.1.50	The Applicant	**Two Village Bypass** (i) Could the TVB be designed to achieve a noise level at night during operation as recommended by the WHO NNG of 40dB Lnight?

ExQ1	Question to:	Question:
		(ii) What mitigation would this require? (iii) Has this been considered? (iv) Please advise where this assessment can be found?
	Response	
NV.1.51	The Applicant	**Sizewell Link Road** (i) The ES identifies that during the first year of operation 2034 significant adverse effects would remain at Fordley Hall, Trust Farm, Theberton Grange, Oak House and Hawthorn Cottages. This significant adverse effect would appear from Table 4.23 of [APP-451] to remain following the implementation of the Noise Mitigation Scheme. Please confirm this understanding is correct. (ii) This being the case there would appear to remain a significant adverse effect in the long term. Is this understanding correct? (iii) Please explain how this is considered to accord with the NPS EN1 and NPSE approach which aims to avoid such occurrences.
	Response	
NV.1.52	The Applicant	**Sizewell Link Road** Preparation phase – significant adverse effects are identified at Fir Tree Farm, Rosetta, Dovehouse Farm, Church Farm, Rookery Farm and Keepers Cottage. Please explain how these effects would be mitigated to comply with NPS EN1 and NPSE policy.
	Response	
NV.1.53	Marlesford Parish Council	**Southern Park and Ride** Please advise which noise receptors you consider should have been included in the assessment which have not been.
	Response	

ExQ1	Question to:	Question:
NV.1.54	ESC	**Yoxford Roundabout** Are the Council satisfied with the findings in respect of this part of the scheme and that the mitigation proposed to avoid the SOAEL being exceeded at Sunnypatch, The Old Barn, Rookery Cottages and Hopton Yard would achieve appropriate levels of mitigation to avoid harm to health and comply with the requirements of the NPS EN1 and NPSE.
	Response	
NV.1.55	ESC	**Yoxford Roundabout** Delivery of screening and final working methodology is yet to be finalised. Are the Council satisfied that the method of mitigation is appropriately secured?
	Response	
NV.1.56	The Applicant	**Community Impact Report** Community Impact Report [APP-156] at para 2.6.68 suggests "noise barriers have been designed": (i) Could you point out where the specification of these barriers is and what acoustic benefit they have been designed to achieve. (ii) How would this standard be secured through the DCO?
	Response	
NV.1.57	The Applicant	**Community Impact Report** Community Impact Report [APP-156] Table 3.5 describes several areas. (i) Are the areas identified in the table shown on a single map/plan? Please advise if this is the case where this can be found. e.g. Darsham, Willow Marsh Lane etc., Users of public footpaths, local residents – between Rookery Park, Town Farm Lane (ii) Please identify on a plan the areas to which you refer and identify the residential properties you have identified would be affected and advise whether the adverse effects on these properties would be regarded as significant. (iii) Please advise where the details for these effects are set out in the ES.

ExQ1	Question to:	Question:
	Response	
NV.1.58	The Applicant	**Rail Noise** Para 4.6.41 Vol 9 Ch 4 [APP-545] appears to contradict para 4.6.40 and noise levels set out in Table 4.26 – Is it the case the SOAEL will be exceeded in these locations?
	Response	
NV.1.59	The Applicant, ESC	**Night Time Noise** (i) On the basis that a value of 40dB Lnight represents a level where adverse effects begin to occur in locations with a low background noise level at night on what basis has a level of 60dB been assessed to represent only a low impact? (ii) How has this figure been arrived at? (iii) Can this be reasonably argued to avoid adverse health effects when the WHO guidance recognises that adverse health effects are identified at night when levels exceed 40dB Lnight-outside.
	Response	
NV.1.60	ESC	**Health Effects of Noise** (i) Do the Council agree that the method of assessment and standard against which effects should be measured is appropriate and would ensure adverse health effects are minimised? (ii) In the RR at para 1.8 you indicate that the SOAEL and LOAEL levels are not fully supported by either national guidance or best practice. In which circumstances/ locations do you consider the levels set are not appropriate? Please explain your reasoning.
	Response	
NV.1.61	ESC	**Operational Noise**

