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Date 24 May 2010

Dear Mr Mayson

Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 (As Amended). Regulation 10.

**Hinkley Point C Site Preparation Works
Scoping Opinion**

I refer to your letter dated 8th April 2010 and your request, on behalf of NNB Genco Ltd, for a Scoping Opinion for the proposed Site Preparation Works in connection with the proposed new nuclear power station at Hinkley Point C.

In accordance with Regulation 10 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 (as amended) (the Regulations), this letter and accompanying appendices constitutes the formal Scoping Opinion of West Somerset Council on the Environmental Impact Assessment (EIA) and content of the Environmental Statement (ES) of the proposed Site Preparation Works.

LEGISLATIVE CONTEXT AND REQUIREMENT FOR EIA

The requirement for the assessment of the environmental effects of certain public and private projects, which are likely to have significant effects on the environments, is set out in Council Directive 85/337/EEC as amended by Council Directive 97/11/EC. The Directives are transposed into UK legislation by the Town and County Planning (Environment Impact Assessment) (England and Wales) Regulations 1999 (as amended) (the Regulations).

In your letter dated 8th April 2010 and the accompanying Environmental Scoping Report (April 2010), EDF Energy advised that the proposed Site Preparation Works will form part of the Preliminary Works for Hinkley Point C and that the works will be progressed in advance of a decision by the Infrastructure Planning Commission (IPC) on the Hinkley Point C Development Consent Order (DCO).

EDF Energy did not submit a formal request for a Screening Opinion, under Part II (5), on the need for EIA for the proposed Site Preparation Works. Paragraph 1.2.1 of the Environmental Scoping Report states that “...it has been assumed that the site preparation works qualify as EIA development (in accordance with the EIA Directive 85/337/EEC as amended by 97/11/EC) as transposed into UK legislation under the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 (as amended)) and an application for planning permission will need to be accompanied by an Environmental Statement (ES).”

West Somerset Council considers that the proposed Site Preparation Works constitute an integral part of the new nuclear power station development at Hinkley Point in the form of advance preliminary works. West Somerset Council therefore considers that the Site Preparation Works could well fall within Schedule 1 Category 2 of the Regulations that is, ‘the carrying out of development to provide any of the following.... Nuclear power stations and other nuclear reactors’ where an EIA is mandatory. However, at this stage, and without being in possession of a full Environmental Statement, it is not possible to fully conclude whether or not the works fall within Schedule 1 Category 2. This scoping response does not prejudice the consideration by West Somerset Council of any future application for the Preliminary Works: Site Preparation and West Somerset Council reserve the right to act on continuing advice in respect of such consideration.

SCOPING OPINION

For ease of reference, the Council’s Scoping Opinion follows the structure of the EDF Energy Environmental Scoping Report, April 2010. The Council’s Scoping Opinion has been prepared in accordance with Part 4 (10) and is set out as follows:

1. **Project Details**

Environmental Scoping Report Adherence to Part 4 (10)

Part 4 (10) requires that a request for a scoping opinion should include:

- (a) a plan sufficient to identify the land;
- (b) a brief description of the nature and purpose of the development and of its possible effects on the environment; and
- (c) such other information or representations as the person making the request may wish to provide or make.

The plans included, particularly Figures 1.1 to 1.3, provide an indicative site boundary for the site preparatory works. Whilst West Somerset Council generally regards these plans appropriate for this scoping stage, it is acknowledged that they reflect uncertainty in respect of the development of the landscape bund to the southern boundary of the site. West Somerset Council request that confirmation be provided from EDF Energy of the location and extent of this proposed landscape bund in order to ensure that the EIA adequately addresses the anticipated effects therein.

With regards to a ‘brief description of the nature and purpose of the development’, Section 2.2 of the Environmental Scoping Report provides a description of a number of discrete components that contribute to the Site Preparation Works. While West Somerset Council

considers that these are generally acceptable, further details, as set out in the technical commentary below are sought in advance of the commencement of the EIA.

Adherence to Good Practice Guidance

Guidance on EIA is provided by a number of documents, including the following:

(i) Circular 02/99: Environment Impact Assessment

Circular 02/99 provides a discussion on the requirements for Scoping in the context of a formal request for a Scoping Opinion, under Part 4 (10) of the EIA Regulations. It does not provide guidance on the contents of Scoping Reports beyond statutory requirements and “a draft outline of the ES, giving an indication of what are considered to be the main issues”.

In the context of the limited guidance on scoping reports provided, the Scoping Report generally satisfies Circular 02/99, insofar as it provides a draft outline of the ES (Section 4.1) and, through discussing each of the technical areas in Section 3, also provides discussion of the main issues to be considered.

(ii) IEMA Guidelines for Environmental Impact Assessment 2004

The Institute of Environmental Management and Assessment’s (IEMA) 2004 Guidelines for Environmental Assessment describe Scoping as ‘*the process of identifying the issues to be addressed by an EIA*’. The IEMA recommended approach to scoping advocates positively influencing the quality of the Environmental Statement and building confidence in approving authorities and statutory and non-statutory consultees by identifying some or all of the following:

- Details of the alternatives to be assessed;
- The methods to be used to gather baseline data;
- The methods to be used to predict impacts;
- A significance framework and the significance criteria to be used for specific impacts;
- The types of mitigation that will be under consideration; and,
- Details of consultation and participations programmes that are to be undertaken during the EIA.

IEMA guidelines further identify that “*The objective should be to agree a document with the approving authority and other relevant parties that can then function as a terms of reference for the EIA*”. The following comments are West Somerset Council’s response with regards to the recommended approaches described above:

Alternatives

In considering the items above details of the alternatives to be assessed are described in Section 2.5 of the Scoping Report. It is noted that EDF Energy intends to provide ‘*more detail on all alternative options considered...in the ES, leading to a justification for the selection of a*

preferred option'. This approach is supported by West Somerset Council and it is anticipated that considerably more detail on options is provided in the Environmental Statement. Areas of concern relate to the movement of substantial quantities of material associated with terracing and groundworks and the apparent lack of options considered by EDF Energy at this scoping stage. West Somerset Council requires EDF Energy to ensure that the project remains informed by the environmental data gathered during the EIA and that appropriate measures to manage materials within the site are fully considered prior to agreeing a specific approach. These issues are described in greater detail within the following technical commentary.

Baseline Data Collection

For each environmental topic area contained within Section 3 of the Scoping Report, a dedicated section provides a discussion of the baseline environment in addition to an indication of how this baseline information has been used to set the context for the assessment process. While this approach is useful, West Somerset Council remain concerned that this discussion is inadequately referenced to supporting documents from which data has evidently been drawn (for example, reports of surveys) not available for consideration within the Scoping Report. As a consequence, for some aspects of baseline characterisation, the Scoping Report (as a standalone output for this review) does not provide West Somerset Council with the necessary assurance that baseline data is robust nor that the baseline surveys are appropriate to the requirements of the assessment. West Somerset Council requires all supporting evidence associated with the EIA to be included as technical annexes to the Environmental Statement.

Impact Prediction

For each environmental topic area contained within Section 3, a dedicated section provides an 'Initial Scoping Assessment', which gives a high-level description of effects that may be expected as a result of the proposed Site Preparation works. While West Somerset Council find this section useful in communicating an understanding of the impacts that are expected, the approach does not allow a clear understanding of the methodology that will be used within the EIA to assess the likely impacts. West Somerset Council find that the absence of this description on the means of impact prediction an omission within the Scoping Report and this must be addressed in full within the Environmental Statement.

Impact Significance

The Scoping Report provides little indication of the approach that the EIA will take in determining the significance of impacts. Although for some technical areas, such as noise and landscape and visual assessment, an approach for assessing the impact is described, these are not related to methodology for applying significance criteria to impact evaluation. West Somerset Council considers that this significant omission must be addressed within the Environmental Statement.

Mitigation and Consultation

Mitigation and consultation processes are broadly described for each environmental topic area. West Somerset Council requires that the responses to consultation, including the means by which representations to the Scoping Report have been addressed within the Environmental Statement are included as technical annexes to the Environmental Statement.

2. General Comments on Project Description

The Project Details Section (Section 2) sets out the description of the design and planned works. The Section (Design 2.2) sets out broadly how site clearance will be organised and undertaken. There are implications for the associated terrestrial ecology on the site. It is therefore welcome that a commitment to provide full details of tree and hedge removal and features to be retained will be included with the planning application. It is important that this information includes a detailed description of the phasing of these activities, together with indications of how retained vegetation and associated ecological interest (e.g. reptiles) will be protected during these activities.

Within this section (2.2.6) the approach to surface water is set out. The scoping report indicates a strategy of avoiding surface water flows on-site. The reasoning for this strategy and its justification should be set out clearly in the Scoping Report. It is presumably to make construction easier and reduce risks of incidental pollution, although the report does not indicate this. It is also not clear from the Scoping Report, why it is necessary to continue to avoid surface water once construction is complete. It seems to be possible to have a surface water stream on the raised levels above the

Holford Stream, even if flows in the existing Holford Stream do need to be piped. The assessment and planning application should make clear why surface water habitats are being permanently removed from site.

