

00:00:03:29 - 00:00:27:04

Speaker 1

Good evening, everyone. It's now 7:00. It's time for me to open this hearing. My name is Edwin Maund. I'm the lead member of the panel of examining inspectors who've been appointed to examine, report and make a recommendation to the Secretary of State for Business, Energy and Industrial Strategy on the application made by the North Lincolnshire Green Energy

00:00:27:04 - 00:00:58:04

Speaker 1

Part Ltd for the construction operation and maintenance of the North Lincolnshire Green Energy Park Project Development proposed is the construction and operation of a combined heat and power enabled energy generating station with an electrical output of up to 95 megawatts, incorporating carbon capture, associated district heat and private wire networks, hydrogen production, ash treatment and other associated developments

00:00:59:18 - 00:01:18:23

Speaker 1

. Before I go further, can I confirm that everyone can hear me clearly? For those virtually in the camera's working. Yeah. Thank you. Can I also check with the case team that the recording in the live stream of this event has commenced?

00:01:19:24 - 00:01:38:12

Speaker 1

Yeah. Thank you. If there are any difficulties in hearing or seeing seeing as during this, please let either the case team or ourselves known will endeavor to resolve any difficulties. I'll now ask the other member of the panel, Dr. Philip Brewer, to introduce himself.

00:01:41:25 - 00:01:58:29

Speaker 2

Thank you, Edwin. Good evening. My name is Dr. Phil Brewer. I'm a member of the Institute of Cape Sticks. And a planning inspector and have been appointed by the Secretary of State for leveling up housing and communities as a member of the panel of examining inspectors to examine this application.

00:01:59:13 - 00:02:01:05

Speaker 2

I will now back to Edwin.

00:02:04:16 - 00:02:20:19

Speaker 1

We're assisted at this hearing by the Planning Inspectorate case team. Today we have the case manager, Sarah Norris here with us and also Caroline Hopewell assisting us remotely. They'll be pleased to help you with any procedural or other queries you may have today.

00:02:21:29 - 00:02:41:03

Speaker 1

Mobile phones. Can I just remind people to switch them off so that we're not interrupted? AM also confirmed to you there are no practice fire alarms proposed this evening. So in the event when it goes off, we will need to vacate the room.

00:02:41:26 - 00:02:57:10

Speaker 1

There's a series of doors off to my left and obviously you're asked to convene at the I think there's a large tree with a sign, a meeting point just outside on the other side of the car park and not to reenter the room until we're told it's clear to do so.

00:02:58:04 - 00:03:18:13

Speaker 1

Toilets are obviously on the main foyer in the way in and should it be necessary, we'll have a break at about half eight hearings not being concluded by that time. Recording will be made of today's proceedings and this will be available on the National Infrastructure Planning website as soon as possible after this event.

00:03:19:20 - 00:03:41:05

Speaker 1

I also need to make clear to everyone that because the digital recordings made are retained and published, they form a public record that can contain your personal information and to which the general data protection regulations apply. The specter it's practice is to retain and publish the recordings for a period of five years after the Secretary of State's

00:03:41:05 - 00:04:05:18

Speaker 1

decision on a development consent order. It is therefore important that you understand that if you participate in the hearing, you will be recorded and that you consent to the retention and publication of the digital recording. To avoid the need to edit the digital recordings, we would ask that speakers try to avoid adding information to the public record

00:04:06:01 - 00:04:24:28

Speaker 1

that you would wish to be kept private and confidential. It is genuinely considered that if it is genuinely considered, there is no alternative to the disclosure of such information. We will agree a process to allow that information to be provided and made available without forming part of the public record.

00:04:27:02 - 00:04:49:14

Speaker 1

For those of you wishing to speak this evening in person, I ask you to come forward to the table at the center of the room there. For those of you participating via our teams and again, if you can let us know and we will let you know when your cameras come on and the microphones so we can

00:04:49:15 - 00:05:14:20

Speaker 1

see and hear you, albeit, as I understand it, no one is actually participating yet. Teams currently, obviously, if they join later, I'll let people know. We will be proceeding as explained in our Rule eight letter, the Annex C, which was dated the 23rd of November last year, which gave notification of this open floor hearing.

00:05:15:06 - 00:05:17:06

Speaker 1

And I'll now pass back to Dr. Brewer.

00:05:20:15 - 00:05:39:02

Speaker 2

Thank you. So a few comments on the purpose of the open floor hearing. This provides an opportunity for interested parties to make their oral submissions to the panel. It also gives the panel an opportunity to ask speakers questions about the evidence that they have presented.

00:05:40:29 - 00:06:02:18

Speaker 2

All submissions should be based on representations previously made in writing by participants. However, we have already read those written submissions and they will be afforded the same weight as those made wholly. Therefore, what we are looking for is not for those written submissions to be repeated, but instead this should be an opportunity to provide further detail, explanation

00:06:02:18 - 00:06:17:14

Speaker 2

and explanation to help us understand and fully appreciate the case you are seeking to make. The procedure that we will follow today is to hear first interested parties who have notified us in advance of the meeting that they wish to speak.

00:06:18:04 - 00:06:39:21

Speaker 2

They will be invited to come forwards in order to give evidence. As indicated in the agenda. To make best use of the available hearing time. We allow each interested party a maximum of 10 minutes for all submission. We do have the discretion to allow people to continue beyond that maximum time period if we consider that there will

00:06:39:21 - 00:07:03:06

Speaker 2

be a benefit to examination. But we would advise you not to rely upon that discretion being exercised and to stick to the time limits as best you can. The panel. I then wish to ask the speaker questions. The applicant will be given an opportunity to briefly respond to any matters raised by each speaker or in some of

00:07:03:06 - 00:07:22:06

Speaker 2

the at the close of each session. I would ask for those present not to interrupt whilst another person is giving evidence, even though you may agree or disagree strongly with what is being said. It's important everyone has a fair opportunity to put their case without interruption or other distraction.