ExQ1	Question to:	Question:
		(i) Please clarify the ongoing concerns about the assessment of operational noise and the source data. (ii) What further evidence do you seek?
	Response	
NV.1.62	The Applicant	**Operational Noise** ESC has expressed concern that some receptors could be the subject of ongoing adverse noise effects during the operation of the plant. (i) Do you agree to ongoing monitoring and subsequent mitigation as suggested? (ii) How could this be secured?
	Response	
NV.1.63	The Applicant, ESC Part (iii) and (iv) only)	**Noise Mitigation Scheme (NMS)** Please explain how this scheme [APP-210] would operate to protect living standards for residents such that they were not significantly affected. (i) How would the mitigation offered protect gardens? (ii) How would the noise environment within properties be protected to an acceptable degree when windows were open? (iii) Do the Council consider the mitigation scheme as drafted sufficiently clear and enforceable such that receptors would be adequately protected? (iv) Do the Council consider this would be better secured through the DCO or S106?
	Response	
NV.1.64	The Applicant	**NMS** (i) How would it be ensured that those receptors that could be subject to noise in excess of the SOAEL had mitigation in place in advance of this occurring such that this level of harm would not materialise? (ii) How is this to be secured? (iii) Would the development be prevented from occurring in advance of the mitigation being in place?

ExQ1	Question to:	Question:
	Response	
NV.1.65	The Applicant	**Rail Noise Mitigation Scheme (RNMS)** (The draft RNMS [AS 258] as refers in different paragraphs to glazing and insulation, please clarify what would be offered to residents in the event that mitigation was appropriate.
	Response	
NV.1.66	The Applicant	**Rail Noise Mitigation** If the current SOAEL and mitigation measures are accepted, the Sleep Disturbance Assessment [AS-257] suggests between 5-10 properties would qualify for mitigation. Why is there such a variation?
	Response	
NV.1.67	ESC	**Rail Noise Mitigation Strategy** The Applicant proposes a Rail Noise Mitigation Strategy [AS-258] in consultation with Network Rail and the rail freight operator. Are you satisfied this gives sufficient control over noise to safeguard health and quality of life?
	Response	
NV.1.68	The Applicant, ESC, PHE	**Rail Noise** In the event that having the SOAEL at a higher level than the significant adverse effect level identified from the ES Assessment was not considered to be justified, do the 100-110 properties identified as being potentially subject to such noise levels need to be subject to noise mitigation for the scheme to avoid adverse health effects and be compliant with NPSE and NPS EN1 policy?
	Response	
NV.1.69	The Applicant	**Rail Noise** The Noise Mitigation Scheme in Appendix 11H[APP-210] refers to 69dB $L_{Aeq\ 16hrs}$ and 58dB $L_{Aeq\ 8hrs}$ as the threshold to trigger mitigation this would appear to differ from the figures in

ExQ1	Question to:	Question:
		the Sleep Disturbance Assessment [AS-257] which uses L_{AFMAX} as the measure, please advise how the two measures correlate so that the method for assessment and the trigger level are fully understood.
	Response	
NV.1.70	Applicant	**Groundborne Noise** Table 4.34 of [APP-545] confirms that after mitigation Residual Effects remain from groundborne noise for all receptors in Woodbridge, Melton, Campsea Ashe and Saxmundham within 5m of the operational tracks. How many properties does this effect?
	Response	
NV.1.71	Applicant	**Groundborne Noise** Table 4.34 of [APP-545] confirms that all receptors beyond the locations listed in the previous question within 10m of the operational tracks on the East Suffolk line would be subject to a major adverse effect. How many properties would this effect?
	Response	
NV.1.72	Applicant	**Groundborne Noise** Please explain why in Table 4.24 of [APP-545] properties within 50m of the tracks may have the additional protection of vibration isolating track support systems but this is not offered by way of mitigation for properties a similar distance from the main line.
	Response	
NV.1.73	The Applicant	**Rail Operational Groundborne Noise** The assessment indicates that between 40-50 receptors along the East Suffolk main line would exceed the L_{Amax} SOAEL, but further assessments still need to be carried out. (i) What further measures could be provided to ensure the SOAEL did not arise? (ii) How would these be secured?
	Response	