Under Section 2.2.6 any modifications to the surface water drainage system would need to be adequately assessed, to minimise potential distribution of contaminants and also to be accepted by the regulator.

In Section 2.2.16 the Scoping report addresses the topsoil strip. The scoping report indicates that there is potential for calcareous grassland to be removed from the coastal strip. It is not clear if no further studies are required for the ecological impact assessment how this impact will be determined. There is no indication that material will be stored separately. The assessment should set out how the soil material will be dealt with, and preferably separated out from other material.

Within Section 2.2.17 the installation and operation of the dewatering system needs to be adequately assessed as it may have an adverse impact on the aquifer and promote mobilisation of contaminants. The water would need to be analysed before disposal and may need to be treated.

Under Section 2.2.18 significant earthworks are envisaged to re-profile the site and it is recommended that these proposals are assessed by a geotechnical specialist. The earthworks will require testing and classification of material to ensure its suitability, both in terms of its contamination status and its geotechnical properties, for reuse on the site. This information should accompany the Environmental Statement. Reference should be made to the fact that the re-profiling works may require an Environmental Permit.

Within the Section 2.2.21 the Scoping Report should state that the source material for the soil retaining wall will be clarified in the Environmental Statement and confirmation is sought.

Section 2.2.23 makes reference to the discharge from the surface water runoff. This may need to be treated, e.g. to remove suspended solids, before discharge to the foreshore. A consent to discharge may be required and this should be referred to.

Section 2.3.13 describes the approach to pumping. West Somerset Council considers that before pumping commences, the groundwater should be sampled and analysed to establish a baseline. Groundwater quality should be monitored throughout the pumping operations and after they have ceased, to examine the impact of possible contaminant rebound.

West Somerset Council would wish to draw to EDF Energy's attention (within Section 2.3.18) that Environmental Permits may be required for the excavation and stockpiling of materials.

The construction method descriptions (Section 2.3) for site preparation set out a strategy that should when details are provided enable agreement with the key ecological stakeholders. However, it is noted that the material to be excavated is anticipated to be around 3,200,000m³ rather than the previously reported 2,700,000 m³.

Under Construction Management (Section 2.3.24-26) the commitment to best practice is welcomed, including the commitment to a Construction Environmental Management Plan (CEMP). It is not clear why the content outlined splits nature conservation and terrestrial ecology. A holistic approach to the mitigation strategy should be demonstrated linking proposals to provide opportunities for synergies between mitigation measures and enhancements across: water; landscape and ecology.

The use of the term 'Restoration' (Section 2.4) to describe the process of re-instating the landform changes and habitat creation if IPC approval is not received is not considered accurate or appropriate. The landform that would be created would be very different from the existing and/or previous landscapes on or near this site. Even if the new landscape has potential to be ecologically enhanced, a more suitable descriptor should be considered.

3. Geology, Topography and Geomorphology

Baseline Environment

West Somerset Council considers that the level of detail for the geology, topography and geomorphology section is appropriate to this scoping stage, although the addition of a geological map and geological cross sections would assist in visualising the complex geology at the Hinkley site and this would be anticipated in the Environmental Statement. Furthermore, West Somerset Council requires considerably more detail within the Environmental Statement on the options for managing the large volumes of material around the site. There are considerable issues around managing the waste generated in groundworks and reference in this section (cross-referenced to sections on hydrology; land contamination and waste; soil and land use) to a Site Waste Management Plan (SWP) and Construction Environmental Management Plan (CEMP) would be required within the Environmental Statement. The manner in which these mechanisms will be used to ensure protection to groundwater in particular should be explained in full within the Environmental Statement.

West Somerset Council has identified a number of errors in the Scoping Report including Section 3.2.3 being a repetition of Section 3.2.1; Section 3.2.4 is a repetition of Section 3.2.2; Section 3.2.6 provides an incorrect figure number (figure 1.4) and this should be figure 1.3. Section 3.2.6 states that '*ground elevations range from approximately 10m to 35m AOD and across the southern area, ground elevations range from approximately 5m to 28m AOD*'. The levels on figure 1.3 do not show these levels. The levels shown on the figure represent the finished floor levels, there are no actual ground levels shown on the figure as suggested by the text. Section 3.29 provides a discussion on '*The geomorphology of the foreshore from St Audrie's Bay to Hinkley Point...*'. The location of St Audrie's Bay should be shown on a plan and cross referenced. West Somerset Council would thus expect the following information to be included with the Environmental Statement:

- Figure showing actual ground levels at present and Finished Floor Level (ffl), or shown as two separate figures;
- Figure showing the location of St Audrie's Bay and Hinkley point- or annotate existing figures;
- Geology map and geological cross sections.

Initial Scoping Assessment

Whilst the initial scoping assessment is considered at an appropriate level of detail for this scoping stage, West Somerset Council anticipates (as with other technical sections) that this will be tied into appropriate significance criteria within the Environmental Statement.

West Somerset Council considers that due consideration should be given to the interaction of the Preliminary Works: Site Preparation and Temporary Aggregates Jetty in the Environmental Statement for geology, topography and groundwater. In particular, Sections 3.2.11, 3.2.12 and 3.2.14 confirm that in order to evaluate the potential impact on the areas of intrinsic geological

interest, e.g. the cliffs and wave cut platform, the impact of the proposed temporary jetty needs to be assessed in combination with the Site Preparation works. At this stage, West Somerset Council remains concerned that the proposals, at an individual topic-specific level, are being considered only for the Site Preparation works without fully considering the issues associated with interactive / cumulative effects. This must be addressed within the Environmental Statement.

Uncertainties, Further Studies and Assessment

West Somerset Council confirms its expectations that EDF Energy will engage in consultations with the British Geological Society and other relevant bodies in relation to the adjacent geological SSSI. Consultations are also expected to be completed by EDF Energy with the Environment Agency in relation to Environmental Permitting (Waste Regulation) and deep water pumping (Contaminated Land and Hydrogeology). Evidence will be sought within the Environmental Statement as to the manner in which EDF Energy has addressed issues raised by these consultees.

4. Groundwater

Baseline Environment

West Somerset Council would like to confirm to EDF Energy that the correct terminology for minor aquifer is now “secondary aquifer” (Section 3.3) and this should be revised in the Environmental Statement. In Section 3.3.5 West Somerset Council seek confirmation that the Environmental Statement will include data to confirm the anticipated groundwater flow direction. This is particularly important in respect of the relationship of groundwater flow to proposed drainage infrastructure associated with the Site Preparation works. Within Section 3.3.8 the Scoping Report fails to confirm that the Environmental Statement will indicate how the water quality of the existing groundwater abstractions will be safeguarded, particularly in view of the proposed deep aquifer pumping system. An enhanced level of detail is required by West Somerset Council in respect of the proposed safeguarding mechanisms. It is noted that dewatering activities to facilitate the earthworks excavations are a significant aspect of the Site Preparation works. Further information is required on the pumping system including rates and duration and risks associated with dewatering for heavy metals and total mercury identified in deeper groundwater.

West Somerset Council requires a full account be made in the Environmental Statement of the discharge of groundwater drainage into the foreshore. The relationship to water quality issues should be detailed in full. In particular, an assessment will need to be conducted of the potential risks to designated features within the Severn Estuary SPA, Ramsar and SAC associated with any deterioration in water quality.

Initial Scoping Assessment

Within Section 3.4.11 the Scoping Report would have been expected to state how the greenfield surface water flow rates will be maintained and how settling out of suspended solids has been demonstrated. West Somerset Council expects this to be detailed by way of an assessment of impacts within the Environmental Statement. The Environmental Statement should also state how the increased flow in Holford Stream might affect ecological assets and cross referencing will be required to the terrestrial ecology evaluation in the Environmental Statement.

Uncertainties, Further Studies and Assessment

West Somerset Council requires access to the Conceptual Groundwater Model referred to in Section 3.3.10 and note that this will be the key means to evaluate effects within the Environmental Statement.

5. Hydrology and Flooding

Baseline Environment

West Somerset Council considers that in general the baseline is adequate as it provides an indication of the general surface water hydrology. The inclusion of a reference to the Shoreline Management Plan is welcome although it should be noted that an update to the Shoreline Management Plan is anticipated in the near future and EDF Energy should continue to monitor the status of this document. Recognising the intention to culvert a section of Holford Stream and the anticipated effects on flow rates, as well as the intention for surface water drainage to discharge into existing streams West Somerset Council would expect to see baseline information on existing flow rates and predicted future flow rates associated with proposed drainage infrastructure. This should be explored in full within the Environmental Statement.

In this section there is limited reference to the Severn Estuary. This needs to be explored in respect of water levels in the estuary and relationship to the smaller watercourses discussed. It is considered beneficial for each source of flood risk to be discussed individually within the Environmental Statement i.e. fluvial, tidal, groundwater, surface water and infrastructure failure.