00:07:24:15 - 00:07:48:13

Speaker 2

Government guidance for the examination of applications for the building consent explains that the X-ray may be fuzed to hear evidence, which is, in its view, irrelevant. Vexatious or frivolous relates to the merits of a national policy statement, repeats other representations already made, or relates to compensation for compulsory acquisition of land or an interest in or over land

00:07:49:17 - 00:08:03:00

Speaker 2

. Additionally, I may request any person behaving in a disruptive manner to leave the hearing or remain only if that person complies with specified conditions. Thank you.

00:08:06:21 - 00:08:19:22

Speaker 1

Thank you. Okay. If we commence, then I have a list of those who've indicated that they wish to speak today. And so if I can start off with Councilor Morpeth, please.

00:08:24:11 - 00:08:25:03

Speaker 3

Very much.

00:08:31:25 - 00:08:58:11

Speaker 4

So I don't normally speak sitting down. Um, so on behalf of the many residents, as you know, I'm one of the ward councilors for Bert and Winston. I'd just like to raise a few concerns. Actually, it's not exhaustive surrounding the proposed DCO, as with the previous submission made to the Planning Inspectorate from the local ward councilors.

00:08:58:16 - 00:09:24:13

Speaker 4

This is by no means exhaustive, but I'm sure all the parties will address the many other issues. First thing I'd like to refer to is landscape value. I'll draw your attention to the fact that the area from Witham to Flix Brook incorporates the Lincoln Edge cliff, which is considered to be an area of high landscape value.

00:09:24:28 - 00:09:49:00

Speaker 4

Now areas you probably know this of high landscape value are considered to be of high landscape quality with strong, distinctive characteristics which make them particularly sensitive to development. A review of areas of high landscape value has been undertaken in the latest North Lincolnshire landscape character assessment.

00:09:49:13 - 00:10:18:16

Speaker 4

And in light of this review, it is proposed that the following areas of high landscape value should be protected or not go through the whole list. But I'll just refer you to item B, which mentions the Lincoln Edge cliff between Whitton and Flix Brook dealing with alternative more suitable sites that do not encompass treble size comber Ramsar

00:10:18:16 - 00:10:40:13

Speaker 4

sites, BMV best most versatile farming land. Clearly we have a land use conflict in that latter respect. There are concerns with using the river as a mode of transporting waste materials and if something goes wrong, we do have potential river contamination and risk to the or reflects nature.

00:10:40:13 - 00:11:08:00

Speaker 4

So again, there are more suitable sites which do not have the topography of the Trent Valley and escarpment where our villages are situated at the highest sea level and risk of stinking

emissions from the stacks. Furthermore, waste should be managed as near as possible to its place of production, mainly because transporting waste has a significant environmental impact

00:11:08:27 - 00:11:34:06

Speaker 4

. Reinstating the railway line that is likely to have a detrimental effect to the amenity and wellbeing of nearby residents. No amount of mitigation can detract from the fact that the present environment of peace and tranquility will be destroyed for all those people in quiet, peaceful villages living near this unused railway line.

00:11:35:00 - 00:12:00:15

Speaker 4

The proposed development also impacts on eight rights of way three pro ws and won't cross the railway line. So 21 references to use of rail seem confusing and contradictory, stating that there would be minimal increase in traffic. Well again, can I point out that there is no rail traffic at the moment dealing with flood risk.

00:12:01:03 - 00:12:20:16

Speaker 4

Other attendees will no doubt cover this in more detail, but even the fact that we have to consider flood risk begs the question of more suitable alternative sites, which suffered devastating floods in 2013 when the River Trent burst its banks.

00:12:20:29 - 00:12:39:07

Speaker 4

No doubt it will be argued that flood banks have been lifted up at South Ferriby since then, which sits on the River Humber. But bearing in mind predictions on climate change and given a repeat surge of the 2030, there are concerns that even more water will be pushed into the river.

00:12:39:07 - 00:13:07:12

Speaker 4

Trent from the Humber posing a risk of future flooding. In 2013, the starter area and flats were underwater, homes were flooded and on a very cold night we were rescuing livestock from the water. Not all survived. I note this application does not contain a detailed, specific flood risk assessment, but stressed that our North Link Strategic Flood Risk

00:13:07:16 - 00:13:30:24

Speaker 4

Strategy tomorrow acknowledges that part of the site are in an area at high risk of flooding. I draw attention to paragraph 12.29, where it specifically refers to fixed industrial estate and concludes with the sentence. Therefore, development is not permitted with.

00:13:30:27 - 00:13:49:17

Speaker 4

In this area. I do realize that you will be addressing the adequacy of the flood risk assessment, but I do need to submit residents concerns that my job the waste proximity principle North Lincs Council has no need or uptake for this waste incineration facility.

00:13:50:08 - 00:14:12:16

Speaker 4

Classification of the facility itself is classified as an energy recovery facility as opposed to a waste incineration facility. As such, this seems to be a wolf dressed in sheep's clothing. The name of the project itself, North Lincolnshire Green Energy Park, has hoodwinked many of our residents.

00:14:12:17 - 00:14:26:08

Speaker 4

I was speaking to a lady this afternoon and she said when she first noticed this she thought, Oh good, until she read a bit further. Indeed, many of our residents do not even realize that this is, in effect, a waste incineration plant.

00:14:26:28 - 00:14:56:15

Speaker 4

The adverse impact of this proposed development does not seem to outweigh the benefits. In his first address to a question from south west Wiltshire MP Dr. Andrew Morrison on government policy to continue with waste incinerators, our Prime Minister answered that all large incinerators in England must comply with strict emission limits and only receive permits if plants do

00:14:56:15 - 00:15:22:26

Speaker 4

not cause any damage to human health. Government policy on human health from government publications cite both physical and mental health. Influence Wellbeing. Wellbeing is a shared government objective. I submit that wellbeing is both subjective and objective. The nine pro disaster still weighs heavily in our local psyche.

00:15:23:02 - 00:15:53:19

Speaker 4

28 people died. Hundreds were injured on the very site of this proposed development. Homes were flattened. Rules were blown off. Buildings were damaged and residents were evacuated. When the flick explosion happened following residents witnessing the enormous mushroom shaped cloud, the southwesterly wind took the thick plume of smoke directly across the Lincoln and Burton, upon stop of the

00:15:53:19 - 00:16:14:29

Speaker 4

fog of this was so dense and thick it was difficult to see. Bear in mind this time people did not know if it was toxic, poisonous, or if indeed there would be further explosions. Those horrific memories still weigh heavily in the minds of our long standing residents.