ExQ1	Question to:	Question:
NV.1.74	The Applicant, ESC (Part (iii) only)	**Mitigation Assessment** [APP 545] para 4.7.5 (i) How will the assessment be made where a balance needs to be struck between acoustic benefit and visual harm? (ii) Who would be the decision maker? (iii) Do you agree this is an appropriate method of assessing this planning balance?
	Response	
NV.1.75	The Applicant ESC (part iv)	**Precedents from previous DCO and legal cases** Reference is made to two previous projects (Thames Tideway Tunnel and Heathrow) in order to justify setting a SOAEL at a different level from the level that might be regarded as having a significant adverse effect. (i) Please explain how the two cases referred to are similar to this DCO such that this approach could reasonably be justified in this case. (ii) Please provide copies of the decisions and point out from each the explanation and justification provided in those cases. (iii) The Cranford Case would not appear to be a NSIP Case but a S78 appeal against the specific requirements of the 'Cranford Agreement'. Please explain how you consider those circumstances comparable to the current scheme. (iv) Do the Council agree that setting the SOAEL at a different level from that regarded as significant in the ES is justified?
	Response	
NV.1.76	The Applicant	**Vibration effects on Heritage Assets** (i) A number of RRs including [RR 512, 627, 822, 1138] have expressed concern that either construction activities or increased HGV traffic could damage listed buildings by way of vibration. Please respond to these concerns. (ii) Would any preconstruction surveys be undertaken, or monitoring be proposed to assess any effects?

ExQ1	Question to:	Question:
	Response	
NV.1.77	The Applicant	**Early Years** B1122 Action Group [RR-0124] express concern that the level of traffic generated during the early years creates an unreasonable burden on the local community in terms of traffic, noise and air quality. Please address this particular concern and explain how the effects during early years could be considered reasonable in light of the recognised need to mitigate for similar levels of traffic later.
	Response	
NV.1.78	ESC	**Working Hours** Can the Council please explain more fully what is meant by 'in particular the usual permitted working hours for construction' as referenced in paragraph 2.267 of the RR
	Response	
NV.1.79	The Applicant	**Working Hours** Is there a single document which clearly sets out the proposed working times for the main development site and the associated development sites? If not, could one be provided and incorporated into the Code of Construction Practice (CoCP) so the times agreed are clearly secured and capable of being enforced?
	Response	
NV.1.80	The Applicant, ESC	**Residential Amenity** In the respective chapters of the ES there are various locations which recognise that noise levels would exceed the SOAEL or be above the LOAEL. In each location the internal environment of residential receptors has been sought to be protected by mitigation when the appropriate threshold is exceeded. (i) In the locations where the SOAEL is exceeded in a residential garden how can this be said to meet the aims of the Noise Policy Statement for England in avoiding significant adverse impacts on health and quality of life from environmental …noise?

ExQ1	Question to:	Question:
		(ii) In light of the length of the construction period for the main development site what noise level would be regarded as appropriate and what mitigation is offered to protect residential gardens to ensure this level is not breached?
	Response	
NV.1.81	ESC, SCC, Natural England, MMO	**Conveyor on BLF** The Applicant has introduced reference to a conveyor system for the BLF. Do you consider the assessment of this in respect of noise is adequate?
	Response	Natural England request a reference to where in the application the assessment is located. We are satisfied that the mitigation proposed for the Beach Landing Facilities will result in no adverse effect on the integrity of the Southern North Sea SAC.
NV.1.82	The Applicant	**Conveyor on BLF** (i) Please explain what system of conveyor you have assessed and where this is set out within the ES. (ii) How would the provision and operation of this system be secured through the DCO?
	Response	
NV.1.83	The Applicant	**Conveyor on BLF** The additional information indicates that the conveyor would be enclosed. (i) Please provide a visualisation of such a form of enclosure. (ii) Has an assessment been made of the degree of noise benefit this may provide? (iii) How do you intend to secure this through the DCO?
	Response	
NV.1.84	The Applicant	**BLF**