Initial Scoping Assessment

Section 3.4.9 refers to the predominant effects on surface hydrology and flooding relating to the drainage of surface water run-off and via temporary drainage infrastructure. Clearly, managing runoff rates equivalent to greenfield run-off rates will require full characterisation of the site characteristics including existing and future planned drainage infrastructure. This should be detailed in full within the Environmental Statement with an assessment provided of expected flow rates. The Environmental Statement should make provision for a discussion on the predicted impacts of each potential source of flooding.

Uncertainties, Further Studies and Assessment

Consultation with the Environment Agency is recommended in respect of expressing the proposals in accordance with Planning Policy Statement (PPS) 25 Development and Flood Risk. It is expected that Consent to Discharges will be needed for proposed drainage (subject to further information on discharge rates and composition). Again, West Somerset Council would recommend that EDF Energy engages with the Environment Agency in this respect.

6. Land Contamination and Waste

Baseline Environment

West Somerset Council is concerned that the Land Contamination and Waste section does not adequately consider the surrounding area to the proposed development area in terms of baseline conditions including potential contamination source areas, receptors or pathways (including Hinkley Point A and B Stations). However, in Section 2.1.1 man-made features, the overflow car parking for Hinkley Point B and a temporary spoil storage area for the decommissioning of Hinkley Point A have been mentioned. These need to be considered along with any other off site sources of contamination, both present and historical within the Environmental Statement.

There is limited consideration of waste in this section, accepting that it is addressed in part elsewhere in the Scoping Report (notably Section 2.0). Cross-referencing of sections describing the project proposals and the technical evaluation is sought within the Environmental Statement.

Section 3.5.2 discusses the potential sources of on-site contamination and summaries the findings of a desk study which was prepared for the Hinkley Point C Scoping Report submitted to the Infrastructure Planning Commission (IPC). Whilst West Somerset Council considers that this is broadly appropriate to this scoping stage, additional graphical material to illustrate the findings of the desk study is sought within the Environmental Statement. Within Section 3.5.5 there is no discussion of potential groundwater contamination. West Somerset Council seeks assurance that this will be included in the Environmental Statement.

Section 3.5.6 makes reference to Soil Screening Values. West Somerset Council recommends that the human health risk assessment is fully evidenced within the Environmental Statement.

Section 3.5.7 discusses the presence of inorganic contaminants (metals and metalloids) which are reported as being in excess of the adopted screening values, but considered naturally occurring. A summary of levels or an appendix to support the assumptions that these are naturally occurring concentrations is recommended, e.g. through comparison to off site and up gradient background data.

Within Section 3.5.8 the impacts of soil stripping and terracing which form the major earth works in the site preparation scope need considerably further discussion in the Environmental Statement.

Given that in sections 3.5.2, 3.5.3 and 3.5.4 areas of potentially contaminated land have been identified, albeit it low level, cross contamination of the site is plausible as potentially contaminated material is moved to other areas of the site. It should be stated that soil will be tested before being moved around the site to create the platforms or before being stockpiled. The potential requirement for Environmental Permits should be discussed in full within the Environmental Statement. There is also the potential for creating pollution pathways through the proposed blasting and ripping of rocks and the general earthworks process, which would need to be adequately assessed in the Environmental Statement.

There is no mention of the potential for ground gases, which might be anticipated particularly in vicinity of the infilled ponds on site.

West Somerset Council seeks confirmation (Section 3.5.10) that the proposed additional desk based study will include consideration of radiological as well as non radiological contamination. Reference should be made to Radioactivity in Food and the Environment (RIFE) 14 as well as the provisions of Planning Policy Statement (PPS) 23 in addressing contaminated land issues.

Initial Scoping Assessment

West Somerset Council considers that a fuller discussion regarding the potential waste issues is required, or earlier references should be copied into this section. The Environmental Statement will need to assess the impact of ground gases, off site sources of contamination and radiological contamination. A statement regarding ground gas and unexpected ground conditions is required. The Environmental Statement will need to include an assessment of geotechnical issues, in relation to the retaining walls and proposed earthworks. An appendix of the chemical results and site specific values used to make the assessments should be provided along with sampling location maps. A figure summarising the potentially contaminated land / desk study findings would also be a useful visual aid and is recommended as an addition.

Uncertainties, Further Studies and Assessment

A fuller discussion of waste and potential Environmental Permitting issues is sought within the Environmental Statement.

7. Soil and Land Use

Baseline Environment

West Somerset Council is concerned in that baseline information as presented in the Scoping Report is mis-leading as it describes the site as *'greenfield agricultural land since 1886, with*

some land in the north-east being used during the construction of Hinkley Point B. However, it does not mention the vehicle storage areas, sewage works, substation and waste disposal areas noted in 3.5.2. It would be useful to cross reference these back to Section 3.5.2 and set them in the context of historic development of the site. There is also an understanding from data secured outside the Scoping Report that there have been demolished farm buildings on site.

Initial Scoping Assessment

Section 3.6.6 makes reference to a *'number of possible adverse effects, largely linked to permanent and temporary land take'*. The introduction of a Soil Management Plan as part of the Construction Environmental Management Plan is welcomed by West Somerset Council and it is expected that effects associated with soil stripping and storage (including restoration works) will be managed through this Plan. Given the link to possible adverse effects West Somerset Council would have expected the areas of permanent landtake in particular to be considered in light of the significance of this loss and this would be expected within the Environmental Statement.

Uncertainties, Further Studies and Assessment

The findings of the Agricultural Land Classification should be presented graphically to illustrate the existing soil types and the predicted changes in agricultural land classification following implementation of the scheme. West Somerset Council expects this data to be provided in the Environmental Statement.

8. Nature Conservation Designations

Baseline Environment

West Somerset Council has noted that the Nature Conservation Designations Section (3.7) of the Scoping Report describes the statutory designations adjacent to the construction site. In 3.7.6 the County Wildlife Site (CWS) around the existing Hinkley A and B Stations is mentioned but not included within the designations plan (Figure 3.4) even though the majority of this county site is expected to be directly affected (60%). The description of the baseline within the assessment should set out more fully the numbers and locations of habitats and species within the site and this should be tied into the Terrestrial Flora and Fauna evaluation. No summary plans were provided within the Scoping Report and this would have assisted in supporting the claim that no further studies are required to complete the ecological impact assessment. These summary plans and detailed information would for example within the breeding bird community indicate where they occur on site, particularly the species such as nightingale, lesser whitethroat and Cetti's warbler which are noted within the CWS. Supporting graphical data is recommended for inclusion within the Environmental Statement to set out the distribution of species and their association with nature conservation designations.

Initial Scoping Assessment

West Somerset Council considers that initial scoping assessment should draw more on information already made available within the Ecology and Landscape Strategy. For example, the total area of open ground within the red line boundary is reducing from 163 Ha to 105 Ha due to the footprint of the power plant. The significance of a 60% loss of the CWS is apparently downplayed. West Somerset Council have presumed that this is due to the Ecology and Landscape Strategy aiming to replace and even enhance the biodiversity of the remaining open ground, although this is not stated in the Scoping Report. These enhancements or (if more appropriate) compensatory arrangements should be included in full within the Environmental Statement.

Uncertainties, Further Studies and Assessment

The Scoping Report indicates a strategy of minimising effects upon surface water flows on-site. The reasoning for this strategy and its justification should be set out clearly in the Environmental Statement. The scoping report indicates that there is potential for calcareous grassland to be removed from the coastal strip. It is unclear as to whether further studies are required for the ecological impact assessment and how this impact will be determined. A summary map of habitats present on site should be included in the scoping report.

The County Wildlife Site (CWS) around the existing power stations should be shown within the designations plan (Figure 3.4)

9. Terrestrial Flora and Fauna

Baseline Environment

Within the Terrestrial Flora and Fauna Section (3.8) sets out a comprehensive range of site surveys which have been undertaken between 2007 and 2009. It should be noted that the Environmental Statement should not rely on surveys based solely on data from 2007 or older and not repeated in 2008 or 2009. The details of the surveys are not always presented clearly and a summary table setting out dates would add clarity to this end. In particular, it is not clear that the breeding bird survey data is not all from 2007. It is understood from other baseline reports available that other protected species surveys (e.g. great crested newts, dormice, otter and so on) have been undertaken but their results are not explored in full within this Scoping Report and should be addressed within the Environmental Statement.

Initial Scoping Assessment

The initial scoping assessment should draw more on information already made available within the Ecology and Landscape Strategy. For example, the total area of open ground within the red line boundary is reducing from 163 Ha to 105 Ha due to the footprint of the power plant. The loss of 60% of the CWS seems to be downplayed, presumably because the Ecology and Landscape Strategy aims to replace and even enhance the biodiversity of the remaining open

ground, although this is not stated in the Scoping Report. The impact on habitats in particular should be more clearly summarised within the Environmental Statement.