00:16:15:22 - 00:16:43:15

Speaker 4

Comment was made at this afternoon's open floor hearing on the financial sustainability of the company given past history. I draw attention to the fact that sadly, the flick disaster the inquiry came to the conclusion that a major contributory factor to the explosion was due to financial difficulties and the company cutting corners with repairs go on to the

00:16:43:15 - 00:17:11:28

Speaker 4

north Lincs local plan. One of the planning inspectorate's remakes is to explore if there is a need for the proposed development in the context of government policy on emerging

government policy policy. Emerging Government Policy. I would therefore ask the inspectors to give adequate weight to the emerging new North Lincolnshire plan, as this does not correlate with the

00:17:11:28 - 00:17:37:18

Speaker 4

developer's conclusion that this site is identified as a suitable for a waste management facility. Also, North Lincolnshire Council have no appetite for facilitating the sale of undeveloped within their ownership for development of these waste incinerators. The leader of North Lincs Council Councilor, both an MBA has for me informed me that he will be pleased to confirm this

00:17:37:18 - 00:18:02:26

Speaker 4

with yourselves. Yet on the land acquisition documents, the applicant state that negotiations are under way with NLC. There are a number of land areas within the development site on which our local authorities expressed they will resist development because of biodiversity implications and numerous areas within the ownership of North Lincs.

00:18:03:12 - 00:18:27:06

Speaker 4

One of the areas of this proposed development is an open site off Phenix Parkway and the authority recently had to refuse a planning application on the site due to biodiversity reasons. For reference, this is page 2020 21247 on compulsory acquisition and temporary possession.

00:18:28:14 - 00:18:44:15

Speaker 4

To be honest, the DCA resembles a map of annexed Ukraine and at the heart of this is an established and functioning small to medium sized business park. Do we really support the upheaval and potential loss of these units?

00:18:45:02 - 00:19:10:20

Speaker 4

We also have concerns regarding the indirect impact of these compulsory purchases. We do not believe there is a compelling case in the public interest for those compulsory acquisitions. Challenge also has to be made on the merits of disrupting and displacing existing businesses on the industrial estate as opposed to more suitable alternative locations.

00:19:11:09 - 00:19:15:23

Speaker 1

Sorry. Sorry to interrupt. Some of you have had more than 10 minutes now. You getting towards.

00:19:15:29 - 00:19:36:22

Speaker 4

That? I got two more paragraphs. Yeah. Thank you. Thank you for sharing with me. We believe there are more suitable alternatives which will not cause this amount of consequential closures. Has sufficient due diligence been followed regarding financial sustainability reflected of this application?

00:19:37:03 - 00:19:53:08

Speaker 4

To conclude, in the first hearings in November, it was clear it was much speculation and hypothetical assumptions. This does not bode well for confidence in this development consent order. Thank you. Thanks for your patience.

00:20:05:22 - 00:20:19:22

Speaker 1

Can I just clarify with you? You made a reference after referring to Phenix Parkway, and I didn't quite get the paragraph reference and the document you were referring to, if you could just tell.

00:20:24:00 - 00:20:34:09

Speaker 4

You have. Yes. 20, 22 one, two, four seven. And it was the reasons for refusal.

00:20:35:24 - 00:20:38:25

Speaker 1

So that's a local authority decision. Yes. Right. Yes.

00:20:38:29 - 00:20:39:08

Speaker 4

Yes.

00:20:40:27 - 00:20:41:09

Speaker 1

Thank you.

00:20:41:17 - 00:20:41:28

Speaker 4

Thanks.

00:20:55:17 - 00:20:58:11

Speaker 1

Okay. If I can call on Mr. Nicholson next, please.

00:21:17:12 - 00:21:43:21

Speaker 5

Initially, I would like to highlight something that I have highlighted before, but it's become more apparent by the. Lack of attendance tonight. And this reflects on the lack of initial information given out. Prior to the consultation period. I'm still getting people coming to me.

00:21:45:18 - 00:22:05:26

Speaker 5

Saying, Well, we didn't even know this was happening because they have no notification. These are people within the consultation area and there are many people outside the consultation area who I've spoken to who also say. We were we were sent this leaflet.

00:22:05:26 - 00:22:34:04

Speaker 5

We have no idea what it's about and we don't know why we were sent it for out from over five miles away. So one of the primary recipients of anything that comes out of the top of the. Chimney or smells or noise at Star Road Burton upon starter and this is by the environmental impact team that did

00:22:34:04 - 00:22:56:28

Speaker 5

the assessment and not but not from me from them. We don't we didn't receive any notification at all yet. To me, we should have been the first people as the primary receptors, if you like. Another thing I would like to highlight is.

00:22:59:08 - 00:23:22:21

Speaker 5

The lack of inclusion of any of this process with armed cops who. Received and have received over many months is what's going on at the the wolf. Not just that, wolf, but all the wharfs in the area. They're only 200 meters away, so they get all the noise.

00:23:23:29 - 00:23:42:12

Speaker 5

Constantly machines. So there's a base level before any of us starts. That was just my preamble that I picked up on while I've been sitting in here. I'll turn back now to what I was going to say. My first concern is the railway.

00:23:43:03 - 00:24:03:04

Speaker 5

The railways is a fantastic environmental highway and also, I suspect, dual route site for bats. No one on the environmental assessment team has done a full back survey and cannot suggest this takes place to ascertain not only the route sites which just need confirming, but also the different bark species present.

00:24:04:07 - 00:24:24:07

Speaker 5

This is imperative, as opening the railway will mean rebuilding to associated bridges, which are known as foraging sites. Apart from the railway corridor itself, ownership of the railway is shared between our Port Flex Borough and Vosloo Rail. Vassallo Rail owned Dragon Sidings.