ExQ1	Question to:	Question:	
		[APP-190] paragraph 6.2.98 indicates that the beach landing facility had been discounted and could not be progressed. This appears to be further emphasised in [APP 175] paragraph 4.3.66. Please explain what has changed that would now lead to a different conclusion from that which was previously made.	
	Response		
NV.1.85	The Applicant	**BLF**	Please provide details of where the piling assessment for the BLF is set out, and what mitigation is proposed to minimise any adverse noise or vibration effects on the users of the beach or on marine mammals.
	Response		
NV.1.86	Natural England, MMO	**Noise Effects on Marine Mammals** (i) Do you agree that the Applicant's assessment of noise effects from the additional piling on porpoise and other marine mammals can be regarded as not significant? (ii) Are you satisfied with the mitigation proposed and how this would be secured through the DCO? (iii) Do you consider the monitoring throughout the construction period would provide adequate safeguards?	
	Response	i) Natural England are satisfied with the Applicant's assessment of noise effects from piling. ii) Natural England are satisfied that the mitigation proposed and how it is secured. iii) Natural England are satisfied that the monitoring and mitigation proposed throughout the construction period would provide adequate safeguards.	
NV.1.87	The Applicant	**Additional Freight by Rail** It is suggested that by adding freight trains would have no additional effect in terms of noise and vibration for receptors. While it is reasonably understood that each event would be similar, how is this position justified when it is recognised elsewhere that part of the assessment is influenced by the number of events?	

ExQ1	Question to:	Question:
	Response	
NV.1.88	The Applicant	**Additional Freight by Rail** (i) Until such time as a rail timetable is known, how can the degree of effect on individual receptors be fully understood? (ii) In the event that the timetable grouped train journeys together would this not have a materially different effect to them being spread apart?
	Response	
NV.1.89	The Applicant, Network Rail	**Additional Freight by Rail** A number of the responses received look to have no rail activities on a given night of the week over the weekend: (i) Is this likely to be achieved? (ii) How would it be secured?
	Response	
NV.1.90	The Applicant, Network Rail	**Additional Freight by Rail** Please explain what effect if any this might have on passenger services on the Ipswich to Lowestoft line.
	Response	
NV.1.91	The Applicant, Network Rail	**Level Crossing Sirens** (i) Will all level crossings on the route require sirens to meet the appropriate safety standards? (ii) If this is not the case, please explain the differing standards and what would be expected to be provided at each level crossing.
	Response	
NV.1.92	The Applicant, ESC (part (ii) and (iii))	**Rail Noise Assessment** In light of the comments from Saxmundham Town Council,

ExQ1	Question to:	Question:
		(i) please advise on whether additional properties at Beech Road, Holly Way and Oak Close have been assessed in terms of any noise affects. (ii) Are there any other recently built or planned developments along the rail route which the ExA should be aware of? (iii) Has a list of such agreed developments been provided to the Applicant?
	Response	
NV.1.93	The Applicant, (ESC part (ii) only)	**Night-time Rail Noise** Campsea Ashe Parish Council, Woodbridge Town Council and ESC all express concern that the assessment of effects from the night-time rail operation as proposed has not been adequately assessed or those effects on residents properly mitigated. (i) Please respond to the concerns and set out how the assessment has been undertaken and how the mitigation offered would work in practice. (ii) Do the Council agree with these concerns?
	Response	
NV.1.94	The Applicant, Network Rail	**Night-time Rail Noise** (i) Please explain the limiting factors for daytime deliveries. (ii) In understanding what these are, what alternatives have been considered that could overcome these limitations? (iii) How has the assessment of effects from night-time noise been assessed against these alternatives?
	Response	
NV.1.95	The Applicant, Natural England (part (ii) only)	**Night-time noise** The RSPB indicate that the assessment of effects from night-time noise on bats and other sensitive creatures has not been adequately assessed and consider additional noise modelling would need to be carried out. (i) Please respond to this concern. (ii) Do you agree with the concerns expressed by the RSPB

ExQ1	Question to:	Question:
	Response	As these measures are proposed to mitigate impacts on licensable protected species these will be assessed by Natural England through our licensing process. For the progression of this issue the applicant must submit draft protected species licence applications to Natural England for review. If agreed Natural England may provide LoNIs to ensure the ExA has the required certainty in this regard. Further engagement on this issue will therefore be undertaken as part of the licensing process.
NV.1.96	The Applicant, Network Rail	**Ipswich to Lowestoft Main Line** (i) Please explain the current method of line construction for the main line between Ipswich and Saxmundham. (ii) Please confirm whether the joints between the sections of the track are located in a way as to minimise noise effects on receptors. (iii) It is understood from the assessment that the welds of joints for the Saxmundham to Leiston branch line are proposed to be undertaken in a certain way to minimise noise effects – please confirm whether this approach has been undertaken on the main line and if this is not the case please advise what the differences would be for receptors on the main line as opposed to those on the branch line.
	Response	
NV.1.97	ESC	**Code of Construction Practice (CoCP)** Table 3.2 of the CoCP sets a series of noise thresholds for the works at the main development site. (i) Do you consider these thresholds appropriate? (ii) Are you content with the monitoring as proposed to oversee that these levels are achieved?
	Response	
NV.1.98	The Applicant, ESC, SCC	**CoCP** Advance Notice of works is specified as a method of mitigation for receptors. (i) What period of advance notice is expected to be provided?