Uncertainties, Further Studies and Assessment

More information on the breeding bird, reptile and bat roost interest on site is required. The report indicates further studies for bats are ongoing, which is welcomed. It is not clear from the information within the Scoping Report that the conclusion that no further studies are required for the ecological impact assessment can be fully justified. The Environmental Statement must make more provision for inclusion of information from the existing baseline survey reports.

10. Marine Ecology

Baseline Environment

West Somerset Council is generally satisfied as to the description of the international conservation designations and the identification of relevant habitats and species associated with the designations in the baseline section of the Scoping Report. The Scoping Report adequately represents that Sabellaria and Corallina species are of considerable ecological value and their importance is noted. However, no information is provided on the national and local designations, particularly Blue Anchor to Lilstock Coast SSSI nor Bridgwater Bay SSSI (which is mentioned under Section 3.2 on Geology). No information is provided on local statutory designations and this omission should be rectified within the Environmental Statement through inclusion of a supporting narrative indicating the distribution and proximity of local designations (including mapping of these features). West Somerset Council would also require a background description of Blue Anchor to Lilstock Coast and Bridgwater SSSIs as well as the Bridgwater Bay NNR comprising a description of the designated habitats and species, if not addressed by the description of the SAC and SPA designation.

Initial Scoping Assessment

West Somerset Council has noted that drainage discharges are identified as a key issue associated with the marine environment and the proposed Site Preparation works. It is considered imperative that consideration be given to the impact of the discharge structure on habitats i.e. outfall structure. Discharges (planned and accidental) should be approved by the Environment Agency, MMO and clearly recorded in the Construction Environmental Management Plan.

Uncertainties, Further Studies and Assessment

It is considered important that full regard be made of the potential effects on qualifying species to the internationally designated sites, Severn Estuary SPA, Ramsar and SAC and addressed through an Appropriate Assessment pursuant to Article 6 (3) of the Habitats Directive. The Directive allows for the authorisation of a plan or project likely to have a significant effect, either individually or in combination with other plans or projects, on a European designated Natura

2000 site (i.e. Special Area of Conservation (SAC), Special Protection Area (SPA)), only after being subjected to an Appropriate Assessment of the implications for the site in view of the site's conservation objectives.

11. Hydrodynamics and Coastal Geomorphology

Baseline Environment

West Somerset Council is generally satisfied as to the description of the baseline conditions in respect of hydrodynamics and coastal geomorphology. However, a significant omission which would be expected to be addressed in the Environmental Statement is further information on the drainage outfall structures. In addition, it would be expected that the source of cliff erosion rate will be stated as this is important to geotechnical considerations of the setback line for the temporary wall from the cliff face.

Initial Scoping Assessment

It has been noted that drainage discharges are identified as a key issue associated with the marine environment including coastal geomorphology. Discharges (planned and accidental) should be approved by the Environment Agency, MMO and clearly recorded in the Construction Environmental Management Plan.

Uncertainties, Further Studies and Assessment

West Somerset Council would wish to see a full account of the potentially interactive and cumulative effects of the Site Preparation works and Temporary Aggregates Jetty proposals in respect of hydrodynamics and coastal geomorphology. This should be explored in full within the Environmental Statement.

12. Marine Sediment and Water Quality

Baseline Environment

West Somerset Council is generally satisfied that the baseline conditions associated with marine sediment and water quality is appropriately addressed within the Scoping Report and recognise that the Site Preparation works are largely land based. However, it is also noted that due to *inter alia* the drainage network there is a relationship of this project to the foreshore and potential interactive effects associated with the proposed Temporary Aggregates Jetty. West Somerset Council expects that the relationship of these two aspects of the Preliminary Works will be explored in full within the Environmental Statement. Further studies are noted under Section 3.11.12 which are aimed at further characterising the baseline environment. No comments are possible on the validity of these approaches at this time in the absence of further detail.

Initial Scoping Assessment

West Somerset Council considers that the Scoping Report adequately identifies water and sediment quality issues, which is assumed to include adsorption of pollutants to sediment. It is anticipated that the Environmental Statement will fully consider sediment disturbance and contaminant mobilisation from discharges. West Somerset Council seeks confirmation from EDF Energy within the Environmental Statement as to whether consideration has been given to monitoring suspended sediment levels from pre-construction through to post-construction.

Uncertainties, Further Studies and Assessment

Discharges (planned and accidental) should be discussed and methodologies approved by the Environment Agency, MMO and clearly recorded in the Construction Environmental Management Plan. Further studies are noted in Section 3.11.12.

13. Freshwater Quality

Baseline Environment

Section 3.12 makes reference to the surface water quality data and surface water surveys. Exceptions to UK Drinking Water Standards and freshwater Environmental Quality Standards are provided, but the complete dataset would be expected to be produced to characterise baseline conditions in the Environmental Statement. Further clarity is sought on the reference in Section 3.12.6 to results for gross alpha, beta and tritium being on average below Drinking Water Standards. It is unclear to West Somerset Council whether averaging of data has been carried out and the full dataset should be provided.

Initial Scoping Assessment

The proposed measures for managing terrestrial surface water quality are welcomed by West Somerset Council. In addition, we would expect the development of a Monitoring Strategy addressing water quality to measure any effects on water quality as a consequence of the proposed large scale of earthworks.

Uncertainties, Further Studies and Assessment

It has been noted that the Scoping Report records uncertainties in data and that further studies are ongoing. West Somerset Council would wish to have access to the Conceptual Site Model as soon as possible to engage in discussions as to how this will be used to inform the EIA.

14. Traffic and Transport

Baseline Environment

Although West Somerset Council acknowledge that the baseline as it stands is factually correct there are a number of clarifications and extended aspects of scope which are sought within the Environmental Statement. It is understood that EDF Energy has carried out extensive traffic surveys and developed SATURN and Paramics traffic models. These should be referred to in providing baseline information. Furthermore, accident data is also available and should be referred to in the context of the environmental impact of potential highway works if needed to alleviate accident problems exacerbated by development traffic. A number of roads are listed in this section but it is not explicitly stated that these will form the study area for the assessment. This clarification is sought prior to the production of the Environmental Statement. Further information is sought in referencing the baseline position with respect to site access and new provision which will be required in order to facilitate the movement of workers to the site. Reference to the viability of construction material being moved by rail (Section 3.13.5) is noted as is a requirement to consider this in the future Environmental Statement. Clarity is sought from EDF Energy as to whether rail is to be used for movement of materials.

Initial Scoping Assessment

West Somerset Council has noted that the initial scoping assessment refers to both the transport of construction materials and the workforce. The report states *“the method for the transport of construction materials to the site is being finalised. However, it is likely that the majority of construction materials would be transported by road”*. The lack of any quantification makes it difficult for West Somerset Council to meaningfully comment on this section and further detail is sought within the Environmental Statement. The report states there will be approximately 200 personnel on site associated with the preliminary works. The phasing and potential effects upon transport associated with these personnel should be explored in full within the Environmental Statement.

Uncertainties, Further Studies and Assessment

West Somerset Council is concerned that limited reference is made to any guidance against which the environmental impact of transport will be assessed. In this case the appropriate document is *“Guidelines for the environmental Assessment of Road Traffic”* by the Institute of Environmental Assessment. No mention is made of the factors which are to be addressed in the EIA. Excluding factors addressed in other sections (e.g. inter alia noise and air quality) these should include and West Somerset Council expects to see in the Environmental Statement:

- Driver severance and delay;
- Pedestrian severance and delay;
- Pedestrian amenity;
- Accidents and safety;
- Hazardous and dangerous loads; and
- Dust and dirt.

The affected groups and special interests are not defined. These would include:

- People at home;
- People in work places;
- Sensitive groups including children, elderly and disabled;
- Sensitive locations (schools, hospitals etc);
- People walking;
- People cycling;
- Open spaces, recreation sites, shopping areas;
- Sites of ecological/nature conservation value; and
- Sites of tourist/visitor attractions.

15. Noise and Vibration

Baseline Environment

The Scoping Report states that baseline noise monitoring has been carried out and that the methodology was agreed in advance with the Local Planning Authority. However, the report does not give any indication as to the locations and duration of the measurements and therefore it is not possible to determine whether the baseline is adequate given the full extent of the works set out in the Scoping Report, nor an adequate reflection of discussions to this point. It is noted that no background vibration measurements have been conducted. Whilst it is accepted, to a degree, that because of the distance to potential receptors, no background vibration measurements are necessary, EDF has made a number of commitments to neighbouring properties regarding noise and vibration and this data will undoubtedly be required to monitor disturbance to the local population.

Initial Scoping Assessment

An initial scoping assessment has been conducted for the impact of noise during the construction phase. It takes into account:

- Earthworks activities at the southern-most extent of the site;
- Operation of other plant on site;
- Vehicle movements on site;
- Vehicle movements to and from preparatory works site;
- Vehicle movements on public roads; and
- Vibration impacts.

The above covers most of the likely impacts likely to be associated with the works and therefore the Initial Scoping Assessment is deemed to be adequate by West Somerset Council. However, the report does not give any details of evaluative criteria for the assessment and this is sought within the Environmental Statement.