00:24:25:12 - 00:24:48:15

Speaker 5

Sorry my. Just all disappeared. And rugby sightings, which we are led to believe is going to be expanded and recommissioned. Having spoken to Vosloo Rail yesterday, I can confirm that only the only conversations that have been had have been repeatedly, I'm sure have been repeatedly had with Oslo Rail is in relation to ownership.

00:24:49:18 - 00:25:12:16

Speaker 5

Oslo Rail are unaware of the incinerator proposal but are totally oblivious of any permissions, are being sought to include rugby sidings, expansion or recommissioning. So I lost my place of. Rig or recommissioning as part of the proposal. Coming up, applicants explain why.

00:25:14:12 - 00:25:31:29

Speaker 5

Another part of the railway has been overlooked. Which is informing residents of drag and be directly the proposals which should have been paramount as part of the consultation process all around at the proposal stage 18 months ago. Some residents live in very close proximity to the sidings.

00:25:32:05 - 00:25:48:00

Speaker 5

The whole village is right, more or less on the sidings. This leads to my second point. The river. The river Trent is a fickle beast. It phylloxera. The tidal range ensures that the loading and unloading times for vertical lift loading or unloading of containers.

00:25:49:03 - 00:26:02:28

Speaker 5

Which is which will be carried out in this case is limited to a very small window of a maximum of 3 to 4 hours per tied. But that's only on the highest possible tide. So a maximum of 6 to 8 hours.

00:26:03:08 - 00:26:15:00

Speaker 5

Possible in 24 hours. Having spoken at length on this subject with Colin Hammond representing the applicant, he gave me some weights and volumes. He stated, Mr. Nicol.

00:26:15:11 - 00:26:32:02

Speaker 1

Sorry to interrupt you. I've just been advised that the on stream element has dropped out. So can I just ask you to pause? Of course, Laurence. Yes, because obviously if there's people attending and I know there was at least one person who had arrived, they need to hear us as well.

00:26:32:13 - 00:26:35:07

Speaker 5

Do you know at what point did and I'll repeat myself.

00:26:35:23 - 00:26:38:06

Speaker 1

I don't. But hopefully we'll.

00:26:50:02 - 00:26:51:18

Speaker 5

To me to start again at the river.

00:26:58:25 - 00:27:10:10

Speaker 1

Um. Can I just check with those people who are online? If I come to you. Ms.. Altman, can you see and hear us now? I believe it dropped out for a period.

00:27:14:19 - 00:27:17:00

Speaker 2

Just from the small business to the Pacific.

00:27:18:02 - 00:27:21:24

Speaker 3

We only heard about a minute. Mr. Nicholson's representation.

00:27:22:20 - 00:27:41:23

Speaker 1

Okay. Thank you. Thank you for that. Do you want to start again? I think I think to be fair to you. I'll just check with the applicant's team that they're content with that. But you content that Mr. Nicholson goes back to near the beginning or.

00:27:43:08 - 00:27:45:01

Speaker 6

Yes, sir. Yes. As you see fit.

00:27:46:11 - 00:27:47:24

Speaker 1

Right. Thank you. Sorry.

00:27:48:10 - 00:27:52:13

Speaker 5

Can you just ask. Can I just ask? Did you hear about me? Starting with the railway.

00:27:55:29 - 00:28:01:14

Speaker 3

No. All we heard was you talking about the lack of initial information given the consultation.

00:28:01:20 - 00:28:08:05

Speaker 5

Okay, well, you didn't you didn't miss much of that then. I think if I start at the beginning of my written speech, then. Okay.

00:28:08:16 - 00:28:09:02

Speaker 1

Yes, please.

00:28:09:10 - 00:28:23:27

Speaker 5

Right. Okay. My first concern is the railway. The railway is a fantastic environmental highway and also a suspected route, a dual route site for bats, as no one in the environmental assessment team has done a full back survey.

00:28:24:06 - 00:28:44:29

Speaker 5

Can I suggest this takes place to ascertain not only the roost sites which just need confirming but also the different species present. This is imperative as opening the railway we mean rebuilding to associated bridges, which are known as foraging sites along with the rail corridors themselves.

00:28:45:21 - 00:29:08:01

Speaker 5

Ownership of the railway is shared between our Port Flex Borough and village. Low rail follow rail owned Wragby sidings, which will which we are led to believe is going to be expanded and recommissioned. Having spoken to Rail yesterday, I can confirm the only conversation that has been repeatedly had with Vassallo Rail is in relationship to ownership.

00:29:09:05 - 00:29:27:01

Speaker 5

They are aware of the incinerator proposal, but are totally oblivious that any permissions are being sought to include Dragon beside his expansion or recommissioning as part of the proposal. Can the applicant explain why another part of the railway has been overlooked?

00:29:29:07 - 00:29:45:17

Speaker 5

Which is informing residents of Dragon directly of their proposals, which should have been paramount as part of the consult consultation process all around at the proposal stage 18 plus months ago. Some residents live in very close proximity to the sidings.

00:29:45:18 - 00:30:01:07

Speaker 5

In fact, the whole village is nearly next door to the sidings. This leads me to my second point. The river. The river Trent is a fickle beast at full express. The tidal range ensures that the loading the loading times for vertical lift.

00:30:03:20 - 00:30:17:07

Speaker 5

Vertical lift loading and unloading of containers is limited to a very small window of 3 to 4 hours max on the highest tides, so a maximum of 6 to 8 hours in 24 hours. Remember, this is the highest possible tides.

00:30:18:03 - 00:30:35:26

Speaker 5

Having spoken at length from a subject, we call in Hammond representing the applicant. He gave me some weight and volumes. Maybe I ought to just justify where those figures have come from. Having been in transport in the area for many, many, many years.

00:30:36:24 - 00:30:59:00

Speaker 5

I know how boats and unloading works on the Trent. And the track. When the tide drops down to a certain level, the boats sit on the bottom and lean away from the. The key at all ports. Therefore this limit, if you need a vertical lift, which you do with a container, this limits that to a very small

00:30:59:00 - 00:31:17:00

Speaker 5

window. Hence the, the, my, my figures I've already quoted. These aren't my figures. These are quick figures that came from Grove Wharf, which I think is now known as what's Grove Wharf called now.