ExQ1	Question to:	Question:
		(ii) Has this been agreed and or secured as a commitment?
	Response	
NV.1.99	The Applicant, Pro Corda School Trust	**Pro Corda School** What progress has been made with securing a S106 in respect of the Pro Corda School?
	Response	
NV.1.100	The Applicant	**Whitearch Residential Park** [RR-1265] expresses concern regarding night time noise from trains. This would appear to be a residential park based on 'park homes' where construction would not appear to be traditional bricks and mortar. Please advise if this would affect the capacity to offer mitigation if this was regarded as appropriate.
	Response	
R.1	**Radiological considerations**	
R.1.0	The Applicant	It is understood that the NPS EN6 makes clear where other regimes are in place to control processes, emissions and discharges this should not be duplicated through the planning process. Nevertheless, in the light of the status of EN1 and EN6 the ExA expects clear responses, even in the event that in doing so it is made clear under what licensing regime the necessary control would be in place to cover the question identified.
	Response	
R.1.1	The Applicant, ONR	**Low Level Waste (LLW)** (i) It is recognised that the current LLW Repository has a lifespan less than that of the proposed development. What provision is in place on site or elsewhere to safely deal with this waste over the lifetime of the plant? (ii) It is advised that "It is assumed that ultimately new disposal facilities will be provided by the NDA" (para 7.7.20)[APP-192] Have letters of assurance or similar been received from the NDA? (iii) Has one been sought? Please provide copies for the Examination as appropriate.

ExQ1	Question to:	Question:
	Response	
R.1.2	The Applicant, ONR	**Waste Acceptance Criteria** Para 7.7.27 [APP-192] refers to WAC – this does not appear in the Glossary of Terms. (i) Please confirm that this means 'Waste Acceptance Criteria' - or if not what it does relate to. (ii) It is understood that the UK has not formally adopted these criteria for dealing with High Level Waste or for spent fuel – does this have any implications in respect of the information provided?
	Response	
R.1.3	The Applicant ONR	**Intermediate Level Waste (ILW)** Please give the latest update in respect of the letter of compliance process referred to in para 7.7.43 [APP-192]
	Response	
R.1.4	The Applicant (EA, ONR iv only)	**Intermediate Level Waste (ILW)** (i) What capacity for the onsite storage of ILW has been assessed within the ES? The documents appear to make reference to two periods for the prospective operation of the plant 60 years [Table 7.8 Vol 2 Ch 7 APP-192] and upto 76 years [para 22.6.244 of APP 317] (ii) Do the parameters include capacity for the extended lifespan of the power stations and any contingency? (iii) Currently it is not clear as 2.5 Main Development Site Main Platform Proposed General Arrangement (Operational) Plans for Approval [APP-017] indicates this is for approval later. Please clarify the situation (iv) The plans do not provide detailed drawings of the Interim Spent Fuel Store or Intermediate Level Waste Store, how is it intended that the details of these would be progressed and approved in the event the DCO were to be granted?

ExQ1	Question to:	Question:
	Response	
R.1.5	The Applicant	**Intermediate Level Waste (ILW)** Table 7.8 of Vol 2 Chapter 7 sets out the quantities of ILW expected to be generated per annum and for the 60 year lifetime of the plant. (i) What quantities of the waste falls into the 'decay storage' category? (ii) As this will need to be stored while the level of radioactivity reduces over time, prior to becoming low level waste, what capacity is required within the proposed interim storage facility? (iii) In light of the preceding question what are the implications for the extension of the operating life of the plant?
	Response	
R.1.6	The Applicant	**Waste Storage** Para 7.7.70 [APP-192] refers to 60 metres of vault length required for each reactor. Should this be a volume? If not please explain the measurement.
	Response	
R.1.7	The Applicant	**Spent Fuel** There appears to be an error in the calculation at para 7.7.73. [APP-192] 60 years divided by 18 months = 40 planned outages. 90 spent fuel assemblies are proposed to be removed on each occasion from each reactor. 90*40= 3,600 not 3,400 as set out. (i) Has the paragraph correctly set out the estimated number of assemblies to be removed? If so please explain how this has been calculated. (ii) In the event there is an error: a) Please explain whether the interim store as designed for 7378 assemblies has sufficient capacity + contingency + the additional 16 years of operation referred to previously; b) if not, how will the additional capacity be catered for?