The report states that during earthwork activities to the south of the site, noise from construction would be significantly raised above existing baseline. The report does not give

details of the baseline, the predicted noise levels, the extent of the impact, or the methodology used. It is expected that this level of detail will be included in the Environmental Impact Assessment.

Uncertainties, Further Studies and Assessment

For the Environmental Impact Assessment, the above list of potential sources of impact should be assessed for each of the different phases of the preparatory works, e.g. re-routing of existing utilities, site access, site terracing and so forth. A key feature of the proposals is the inclusion of a proposed landscape bund to the southern perimeter of the site. This is currently addressed to an unsatisfactory level in the Scoping Report in noise attenuation terms. Clearly, the Environmental Statement will need to state in full the expected noise attenuation associated with the landscape bund and the manner in which this has informed the final selection of location, form and massing.

16. Air Quality

Baseline Environment

The baseline section includes information previously included in the Scoping Report for the Environmental Impact Assessment of the Main Site and Stage 1 Consultation documents. There is no specific focus relating to the nature of the preliminary works and associated potential impacts on local air quality.

The generation of dust is likely to be significant during the preliminary works and therefore some background on dust and related air quality implications would have been expected in the baseline section. This must be addressed within the Environmental Statement.

The baseline section identifies sources of information related to air quality in the area and states that a six month monitoring survey has been carried out for nitrogen dioxide (NO₂), sulphur dioxide (SO₂) and fine particulate matter (PM₁₀). It is pointed out that there are no Air Quality Management Areas (AQMAs) within the study area and that air quality in the area can be regarded as good. The baseline section mentions that the monitoring survey data reflect the local air quality better than available data from UK Air Quality Archive, however, this is not detailed any further.

The baseline section provides background pollution data from the six month survey, however, no data are provided from the mapped background.

It is furthermore stated that the Air Quality Strategy (AQS) defines objectives for air quality effects on vegetation and ecosystems but no information is provided as to whether there are any sensitive designated sites/ ecological sites in the vicinity of the proposed scheme. Clearly, a designated site sensitive to NO_x and nitrogen deposition (the Bridgwater SSSI) borders the proposed Development Area West and Southern Construction Phase Area.

Initial Scoping Assessment

The initial scoping assessment identifies that there is only one receptor (Doggetts) within 200m of the proposed site boundary. It is further stated that the impact of the preliminary works development on sensitive receptors is not significant once control and management measures are in place. West Somerset Council considers that there is a lack of transparency as to how the assessment was carried out. Information is sought on criteria or guidance used to determine that the potential impacts would be insignificant. In addition, further information is required in respect of proposed mitigation measures.

It is stated that an assessment of potential impacts from exhaust emissions from on-site plant and equipment will be carried out once more construction information is available, however, it is not detailed how this will be assessed.

Uncertainties, Further Studies and Assessment

The Environmental Statement must provide further detail on how the identified potential air quality issues have been assessed. West Somerset Council would seek to agree in advance of the EIA what guidance documents/ methods will be used to determine significance and the level of mitigation required. It should be noted that NO₂ is currently monitored by West Somerset Council at the Williton junction between the A39 and the A358. It is expected that this data will be used to inform the air quality evaluation and depending on the outcome of the Transport Assessment expected for this project, further NO₂ and PM₁₀ monitoring may be required.

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18. Radiology

Baseline Environment

Reference is made in the Scoping Report to the Radioactivity in Food and the Environment (RIFE) study (assumed to be 14) which are welcome. The data derived from this study should be included in full within the Environmental Statement.

Initial Scoping Assessment

The addition of radionuclide concentration studies in marine waters, groundwater, surface freshwater and shallow and deeper soils is welcome (cross-referenced with sections on Land

Contamination; Freshwater Quality and Marine Water Quality); . It is assumed that samples have been analysed for gamma spectroscopy / spectrometry; gross beta; gross alpha; tritium and carbon-14. Data extracted from the existing A and B Stations is noted and it is expected that data will be provided in full on radiological contamination within the Environmental Statement.

Uncertainties, Further Studies and Assessment

Reference to public does limits should be included within the appropriate section of the Environmental Statement and it is expected that due reference will be made to the Health Protection Agency for advice. Discussions are also anticipated with the Nuclear Installations Inspectorate / Health and Safety Executive and should be detailed in full within the Environmental Statement (particularly in commentary on the suitability of proposed surveys), and linked across to the Health Impact Assessment.

19. Landscape and Visual Amenity

Baseline Environment

West Somerset Council considers that the baseline description is broadly descriptive of the landscape character and main features at and surrounding the site. However, the extent of the study area for landscape visual impact assessment is not clear and this needs to be confirmed as a matter of urgency. In this section there is little detail as to the landscape components of the site and immediate surroundings. In particular, the omission of illustrative material and visualisations / photomontages would be expected to be addressed within the Environmental Statement. It has been noted that the position, form and massing of the proposed landscape bund is the subject of '*informal pre-application discussion*'. Considerably more certainty is sought in this section on the form and massing, vegetative cover and screening effect of the works associated with the landscape bund and this is considered to be a significant matter which must be addressed through full stakeholder engagement in advance of the production of the Environmental Statement.

Initial Scoping Assessment

The initial scoping assessment is considered inadequate and considerably more detail is expected within the Environmental Statement. With the exception of the topsoil storage bund shown on Figure 1.3 there are no details as to the expected heights of weathered rock, overburden and visual screening bunds. This latter item in particular should be addressed through a full optioneering exercise supported by cross sections and photomontages to illustrate the screening effect of the 'preferred option'. This should be worked up with full stakeholder engagement including local residents around Shurton. It is considered inappropriate to state that '*much of the site preparation work would be reversible in nature*' in the same way that Figure 2.2 'Potential Arrangement for Restoration' is not an accurate description because it is unlikely that the landscape features and habitats will be 'restored' as such. These phrases should be avoided as they are seen as potentially misleading. Further

clarity is sought as to whether topsoil of differing types will be segregated and stored separately for use in later habitat creation.

Uncertainties, Further Studies and Assessment

The Scoping Report states that there is no uncertainty concerning the available data. However, this is considered to be an inappropriate statement given the uncertainties associated with the visual baseline. Locations where the visual envelope of the site have been assessed and the extent of intervisibility have yet to be identified.

It would be informative to provide a plan showing the extent of existing vegetation removal and retention, including the extent to which retained vegetation will be protected throughout the site preparation works and into construction phase.

West Somerset Council considers it a significant omission that there were no plans, maps or illustrations provided within this section of the document and these would be sought within the Environmental Statement. It would be beneficial to include a plan indicating the surrounding landscape context which is described in narrative form in 3.17.1 to 3.17.4.

Figure 1.3 (Preliminary Works Development Site Preparation) shows a number of proposed levels but no existing ground levels. These would be a useful inclusion in order to assess changes in levels across the site. There are also a number of gates indicated in the site security fence, two of which appear to be isolated from any paths or roadways. One is in the south west corner of the site, to the north of Shurton, and the other is in the western boundary to the north east of the words 'Temporary Haul Road' on the plan. Confirmation of future access provision is sought in the Environmental Statement.

20. Archaeology and Cultural Heritage

Baseline Environment

The baseline data referred to in the report are generally considered adequate by West Somerset Council at this scoping stage. Section 3.18.1 refers to 'standard practice' of defining a 500m study area around the development site. This is incorrect; in a rural environment a 1km study area is more usual, with 500m study areas used in an urban context. However in this case the size of the development site is such that a 500m study area is sufficient to provide adequate baseline data.

The expected elements of work (Desk Based Assessment and geophysical survey) have been undertaken to inform the baseline data. However, the status of the archaeological trial trenches mentioned in 3.18.13 is unclear. The first sentence of this section states that 149 trenches were excavated in autumn 2009, however the remainder of the paragraph refers to the trenching in the future tense. On the basis that West Somerset Council is aware that the

trenching has been carried out, it would be expected that reference to the results in the report would be made and this should be provided in the Environmental Statement.

Initial Scoping Assessment

Section 3.18.10 refers to an archaeological watching brief to be maintained during the site strip/ground terracing. However, this is contrary to 3.18.15, where the need for consultation to determine appropriate mitigation is discussed, and also 3.18.11 which states that the date, function and importance of the archaeological remains are not yet known. In light of the very high potential for archaeological remains identified by existing data and the geophysical survey, an archaeological watching brief is not an appropriate response to the significant impacts that can result from the preparatory works described in the report. We would expect a watching brief during site preparation and construction to be a supplementary component of a detailed programme of archaeological excavation and recording where the proposed development would impact upon buried archaeological remains. As discussed above, the results of the trial trenching should be used to formulate an appropriate mitigation strategy.