00:31:17:10 - 00:31:17:19

Speaker 2

But a.

00:31:18:22 - 00:31:44:28

Speaker 5

PD ports. Um. Okay. So Colin having represented the applicant, gave me some weight and volumes 4 to 5000 tons per ship. This is this is weight carried 2.75 to 3.5 tonnes per container net. That's the weight of the empty container.

00:31:46:18 - 00:32:02:10

Speaker 5

Load per container 3.75 to 4 tonnes, maximum boat length. He didn't give me this figure. This is the figure I've got from PD ports is 120 feet Y and 20 feet because that's the longest boat you can turn around in the river.

00:32:03:19 - 00:32:22:24

Speaker 5

Containers are 20 foot long, eight foot wide night, 8 to 9 foot high, depending on which containers are used. None of the capacity numbers remotely match the volumes to ships per berth per tide, and the berths will always be occupied by the existing shipping, taking the unloading and loading window.

00:32:22:24 - 00:32:39:28

Speaker 5

This is not going to happen. Road. The local road network has not yet been surveyed either for current volume, percentage of capacity or what the capacity, max, is this year. That is according to Highways England or the NLC.

00:32:40:22 - 00:33:00:20

Speaker 5

The two responsible. Authorities have requested from a number of others to see if this can be done and that is in hand. A lot of background. The local effects have been detailed in my other submissions. However, I see no evidence in the application anywhere of the waste coming from the site in whatever form it may take.

00:33:00:20 - 00:33:25:12

Speaker 5

Blocks virtual carbon, hard virtual carbon or hydrogen pipeline, plastics, etc. have been taken into consideration and its effect on traffic volumes. Whether they be river, road or rail. In summary, there appears to be a lot more evidential work needs doing to provide the full picture and at the end of the day it looks as though the main

00:33:25:12 - 00:33:47:00

Speaker 5

transport will be by road noise, light, light pollution and bunker depth. The removal of contaminated soil from excavations. These are all big considerations. The bunker depth. Let's take that as a, uh, in relation to the geology of the ground.

00:33:48:24 - 00:34:07:01

Speaker 5

I don't think it's been. I don't think it's been established the full levels of pollution that are actually in the soil. And yes, there have been some test balls. Um, how however, um, I don't know how up to date they are.

00:34:07:14 - 00:34:28:06

Speaker 5

And also by the admission of somebody who I can't remember who it was, but somebody said that they were, they were unable to bowl on some of the sites because they were being excluded from boring. Um, well, I think one of the sites was radium steel on health and safety grounds.

00:34:30:06 - 00:34:56:22

Speaker 5

So the full, the full picture of that, if you take out digging a hole in the ground big enough to you to put in a ten meter deep bunker. It's not just ten meters deep. It's the thickness of the bunker walls, which will be well down in the depths of the water table, which is very close to

00:34:56:22 - 00:35:19:04

Speaker 5

the surface within two meters. It will also cause a pathway. And this includes the piling that would be necessary to to build the construction as well will make a pathway down to the base gravels and sand layer, which lie only 10 to 11 meters below.

00:35:20:06 - 00:35:41:14

Speaker 5

Uh, current surface levels, let's take into account the removal of contaminated soil from excavations. Mr. Hammond, at the previous hearings, stated that the. Soil that was dug out of any excavations would be used on a bond wall to prevent flooding.

00:35:41:29 - 00:36:08:00

Speaker 5

However. Is there a contingency where a percentage, whether it be 1% or 99%, be taken away because it's contaminated and disposed of elsewhere? What is this bond going to be constructed from? Of what benefit to this project is going to have to the people and the wildlife that receive the pollution, smells and noise.

00:36:08:26 - 00:36:36:26

Speaker 5

That's a huge question that. As has been answered with well shrugs of shoulders and well known. The reasons being we're not going to benefit. You can't prove Pre-Install hate network. And you can't pre-install. A one network. Plastics. Plastics.

00:36:37:26 - 00:36:59:28

Speaker 5

Again, this is part of Mr. Capped, Mr. Hammond's conversation. Plastics will be cleaned for reprocessing, but not with water, because water isn't clean enough. So I ask the question, what would they be cleaned with with chemicals? That's as far as I got.

00:37:00:14 - 00:37:19:09

Speaker 5

Okay. So so following on from that, the storage of these chemicals, where would that be on site? Nothing in the DCO indicating that. Also, what about storage of the dirty chemicals and what would they contain? And and also their disposal.

00:37:21:25 - 00:37:41:17

Speaker 5

Again, there's another question that hasn't been answered. The the runoff of the surface water. Average rainfall for the site is 33 inches per year. I worked it out and it went into millions and millions of gallons per year of runoff.

00:37:42:08 - 00:38:06:19

Speaker 5

Now, I understand some of that is going to be used in the processing, but surely not all of it. Uh, concrete blocks. Removal of metals. Um. That's that's a very complicated one. So I'm hearing ideas and I put my batteries in the bed.

00:38:09:03 - 00:38:43:02

Speaker 5

How can you get those out? Because it only takes one spark in connection with aluminum and in the process of drilling a concrete block that's made from this bottom waste, it will cause an explosion that's well documented. Also there's no provision for the removal of the bottom ash from the site for, quote, weathering.

00:38:44:14 - 00:38:56:15

Speaker 5

What will this weathering which could take up to six months where all this waste going to be stored, whose bottom are going to be stored and weathered? What's going to happen to the runoff? What volume of runoff is there going to be?

00:38:56:24 - 00:39:26:24

Speaker 5

How is it going to be disposed of? How is this? How is the screaming of the few flue gases going to remove? 2 p.m. 2.5 down 2 p.m. 2 p.m. one particulates which are. The worst particulates possible. The government there's only government reports on particulates down to PM10 currently.

00:39:27:17 - 00:39:47:11

Speaker 5

There's just been a report issued in the last few days from PISA in Italy, where a 25 year program has monitored these minor particles and health and the health of the people living in the plume. And it's scary stuff.