ExQ1	Question to:	Question:
		c) If an increase is necessary, can this be accommodated within the building parameters as shown? Explain whether the correct figures have been used in undertaking the ES?
	Response	
R.1.8	The Applicant	**Spent Fuel** Para 7.7.74 [APP-192] does not appear to include the likely additional number of spent fuel assemblies you have assessed as a contingency. In addition, neither calculation includes the possible extension of the life of the plant for a further 16 years as referenced in other documents within the ES (para 22.6.244 of APP-317). In considering your response please take account of your answer to R.1.4 above to fully explain the capacity required for storage and the total inventory you would expect at the end of generation.
	Response	
R.1.9	The Applicant	**Spent Fuel** Does any of the above have any knock on effects to the other calculations made within the documentation? If so please explain what effects this would have and whether this has been addressed within the ES.
	Response	
R.1.10	The Applicant, ONR	**Spent Fuel** (i) Please confirm that the current proposal does not include the encapsulation facility referred to at para 7.7.95. (ii) Assuming this to be correct, are you able at this stage to confirm there would be sufficient space within the DCO site to accommodate such a facility? (iii) Do the ONR agree that there would be sufficient space?

ExQ1	Question to:	Question:
	Response	
R.1.11	The Applicant, ONR, EA	**Length of Plant Life** Much of the documentation refers to the power stations operating for between 60-76years. The DCO would however if granted not be time limited, consent would in effect be in place for two nuclear power stations in perpetuity. Does this have any implications for the advice you provide to the ExA or of the assessments that have been undertaken?
	Response	
R.1.12	ONR	**Design Acceptance Confirmation (DAC)** The Applicant's DAC would appear to expire on 13 December 2022. (i) Please explain how this regulatory system works and whether a further DAC would be required as the station would not be operational at this date. (ii) Are there any further implications if work has not commenced on site by this date? (iii) Would you anticipate any reason why a further DAC would not be issued should a further application need to be made? (Iv) Are there any other implications the ExA should be aware of in respect of the limited time of the current DAC?
	Response	
R.1.13	J Chanay [RR-509]	Please explain what you mean by the terms 'gross asymmetry' and 'no defensible justification on avoidable preference for SZC' in your representation so that your concerns can be fully understood.
	Response	

ExQ1	Question to:	Question:
R.1.14	The Applicant, ONR, EA, MMO	**Sea Defences** There is concern identified by a number of RRs e.g.(RR 0038) regarding the ongoing maintenance of the sea defences beyond the lifetime of the operation of the plant when it is reasonable to assume ILW, Spent Fuel and LLW may well continue to be stored on site. (i) What is proposed to be in place to ensure the integrity of the sea defences in the longer term? (ii) How should the integrity of the defences be monitored through the lifetime of the plant? (iii) How is this to be secured through the DCO process?
	Response	
R.1.15	ONR, EA, MMO	**Sea Defences** In the event the power station operated beyond 60 years as referenced in a number of the ES documents what implications if any would this have?
	Response	
R.1.16	ONR, Emergency Services, ESC, SCC	**Emergency Plans** Are you satisfied with the Emergency Plans that are set out and how they correlate with the existing nuclear sites at Sizewell A and B?
	Response	
R.1.17	ONR, EA	**Transboundary Effects** A number of European governments and third parties have expressed concern about trans boundary effects particularly in the event of an accident beyond the design parameters of the power station e.g. see RR 802, RR 265, RR 155. (i) Are you satisfied this is adequately dealt with through the licensing regime? (ii) Does this assessment include the ancillary buildings such as the ISFS, and ILW storage?