Uncertainties, Further Studies and Assessment

Graphical data provided to underpin the archaeology section is considered to be at an inappropriate scale. Both figures are reproduced at a scale that eradicates the majority of the detail; these should be reproduced at A3, not incorporated in the text and this would be recommended for the Environmental Statement. Figure 3.7 is of almost no use due to the scale and lack of any interpretation of the archaeological sites it is supposed to show. At the very least West Somerset Council expects the report text (especially 3.18.4 and 3.18.7) to cross reference the site numbers shown on the plan.

Considering that the geophysical survey was particularly successful in identifying possible archaeological sites, it is considered an omission that the interpreted results of this survey are not provided as a figure. It is certainly not possible to gauge the scale of the enclosures/field systems described in the text with the existing figure 3.7, as all sites are represented by identical points, and as mentioned above, there is no way to tell which of these points represents a site discussed in the report text. This should be addressed in the Environmental Statement.

21. Amenity and Recreation

Baseline Environment

The Scoping report makes reference to consultation with the Somerset County Council's Rights of Way Team which is welcomed, as is the Recreational Access Survey undertaken for the Public Rights of Way (PRoW) across and in vicinity of the site. Baseline data on users of the West

Somerset Coastal path is presented in the Scoping Report. However, it should be noted that the relatively low usage as presented may change in the future through inter alia the impact of

the Marine and Coastal Access Act. West Somerset Council would expect due consideration of future predicted use to be incorporated into the strategy for maintaining access through diversions and creation of new access.

Outline details of other recreational uses within the immediate vicinity are also provided e.g. fishing and horse riding and attempts have been made to characterise the amenity and recreational resources in proximity to the site. It has been assumed that the workforce associated with the Preliminary Works will not be provided with amenity and leisure services i.e. they will be dependent on existing recreational offers within the accommodation areas which they pursue. It is not possible at this stage to determine whether supply is likely to be proportionate to the needs of the workers and whether any additional provision will need to be made to address ongoing recreational and amenity needs. Further clarity on this issue would be sought in the Environmental Statement.

Initial Scoping Assessment

Continued dialogue with inter alia Somerset County Council, Natural England, Community Sport in Somerset, Ramblers Association, Open Space Society and local residents and amenity groups is recommended. The findings of such consultation and how these views have been addressed should be included within the Environmental Statement. The Scoping Report highlights the temporary alteration of the footpath network and affected footpaths being closed for the duration of the works. West Somerset Council would seek confirmation on the duration of closures and a commitment to reduce timescales associated with temporary closures as far as possible.

A leisure audit, incorporating the coastal strip of West Somerset is currently being undertaken but this is not referenced within the Scoping Report. This document should be referenced in full within the Environmental Statement to address amenity and recreation requirements.

Uncertainty, Further Studies and Assessment

Limited graphical data was provided with the Scoping Report and considerably more detailed information will be required detailing the PRow network and the closure and diversion of PRow, particularly in terms of the expected phasing of closures and how access will be maintained. In addition, mapping showing the locations of sites used for other recreational pursuits would also be beneficial (for example popular locations for angling pursuits).

22. Socio-Economics

Baseline Environment

Paragraph 1.1.1 describes “preliminary works” as consisting of activities such as vegetation clearance, ground terracing and “main civil works”. This type of work is likely to draw upon a range of construction skills but include a significant number of semi-skilled/ unskilled work opportunities alongside those workers required to operate earth moving equipment and drive

Heavy Goods Vehicles to transport spoil/ other materials. It is expected to be run for 16 months. West Somerset Council considers it a critical matter for the baseline assessment to set out the ability of the local labour market to supply these skills and the adequacy of the contractor base to use these skills (including matching outside contractors with local labour supplies). The balance between “local” and “non local” will have an effect on the movement of workers and the need for temporary accommodation. Both these effects will have a potential displacement effect on tourism within the area by affecting the amenity value of location and the availability of accommodation to support the existing tourism visitor market.

The current baseline section contains no discussion on the mix of skills needed by the project only specifying a peak workforce of 200 (assumed to be Full Time Equivalents) over a period of 18 months. As a consequence, there is no context for discussing the condition of the local labour market in a focused manner. Evidence on the condition of the labour market has therefore been presented in general terms using evidence from the main socio economic study underway. No matters related to the balance between “local” and “non local” workers has been presented yet this is regarded as a central issue for the main project. As such the opportunity to consider the effect on tourism of these works in relation to displacement effects has been foregone. Whilst this peak is much smaller than the total workforce peak, it is still inconsistent with the wider project. No mention has been made of the pool of the non economically active who might be able to re- enter the workforce through participation in low skilled work. West Somerset Council would expect the following additional information on baseline to be provided within the Environmental Statement:

- A discussion of the workforce skills requirements pertaining to the project;
- Refocus of paragraph 3.20.2 around labour force implications pertinent to project skills requirements;
- Identification of local unemployed known skills preferences;
- Identification of economically inactive as a potential provider of labour;
- Consideration of likely commuting behaviour of workers;
- Consideration of the capacities of the accommodation market especially temporary accommodation;
- Consideration of the capacities of the contractor base;
- Consideration of the current condition of the tourist market;
- Consideration of the local service impacts.

Initial Scoping Assessment

West Somerset Council considers that the initial scoping assessment should have made reference to assessing the capacities of the local labour market to supply the relevant skills. Reference is made to “*some of the workforce of 200 may be locally derived*” but without any rigor concerning the scoping of commuting behaviour. This section therefore lacks alignment with the methodology suggested for the Main Site DCO application where the balance between “local” and “non local” has been critical to determining effects. These include consideration of secondary effects on the tourism sector arising from the loss of amenity to the area and any accommodation effects. The local effects may conceivably be more compact than for the main

project if it is deemed that most of the workers will be accommodated in a workers campus. The significant of impacts may also vary according to the timing of key mitigation measures aligned with the main project e.g. the development of hostel accommodation. Whilst the peak workforce is low relative to the main project, there is still a need for a consistent methodology to be applied even if the overall effect may be regarded as “not significant” especially when there may be cumulative impacts arising from the wider project.

The phrase “*some of the workforce of 200 may be locally derived*” suggests a low level of participation. However, these work opportunities may be better suited to the skills profile of the area and provide entry level opportunities for people returning to the workforce.

Uncertainty, Further Studies and Assessment

West Somerset Council recommended that consideration be given in the Environmental Statement to:

Leakage – the relative balance between local and non local workers at peak is likely to be critical to assessing other impacts which are dependent upon whether people are resident in the area or not e.g. local services, accommodation.

Displacement – the assessment is clearly assuming a high level of non local worker participation is likely to take place as a result of hiring through specialist contractors. Displacement issues arise where contractors hire existing employed people e.g. in the contract plant hire business rather than local unemployed/ economically inactive people. Displacement may have medium/ long run implications on the productivity and viability of businesses in the impact area that loose employees to the project.

Displacement impacts should also be considered in terms of the local accommodation sector where non local workers are likely to reside. Non local workers may cause displacement of tourist visitors who tend to spend more in the local economy than somebody repatriating their earnings to a family outside the impact area.

Multiplier – reference is made to the diversion and modification of existing services including cabling (paragraph 2.2.4) and surface drainage (paragraph 2.2.6). These works are likely to be undertaken through purchase of services rather than direct employment showing a possible multiplier effect which needs to be considered.

Cumulative Effects – paragraph 2.3.17 infers that the impact of the workforce is minimal (being less than the 420 outage employees used by Hinkley B). As Hinkley B will still be running when this project starts, the impact is actually cumulative especially in terms of using local accommodation possibly in advance of any hostel accommodation. Cumulative impacts from the operation of existing reactors and other major projects with matching timescales (see Table 64 “Other Major Construction Projects in the Sub Region”).

23. Environmental Impact Assessment

West Somerset Council would generally support the discussion provided in Section 4.1. We particularly support the third bullet to Section 4.1.5, insofar as impact assessments should include descriptions of the assessment methodology; baseline environmental conditions; impacts during construction, operation and decommissioning; mitigation measures and residual impacts.

24. Cumulative Impact Assessment

It is common EIA good practice, supported under Circular 2/99 to consider projects which are in the '*planning domain*' i.e. for which there is a degree of planning certainty regarding an application being lodged. This would appear to be supported by the consultation response to the British Energy Scoping Report for the main site lodged in November 2008. The response from DECC dated 10th February identifies the need for '*the list of projects which pose a likely in-combination effect should be revised as part of the EIA to ensure the list reflects all plans and projects which present a likelihood of a significant effect in-combination with the proposals at Hinkley C. Plans and projects which are operating, under construction, consented or reasonably foreseeable (i.e. in the planning process) should be considered*'. For the Main Site, the Steart Habitat Creation project and the proposed Severn Barrage are explicitly mentioned. Given this response, it seems reasonable to expect a greater level of detail as to the projects to be considered under the cumulative assessment section. Furthermore, the Infrastructure Planning Commission Scoping Opinion provided in April 2010 relating to the Hinkley C Development Consent Order (DCO) process confirms that '*the DCO application must be clear as to what permissions are being sought from the Commission and what approvals are intended to be sought from the local planning authorities and the MMO. In any event, the Commission requests that the EIA should take account of all such works as part of the cumulative impacts assessment in the ES*'. West Somerset Council considers it reasonable that any cumulative effects which the IPC have recommended be considered for the DCO should also be considered for the application for the Preliminary Works (since there is an acknowledgement by EDF Energy that these projects are linked).