00:39:47:25 - 00:40:08:17

Speaker 5

That's by far the worst particulates and should be taken into consideration. Far more than than the current government reports or available documentation in the UK. The UK hasn't done the study. One last thing. Carbon capture, method and form.

00:40:09:12 - 00:40:31:02

Speaker 5

And what about the other 90 plus percent of carbon and all the other carbon produced? During construction. Combustion. Manufacturer. And transport to and from. Okay.

00:40:31:16 - 00:41:01:25

Speaker 1

Thank you. If I can come next to Amy Ackerman, who is joining us via teams. I can see you, but I can't hear you. Do you have a camera to switch on or are you preferring not to be seen?

00:41:08:07 - 00:41:13:04

Speaker 3

I was just wanting to attend the meeting. I haven't got a representation tonight.

00:41:13:17 - 00:41:27:10

Speaker 1

Okay. No, that's absolutely fine. Thank you for clarifying that. Mr. GREENE, do you wish to? Yeah, yeah, yeah. Thank you.

00:41:35:02 - 00:41:56:18

Speaker 2

Andrew GREENE from the Yemeni Green Church. Farm flicks breath, noting that I previously submitted my concerns as to the implications that the proposed development would have on the viability of the farming business. These concerns are substantially related to the recommissioning of the former railway line.

00:41:58:14 - 00:42:10:08

Speaker 2

A site meeting is due to take place at the level crossing on the farm on the 27th. I presume I won't be able to speak at that time or ask questions or points of information.

00:42:11:28 - 00:42:25:25

Speaker 1

The site visits is there to point out the physical features rather than discuss the case. Yeah. So it'll be for that to explain the physical elements that we can see that we couldn't do otherwise. Yeah.

00:42:25:26 - 00:42:51:11

Speaker 2

So could I use this as an opportunity just to highlight the points, which are why I was requesting the the site meeting there please. So with regards to the viability of the farm loss of farm land, but specifically to the the crossing and the visibility from the village, the issue of felling of trees along the length of

00:42:51:11 - 00:43:11:28

Speaker 2

a railway line within five meters either side of the line. This would take out a visual block which would take decades to regrow. Also, the clear felling of 100 meters at the most visible points of the development from the village.

00:43:15:20 - 00:43:41:28

Speaker 2

Obviously the extreme proximity to domestic properties. And also with regards to the farm, the the failed drain railway line drainage system, which is causing slippage on the far side of a hillside this summer, came across a hole sort of six foot deep, which is obviously dangerous for people walking on the hillside.

00:43:44:01 - 00:44:08:01

Speaker 2

So with regards to the visit to the crossing, I know that you're going to be approaching along the footpath coming up to the crossing. Could I request the you come up the other side of the crossing and view from the village the aspect and what the implications of the proposed measures would be.

00:44:09:24 - 00:44:27:14

Speaker 2

I just have one further question. I've been informed that work has already started to remove the old railway line track. Is that correct? It just seems to be jumping the gun a bit. But yeah, so that's. That's all I've got to say.

00:44:27:27 - 00:44:28:08

Speaker 2

Thank you.

00:44:29:15 - 00:44:45:02

Speaker 1

Thank you. Before you step away, Mr. Green, I think when we come on site, are you going to be present? So hopefully you'll be able to point out to us where you'd like us to look from. If we've come from the wrong end, as it were just yet.

00:44:45:16 - 00:45:01:26

Speaker 2

You can come up to. Around. You can get. Yeah. Sorry. Yeah. So you just go up to the crossing out the hill and. Yeah. Yeah. Fine.

00:45:02:08 - 00:45:23:26

Speaker 1

Okay. Thank you. Miss Ritchie, do you wish to? Okay. Thank you. And, Mr. Oliver, are you still. Yeah. Thank you.

00:45:29:18 - 00:45:50:06

Speaker 2

And I'm Brian Oliver and I live at home. Which. I would like to stress is just 200 meters away from this proposed development and. Can I ask? There is an aside. So that meeting on the 27th of January.

00:45:50:22 - 00:45:57:00

Speaker 2

Can I ask why I'd been omitted from that, from the itinerary, please.

00:45:58:03 - 00:46:12:01

Speaker 1

Yes. It's a straightforward answer, actually. Yes. And the company site inspection is to allow us to go to land, which is not accessible from public places like roads and public footpaths.

00:46:12:03 - 00:46:12:11

Speaker 2

Yes.

00:46:12:21 - 00:46:41:05

Speaker 1

And Mr.. We attended and visited cos earlier both during the day and at night and there's a record of that visit. It's called UCI one unaccompanied site inspection one, and that's on, on the website. And because of requests by both yourself, Mr. Nicholson, Aimee Opperman to, to visit.

00:46:41:20 - 00:46:59:19

Speaker 1

So I went again yesterday and there'll be a note of that visit going up on our website shortly once I've had a chance to complete it. And again, I visited both during the day and at night, both from the north of the village and within the village itself, from the cul de sac.

00:47:00:03 - 00:47:19:24

Speaker 1

The name's escaping me at the moment as it transpired. Yes. So that we are familiar with the relationship and the concerns that you've expressed about the current lighting and also the trees and the the lack of cover now that the leaves are not on the trees.

00:47:20:05 - 00:47:27:17

Speaker 1

So the reason is we can visit those on our own without the need for dragging everyone else around.

00:47:28:03 - 00:47:53:08

Speaker 2

Thank you. And because, I mean, Nitro has been mentioned. And. And I'm just just concerned that I don't want to be left out or overlooked in any way because. Although flexible. Suffered. And there was a row of houses opposite the night before the explosion which were completely destroyed.

00:47:54:08 - 00:48:20:12

Speaker 2

And I'm not. It's four times closer than flix per. And it's a great concern and. I'm also concerned about noise. This has the potential to be generated from this development. We currently have noise issues at the moment and an.

00:48:22:18 - 00:48:48:09

Speaker 2

And. I assumed and again, I hope will not be overlooked because. The fact that we are so close. And that there is the river between the proposed development and dam course. And as I'm sure you're probably aware. Under certain conditions, a wind direction or.