ExQ1	Question to:	Question:
	Response	
R.1.18	ONR, EA	**Spent Fuel Store/ILW Store** No details are provided to indicate at what depth the spent fuel or ILW would be stored. Are you satisfied the licensing arrangements would ensure appropriate and safe storage of these elements in the event of a flood event?
	Response	
R.1.19	The Applicant	**Pressurised Water Reactor** Para 25.5.7 of [APP-340] refers to 'pressurised waste reactors' should this be pressurised water reactors? Please provide clarification
	Response	
R.1.20	The Applicant, ONR, EA, PHE	**Spent Fuel Store/ ILW Store** (i) Does Appendix 25B when assessing radiological effects from the site include an assessment of effects from the ISFS and ongoing storage of spent fuel and ILW or is it just the operation of the power station? (ii) It would not appear to be explicit in the assessment. This would appear to be particularly important as paragraph 25.6.20 of [APP 340] indicates 'direct radiation from Sizewell C is therefore largely attributable to the Interim Spent Fuel and Intermediate Level Waste storage facilities on site.' Please clarify the position and advise what has been assessed under the ES. (iii) In light of the lack of detailed design for these facilities at this stage please explain how this assessment has been undertaken
	Response	
R.1.21	ONR	**Semi Urban Criterion** (i) Has your advice been sort in respect of the relationship of the site to the local population?

ExQ1	Question to:	Question:
		(ii) Are you satisfied that the proposals do not result in a radiological hazard being sited in an area which exceed the semi-urban criterion?
	Response	
R.1.22	ESC, ONR	**Semi Urban Criterion** (i) Has additional residential development been undertaken within the area which influences the assessment of the semi urban criterion since the sustainability assessment was undertaken? (ii) Are there any future planned developments that might influence this assessment?
	Response	
R.1.23	EA, ONR	**Sustainability Assessment** (i) The NPS relies on an understanding of the science around climate change and the effect on sea levels from 2009, has the understanding of the effects of climate change and effect on sea levels changed since the sustainability assessment was carried out? (ii) If the knowledge has developed what implications does this have?
	Response	
R.1.24	ONR, The Applicant	**Plant Life** The ES suggests the reactors may have their life extended to operate for up to 76 years. (i) As ILW and spent fuel would need to be stored on site beyond this time, what is the current best estimate of the date for the site to continue to store such radioactive materials?
	Response	
R.1.25	EA, ONR	**Plant Life** The power stations and ongoing storage of ILW and spent fuel is likely to be on site beyond 2100 which was the date the NPS refers to as the date which had modelled climate change effects. What date can now be confidently forecast for such an assessment?

ExQ1	Question to:	Question:
	Response	
R.1.26	The Applicant	**NPS Status** In the event the site will continue to be used beyond 2100 what are your views of the status of the NPS in this respect and the weight that can be attributed to it?
	Response	
R.1.27	EA	**EA Permits/Licences** Please advise on the latest position in respect of the assessment of the application for the permit under the Radiological Substances Permit Regulations and any other permits being sought from the Environment Agency in respect of this scheme. Do you consider there to be any impediment to the granting of any licenses for the site?
	Response	
R.1.28	ONR	**ONR Permits/Licences** Please advise on the latest position in respect of the Applicant's position in respect of the Funded Decommissioning Programme (FDP) and the position in respect of any Licenses needed to be obtained from you. Do you consider there to be any impediment to the granting of any licenses for the site?
	Response	
R.1.29	ONR, ESC, EA, The Applicant	**Public Health** PHE have indicated a series of shortcomings in their RR with regard to both radiological and air quality issues – please respond to each of the points that they have raised in so far as it relates to your responsibilities and explain whether you consider these issues could be overcome. In the event you consider the issues can be resolved please explain how the matters would be resolved and under which regime appropriate mitigation would be secured and operation monitored.

ExQ1	Question to:	Question:
	Response	
R.1.30	ONR, The Applicant	**Relationship to Current Operations at Sizewell** Please respond to the points raised by Magnox Ltd (RR-991) and Pinsent Masons (RR-992) and in particular the concern regarding the assertion that "the Sizewell C Nuclear Generating Station can be constructed and operated in accordance with the Applicant's application proposals in a manner which adequately ensures the safe, secure and environmentally sound decommissioning of the Sizewell A Nuclear Site."
	Response	
R.1.31	The Applicant	**Planning Act** Please respond to the matters raised in [RR 509] in relation to the proposed radioactive waste storage facilities and whether they fall within section 14 of the Planning Act 2008.
	Response	