The Scoping Report largely discusses the approach to assessing cumulative effects with regards to the Site Preparation works; Temporary Aggregates Jetty and Main Site Hinkley Point C development. With regards to the range of effects that may be expected in combination with effects of the Hinkley Point C development. West Somerset supports the intention of EDF Energy to consider all aspects of the proposed Hinkley development (including the Preliminary Works) which may be interactive and could generated cumulative effects.

Section 4.2.4 makes reference to the EIA addressing cumulative impacts of '*any other past, present and reasonably foreseeable projects*'. At this stage, West Somerset Council considers that cumulative assessment (or full justification as to why these projects have not been considered) be undertaken of the Site Preparation works with:

- The Steart Peninsula Project (<http://www.environment-agency.gov.uk/homeandleisure/floods/80793.aspx>);

- The nuclear power station proposals at Oldbury by Horizon Nuclear Power;
- Bristol Port Company proposals for ecological compensation / enhancement within the Steart Peninsula.

Furthermore, West Somerset Council would endorse the statement in Section 4.2.12 that other projects, notably the Severn tidal range power scheme, should be considered should these develop into reasonably foreseeable projects in the course of the EIA for the preliminary works.

25. Appropriate Assessment

West Somerset Council has noted the statement in Section 4.3.1 that the Site Preparation works could interact with the Severn Estuary's Natura 2000 sites and Ramsar Site, during construction and operation. It is also feasible that decommissioning may also impact upon the aforementioned sites.

Section 4.3.2 through to Section 4.3.4 provides a general discussion of the Severn Estuary SPA and Ramsar site and their value in respect of wintering birds. West Somerset Council anticipate a full account of the value of these features through desk-based evaluation and field evaluation be made to inform the Environmental Statement and Appropriate Assessment. This should also be considered in respect of cumulative issues as noted at Section 4.3.2 '*a number of wintering species forming the cited interest of the Severn SPA and Ramsar site regularly occur within 1km of the main development site at Steart Flats*'. West Somerset Council would expect the relationship of the Site Preparation works and cumulative issues around Steart to be considered in full.

While Section 4.3.3 and 4.3.4 refer to surveys of bird species adjacent to the proposed site, the detail of these surveys has not been made available and thus West Somerset Council is unable to comment on the validity of the statements at this time. The Council would expect that the baseline evaluation set out all desk-based and field evaluation within the Environmental Statement to provide context for this statement.

West Somerset Council is in agreement with Section 4.3.5 which recognises that plans or projects likely to have significant effect on an internationally designated site require Appropriate Assessment to be undertaken in accordance with Regulation 48(1) of the Conservation (Natural Habitats &c) Regulations 1994. West Somerset Council also welcomes the commitment for EDF Energy to provide all information necessary to undertake the Appropriate Assessment. West Somerset Council notes and is supportive of EDF Energy's commitment to consider the potential impacts of '*past, present and future plans or projects*' within this Appropriate Assessment framework.

26. Consultation

West Somerset Council welcomes the recognition of the importance of and commitment to consultation described in Section 4.4. It would be useful if the Scoping Report were to provide further information on stakeholder engagement, for example, detailing the approach for

allowing consultees to inform the scope of the EIA and content of the resulting Environmental Statement.

It is also expected that findings from consultation are included as appendices to the Environmental Statement, and main findings are summarised within the Environmental Statement to allow the document to describe where stakeholder concerns and issues have been addressed.

Responses from Statutory Consultees

The responses from statutory consultees, which have been received to date, are summarised in this Scoping Opinion. For completeness, copies of the correspondence are attached in Appendices A to D. EDF Energy should refer to the attached correspondence for full details of the responses from consultees.

A response from English Heritage was received today and is attached in full.

A. Environment Agency

The Environment Agency (EA) responded to the scoping application on 13 May 2010. A copy of the EA's letter is provided in Appendix A.

The EA considers that the development is an Annex 1 project and that a full EIA is required. The EA advises that the information in the scoping report is sufficient, but additional information is required on a number of matters:

- An overarching waste management strategy is required. A site waste management plan (SWMP) should integrate with the overarching waste management strategy.
- NNB Genco should meet the EA at the earliest opportunity to discuss the permits and consents required for the development.
- Further information is required on the Raw Water Supply.
- Details of discharges must be provided and potential impacts to the area must be defined. This will include an assessment to ensure that changes in water quality will not impact on the designated features of the Severn Estuary Natura 2000 site or other foreshore ecology.
- The developer must show what measures will be taken to manage and protect areas that are of importance to wildlife. This must link with NNB Genco's wildlife strategy.
- The Construction Environmental Management Plan (CEMP) should include management procedures for accidental releases to both surface water (terrestrial and marine) and groundwater.
- Further details will be required to establish which consents are necessary for the proposed drainage activities.

- Any enabling works should be incorporated into the EIA and subject to the same overarching management strategies as the main site development.
- Groundwater management measures must be linked to a comprehensive construction management plan.
- An Environmental Monitoring Strategy for Water Quality, both at the main site and any associated development site is expected.
- The assessment should contain estimates of required drawdown, required pumping rates and duration, and zone of influence of pumping. Assessment should be made across all areas of the site (particularly BDA East) for the potential migration of contaminants and contaminated groundwater due to the dewatering process. Monitoring and mitigation must be considered and outlined in the water monitoring strategy. It has been noted that in the deeper groundwater in BDA West there are elevated parameters of dissolved heavy metals and total mercury. If this is going to be part of the dewatering operation, then the potential impact of pumping it to the surface must be assessed.
- It is noted by the EA that the publication of Shoreline Management Plan SMP (2) is imminent.
- Contaminated land issues should be in accordance with Planning Policy Statement 23 Planning and Pollution Control (PPS23). Information to date suggests that it is likely that, particularly in DBA East, some excavations will be contaminated. Measures should be documented and in place to chemically test and segregate any material that is contaminated. Suitable and sufficient storage space needs to be planned in advance. This must be indicated as part of the site waste management strategy.
- The EA queries whether the baseline studies on Hydrodynamics and Coastal Geomorphology include up to date data.
- The latest Radioactivity in Food and The Environment (RIFE) report (now 14) should be incorporated into the EIA.
- The cumulative/ in combination impacts of the multiple applications, which include the main site and the associated development, should be assessed. The assessment must include, for example, the temporal cumulative effect of the dredging of the jettys berthing pocket and the thermal plume. The effect on Benthic populations that are re-settling after dredging and new pressures felt from repeated discharges. The timings of the development phases of the jetty are unknown. The worse case scenario should be assumed and incorporated into the assessment process.
- When assessing the Hinkley development the developer must take account of the combined effects of related projects such as the Steart Managed re-alignment project and the Bristol Ports Development. The EA is aware of proposals for further development at Oldbury power station site. If a development consent order is granted this may overlap with the construction phase of Hinkley point. The cumulative impact of these developments should be included in the assessment. An example of such effects is the potential impact on bottom dwelling fish, firstly from construction of Hinkley Point, secondly from the thermal plume when operational, followed by the potential impacts of further development at Oldbury.

B. Natural England

Natural England responded to the scoping application on 12 May 2010. A copy of Natural England's letter is provided in Appendix B.

Natural England considers that it is not currently possible to conclude that the works will not have a significant effect on the Severn Estuary SPA/SAC and that an EIA is required. Natural England advises that once the ES is available, the matter of significant effect and the need for Appropriate Assessment can be addressed. It advises that the development should not be considered in isolation, but with others including the jetty.

With regard to the SPA/SAC, there are two particular activities that might impact on the site. These are the disturbance to bird populations using the foreshore as a result of activities to prepare the site and the discharge of drainage water from the site either to local watercourses or the foreshore. Discharges to the foreshore could impact on colonies of the algae *Corallina* while discharge to local streams could impact on the freshwater invertebrate fauna in the coastal grazing marsh. Natural England considers that the scoping report correctly identifies those key areas in which there may be environmental issues and will form the basis of an EIA and ES.

C. Somerset County Council, Environment and Community Protection Services and Roads and Transport Services

Somerset County Council responded to the scoping application on 14 May 2010. A copy of Somerset County Council's letter is provided in Appendix C.

Somerset County Council has provided comments on the following topics:

General Comments

There is a general concern about separating this phase of proposed preliminary works from the site's main development proposals that will be considered by the IPC. There is a risk that the complex, in combination effects of both the preliminary works and the principal development proposal, that will be considered by the IPC may not be fully assessed. It is suggested that every effort is made within the ES to quantify these impacts or clearly identify where entirety of the development proposal will be considered.