00:48:49:14 - 00:49:08:24

Speaker 2

A flat surface of water that reflects noise. And we get a lot of problems with noise. We've currently got problems now and I am in the process of trying to sort something out with the local authority, but I don't want to really mention anything further on that just at the moment.

00:49:12:23 - 00:49:15:08

Speaker 2

I think that's that's I'd like to say thank you very much.

00:49:15:28 - 00:49:16:18

Speaker 1

Thank you, Mr. Oliver.

00:49:16:18 - 00:49:17:25

Speaker 2

Thank you for your explanation.

00:49:18:14 - 00:49:56:00

Speaker 1

You're welcome. Now, as far as I can see, anyone who had registered to speak has had the opportunity to speak now. Is there anyone else in the room who would wish to say anything? No. Okay. Well, if I can then turn to the applicant, then, if you wish to make any responses to any of the comments you've

00:49:56:00 - 00:49:56:09

Speaker 1

heard.

00:49:58:06 - 00:50:13:12

Speaker 6

Thank you, sir. Claire Brook. On behalf of the applicant, I might just take the opportunity, sir, if I can, just to clarify a couple of points that we've picked up. And that's not to say that there is a response to all points.

00:50:13:12 - 00:50:34:07

Speaker 6

We have responded in writing fairly substantively already, but if there are any residual questions, we're obviously very happy to answer those. And so thank you for the representations that have been made this evening. But there are a couple of points I can hopefully briefly clarify or provide references for where information is held.

00:50:37:04 - 00:51:03:02

Speaker 6

Miss Marple made reference to, in particular the fact that there is no detailed flood risk assessment relative to this project, that there is a flood risk assessment that has been carried out specifically for this development. An awful lot of work has been done by the erm expert with respect to flood risk, recognizing the location of the proposed

00:51:03:02 - 00:51:23:02

Speaker 6

site at the reference to hand. But I just wanted to clarify that that work has been done. But also, Miss Marple, you will be aware that on Thursday the matters of flood risk will be dealt with again. And so I don't know if you plan to be in attendance, but this a session dealing specifically with flood risk

00:51:23:02 - 00:51:27:27

Speaker 6

and the experts will be available on that day. Should there be any further questions?

00:51:29:06 - 00:51:34:00

Speaker 1

The reference is ape zero 70. It's within the annexes to the.

00:51:35:05 - 00:51:35:20

Speaker 6

Environmental.

00:51:35:20 - 00:51:36:05

Speaker 1
Statement.

00:51:36:28 - 00:51:57:28

Speaker 6
Thank you. And then I think also a point made by Miss Marple, again, just really a reference point in terms of and Chelsea obviously have two hats to some extent. Firstly, as the relevant planning authority with respect to the application.

00:51:58:06 - 00:52:23:12

Speaker 6
But then secondly, you made reference to the fact that and LC also have London trusts that are relevant for the land take for this property, for this development. The document I would refer you to with that respect in terms of the ability to for the applicant to actually be able to fund that is there is a discrete

00:52:23:12 - 00:52:45:08

Speaker 6
funding statement that has been prepared and that is read to 013. You also made the point that NLC have no appetite to sell the land. Clearly there are some discussions and negotiations which are taking place at the moment as between the applicant and the LLC.

00:52:45:22 - 00:53:00:28

Speaker 6
And there will be a separate hearing on the CAA matters I suspect, in early March, where again, specific London trusts that are owned by the council will be covered and dealt with as part of that session as well.

00:53:01:09 - 00:53:24:19

Speaker 6
So I just wanted to clarify that and then a couple of points that Mr. Nicholson raised in his statement. Firstly, Mr. Nicholson made reference to the fact that there hadn't been a BAT survey in particular, I think with with reference to bat roosts in the vicinity of the railway line.

00:53:25:05 - 00:53:52:10

Speaker 6
And again, I can confirm that that is about survey and has been carried out and I'm just hurriedly trying to find my notes. That is appendix F of the document reference is AP 58. That's Chapter ten, which is the ecology chapter, which incorporates all of the survey work that has been carried out as part of the application

00:53:52:10 - 00:54:09:11

Speaker 6
process. And I can confirm that in particular Zone A of that. But survey work did look at the railway line and did assess for bat roosts and bat activity. So I just wanted to give Mr. Nicholson the reference for that.

00:54:17:02 - 00:54:24:05

Speaker 6

We can certainly make sure that you've got that full reference perhaps before you leave this evening. Mr. Nicholson. So very happy to do that.

00:54:24:14 - 00:54:26:18

Speaker 3

Because you just missed it. Oh.

00:54:27:21 - 00:54:29:03

Speaker 6

Yes. Yes.

00:54:37:26 - 00:54:46:15

Speaker 5

Can I request the reference for that before about the back to please from from your before the end of the meeting. Yes.

00:54:46:15 - 00:55:15:08

Speaker 6

No problem. And then I think Mr. Nicholson also then referred to specifically the drug and bee sightings and Vosloo who are the entity that they operate and only the sidings themselves. And I can confirm that there have been and are detailed, ongoing discussions between the applicant and Vassallo with respect to the use of the sidings.

00:55:15:28 - 00:55:35:18

Speaker 6

And Nick Gallop on behalf of the applicant, he is not present here today to verify that, but I can certainly verify that on his behalf that those discussions are ongoing. And then a couple of other points again of Mr. Nicholson's to clarify.

00:55:36:11 - 00:55:59:29

Speaker 6

Mr. Nicholson asked with respect to the bottom ash storage and where that would be stored, and then also made reference to the weathering process. So I can confirm that the actual storage of the bottom ash will take place inside the concrete block manufacturing facility, which is sufficiently large enough to cater for that storage.

00:56:00:22 - 00:56:29:08

Speaker 6

It only requires a six week period of weathering and maturation before the process for creating the concrete blocks can take place. So again, I just wanted to clarify that point. And then finally, I think Mr. Nicholson raised a point with respect to PM 2.5 and the extent to which they had been assessed as part of the quality

00:56:29:08 - 00:56:53:13

Speaker 6

assessment in particular. And again, I can confirm that the air quality chapter of the EIA, which is reference AP 53, does indeed consider PM 2.5. And so if Mr. Nicholson wants to make reference to that chapter, it may be that it answers some of his queries in that regard.