Public Rights of Way

The site is currently heavily served by public rights of way, and it is proposed to divert the footpaths on the site to around the boundary. The necessary diversion Orders(s) will need to be in place before works can commence on site to fence and therefore restrict public access to available routes (for more information the applicants need to contact the County Council's Rights of Way Service). Detailed comments on specific sections of the Scoping Report in relation to Public Rights of Way are provided and should be addressed in the preparation of the EIA.

It is accepted that the West Somerset Coast Path and other paths will be directly impacted by the development and will have to be closed temporarily to allow the work to take place. Previous discussions with EDF would indicate that the Coast Path will be closed for as short a time as possible, with 18 months being mentioned. Unless any other powers are in place, temporary closure orders will have to be sought for any paths which are being closed as a result of this development.

Archaeology

Guidance from the Department of Communities and Local Government and Department of Energy and Climate Change states that *“Local Authorities may decide that such consent should potentially be granted on the basis that any preliminary works will be removed.”* The issue with archaeological remains is that the development will impact adversely on remains. This adverse impact is impossible to *“remove”* or reinstate as remains cannot be reinstated. The EIA should make this clear in its summary in order to present a balanced judgment.

Recent planning policy has been released by DCLG (PPS 5 Planning for the Historic Environment) which requires the submission of a *“description of the significance of the heritage assets affected and the contribution of their setting to that significance”*. This information together with an assessment of the impact of the proposal should be set out in the application.

The EIA should include all the information on the Cultural Heritage gathered by the applicant. At minimum it should include:

Landscape and Visual Amenity/Impact

Somerset County Council consider that a range of options for screening the development should have been explored in the scoping document rather than the description of one option. The technical reasons why other options are not possible or desirable should be explained. Similarly, the scoping document should have explored the option of moving some or most of the material straight to its final resting point to ensure that the construction site is better screened during the construction period. A series of cross sections showing the existing and proposed profiles would be extremely helpful in understanding the impact of the proposal and any alternative proposals which come forward.

The report contains limited reference to the nearest nationally protected landscape, the Quantock Hills AONB. The site is in a visually sensitive area, and the importance of appropriate landscape and consideration of visual impacts needs to be justified.

Acoustic Issues, Vibration and Air Quality

It is unclear how or when the process of setting agreed noise limits will occur with the Local Authority and it would be helpful if these points could be clarified.

Ecology

There is concern that consideration of the environmental impacts of site preparation could become separated from consideration of the impacts of the whole Hinkley Point project (including the associated infrastructure and other development). Without an overview of the whole project, it is difficult to judge what the cumulative impacts might be. Treating the preliminary works in isolation from the rest of the project could make it difficult when it comes to appropriate assessment of the project as required by the European Habitats Directive and UK law.

The Scoping Report should have made a preliminary evaluation of the ecological worth of any habitats or features that will be lost. Some of the habitats and features that will be lost are of at least county-level significance. The network of hedgerows in the area that will be severely affected is UK BAP/S.74 habitat in its own right as well as being likely to support European Protected Species (bats). The ES should address mitigation/compensation for the loss of this habitat. Despite the lack of national/international level designations the proposed development site might, nevertheless, support a nature conservation interest of more than simply local significance.

Disturbance to birds using the Severn Estuary Special Protection Area (SPA) and Ramsar site is a key issue. Disturbance is likely to be caused by lighting and noise associated with the proposed Development. In addition, disturbance could be caused by exposure of birds on the foreshore and in fields to increased levels of human activity during construction. This should also be addressed in the ES. All the reports and data that has been collected relating to bird populations should be provided and analysed in the ES in order to provide an assessment of likely effects upon bird populations. The ES should be accompanied by all the reports of surveys relating to terrestrial ecology and relevant marine ecology conducted between 2007 and 2010.

The impact on badgers will be considerable. A Badger Mitigation Strategy should be included in the ES. It is not sufficient to indicate that mitigation will be dealt with at a later stage when licenses may be sought from Natural England.

The ES should address what is proposed to ensure adequate habitat connectivity is maintained across the site at all stages of the development. The ES should contain plans showing the phasing of works and indicating how suitable habitat will be retained or created.

Paragraph 3.8.13 of the Scoping Report suggests that, *“There is little evidence to suggest the presence of other protected species (e.g. great crested newts, dormice, otter, water vole, reptiles) on site.”* This seems to contradict EDF’s own survey reports, which demonstrate that legally protected reptiles and amphibians have been found within the proposed development area. Signs of otters have been found nearby. All ecological reports should be submitted with the ES and any identified mitigation measures identified. Monitoring surveys of protected species may be required during the development. The potential impact of lighting on the fauna on the foreshore or in the immediate coastal zone facing the proposed development area should be considered

Further information is required on the restoration of the site should the DCO consent be refused. In addition, further information is required in the ES in mitigation for ecological impacts during the construction phase.

Transport

A query is raised on whether a full Transport Assessment (TA) and Workplace Travel Plan will be prepared to support the application, or whether this will be included in the main TA and Travel Plan submitted to the IPC. There are omissions in relation to information on the jetty, a lack of detail on the new access to connect the site to the existing network and on construction personnel movements. Further clarification on the potential use of rail for importing construction material is required in the ES. The ES should also include an assessment of the impact of all construction and staff trips on the surrounding highway network, in terms of routes, highway capacity and safety matters. In addition, all modes of transport should be assessed, including opportunities for walking, cycling and any severance issues.

D. Sedgemoor District Council

Sedgemoor District Council concur with the content of this Scoping Opinion.

E. West Somerset Council Environmental Health

The Environmental Health Department of the Council responded to the scoping application on 19 May 2010. The response of the Environmental Health Department is reproduced as follows:

1. Contaminated land

- Main Site; This report explains that intrusive soil investigations have been carried out and the risk to human health assessed as very low. However, results of the soil sampling and ground gas investigations (eg infill from ponds) have not been provided to WSC.
- Details of the investigation should be provided. The decision on impact to human health should be agreed with the LA.

2. Noise & Vibration

- The scoping report (EIA, 2009) explains that the LA had agreed permissible noise limits. This was not agreed and appears to have been removed from this report.
- Major possible adverse noise impacts have been identified as a result of earthworks and stockpiling (Construction phase) at the southern-most part of the site. The creation of a landscape buffer to reduce the noise levels is recommended in the report. Attenuation levels from the noise should be submitted to and agreed by the local authority.
- Hinkley Point C operational night time noise levels have been modelled (43dB LAeq night-time; s. 5.12.9, EIA Scoping Report); but clarification is needed on the monitoring location and whether this accurately represents critical risk.
- Control of construction noise (s.5.12.11, EIA Scoping Report)); measures need to be agreed with the LA for the measures necessary to minimise the noise during construction activities (e.g. working hours, noise levels, Considerate contractor scheme – COPA).

3. Air Quality

Background monitoring has been performed over a 6-month period for NO₂, SO₂ and PM₁₀. However, to aid the Council's review and assessment of air quality from this potential significant development there should be:

- a) Clearer timescales should be provided for development proposal to aid the Council's review and assessment responsibilities.
- b) ADMS modelling has been carried out to assess impact (s. 5.13.8, EIA Scoping Report)) for NO₂ and SO₂ from the emissions from a diesel back-up generator. However, a reporting mechanism should be set up so that complaints of dust are reported to the local authority (Box 5.10 TG(09)). Because there appears relevant exposure (e.g. at Doggetts) if complaints arise or significant dust emissions or dust tracked out of the site, then a more detailed assessment for PM₁₀ would be likely (s.3.15.5 & s.3.15.6 should be amended). It may be that a more detailed assessment for PM₁₀ should be carried out depending on the mitigation being proposed (Considerate Contractor scheme should be set up and agreed by the local authority).
- c) To date no assessment of exhaust emissions (traffic impact) has been carried out because it is suggested that traffic data is not currently available. However, cumulative impact of traffic especially at Williton junction between the A39 and A358 may need to be assessed further. NO₂ is currently monitored within 10m of the junction (s.3.4 of [WSC USA 2009](#)) however, if it is likely that significant traffic flows occur at this junction there may need to be a more detailed assessment for NO₂ and PM₁₀ at this junction.
- d) All AQ reports should be submitted to and approved by the Council.

4. Ecological impact

Comments were previously made in relation to the [Council's Biodiversity Action Plan](#) (BAP). Any revised proposals made in terms of this report should be assessed in terms of the BAP.

General comments;

- a) A map should be drawn to show the boundary between administrative regions (WSC and Sedgemoor Council).

Owing to the need as indicated in the report to store intermediate level waste on the site over a 100-year time frame, does the flood assessment consider extreme climate change scenarios. Does the modeling of flood risk adequately consider sea-level rise over this time frame?

To conclude, there are a number of significant issues – set out in the content of this Scoping Opinion – which will clearly need to be addressed prior to the preparation of a holistic Environmental Statement. Should you require further clarification on the content of this Opinion please do not hesitate in contacting me.

Yours Sincerely

A handwritten signature in blue ink, appearing to read "A Goodchild".

Andrew Goodchild BSc (Hons) MA MRTPI
Planning Manager