00:56:57:22 - 00:57:23:00

Speaker 6

Just a couple more points. I think that it may be helpful to raise the next Mr. Green made reference to some work that had commenced on the railway tracks in terms of removing track. All I can confirm is that the applicant themselves have done no works on the track and our ports as current owners of the railway

00:57:23:00 - 00:57:39:09

Speaker 6

, I believe had done some work in terms of removal of scrap on that site. I don't believe that work is ongoing. But just to clarify that there has been no work on that land by the applicant and as part of this project to date.

00:57:40:03 - 00:58:09:18

Speaker 6

So for the survey work that we've referred to. And then finally, Mr. Oliver, thank you for your representation with respect to courts and noting the references that you made and the great concern and wanting that reassurance that, of course, has been considered as part of the applicants assessments and surveys and reports in particular making reference to the

00:58:09:18 - 00:58:32:08

Speaker 6

problems with noise we're aware of, of the baseline position and some of the comments that have been made by yourself and others with respect to noise. I can assure you that that has been taken into account as part of the noise assessment and the courts as a village does form part of a good number of the assessments

00:58:32:18 - 00:58:46:08

Speaker 6

that have taken place. So it's certainly not forgotten by virtue of the fact that it lies across the river. It's very much part of the assessment work that the applicant has carried out and focused on. So I just wanted to make that point.

00:58:49:29 - 00:58:50:07

Speaker 6

And.

00:59:01:07 - 00:59:39:09

Speaker 2

Thank you. Okay. And can you hear me now? Okay. And can I just say that and. I've been doing some noise monitoring that I've got from my property over the last 12 months and. There are 214 days. When noise readings taken at the back of my property have been five decibels above what is I think was an

00:59:39:09 - 01:00:20:07

Speaker 2

accepted baseline background noise level of 32 decibels. There are 95 days. When that has been ten decibels above. That accepted noise level, a background noise level of 30 decibels. Well, according. According to the IRS. 4142. Which is. As I understand the how noise.

01:00:21:09 - 01:00:48:18

Speaker 2

Industrial noise is assessed. For, um, rural for rural areas. It's typically the greater the difference, the greater the magnitude of impact. A difference of around ten plus ten decibels or more is likely to indicate it to be an indication of a significant adverse impact depending on the context.

01:00:50:03 - 01:01:07:26

Speaker 2

A difference of five decibels is likely an indication of an adverse impact dependent on the context. These differences of background noise level are likely to draw complaints. Well, I've been complaining about noise from that industrial state now for several years.

01:01:09:22 - 01:01:32:08

Speaker 2

Originally, the industrial estate. How about a planning condition which said the noise level at the boundary of the industrial estate that should afflict industrial estate should not exceed 50 decibel 50 decibels as measured at the boundary. I approached the our local authority.

01:01:33:17 - 01:01:57:28

Speaker 2

Because I'd take some nice measurements at that boundary and it was well in excess of that 50 decibels for not just hours, but days on end and still is. But I've been told that that noise level, that that planning restriction, that planning condition is for some reason, for some unknown reason, as they tell me, unenforceable.

01:01:59:26 - 01:02:23:07

Speaker 2

Well, I would like to know why that is unenforceable. It was it was enforceable when it first came out because there were complaints about noise from cars and several. I know it's a number of years ago, but several industries on that site were approached individually and a noise assessment was done.

01:02:24:19 - 01:02:44:01

Speaker 2

I've got them. Got that? Those. Not with me, but. I have a copy of of of that from. From the council at the time stating how much the noise levels had risen. But Amcos at that time and we seem to be back just where we just where we were then.

01:02:46:05 - 01:03:05:26

Speaker 2

Nothing. Nothing's changed. So going back to that bashful one, four, two. It's my opinion. I know I'm only a layman and I've done these readings on on layman's terms with layman's equipment. And I can be criticized to say, oh, you can't use that because it's not.

01:03:06:23 - 01:03:35:27

Speaker 2

You know, it's not what's legally recognized, but. Going back to baseball. One, four, four, two. It's my belief that an assessment should be done. On the BSE. 4142. Under there under that assessment to establish what the background level is now, of course, and how much it is being exceeded by.

01:03:36:10 - 01:04:02:10

Speaker 2

And I think that is absolutely vital before any decision is made on this application going ahead. And. And while. The applicant in April 21 also lost some sound recording equipment to receptor at the village of Cos. And all this.

01:04:03:09 - 01:04:21:19

Speaker 2

It's you know, it's extraneous noise from the injustice that was going on at the time. And they seem to think. It's acceptable and normal. And it is not. The noise level of I mean, I like I said, I've had noise.

01:04:22:25 - 01:04:42:11

Speaker 2

Entering my premises on 53 occasions. And that's not to take away the fact that the even if it's not entering my property, when I open the windows on a warm summer's night, I'll want some fresh air in. That noise can still be heard.

01:04:43:05 - 01:05:01:02

Speaker 2

And it's even worse when I go out into my garden. It's unpleasant. It's soul destroying. And it's not good for my well-being or anybody else's. And I believe, sincerely believe if this development is given permission, it will absolutely destroy and cause.

01:05:02:14 - 01:05:23:13

Speaker 2

Full stop. Um. I think that's all I have to say. Thank you all. And if you're wondering what. Why the numbers of days I. Uh, they've done monitoring. Don't add to 365 the other 151. I was probably away on holiday away visiting my daughter in Cheshire.

01:05:23:24 - 01:05:40:06

Speaker 2

Or doing something else. Oh, there's probably been wind noise when I'm taking readings, birdsong, stuff like that. I try to do it when I can assess purely the noise from the flicks. Industrial estate. Thank you very much.

01:05:42:02 - 01:05:49:03

Speaker 1

Thank you. I'll come back to the applicant. Is there anything you wish to respond to? Having heard more from Mr. Oliver.

01:05:51:09 - 01:06:06:03

Speaker 6

Sir Claybrook, on behalf of the applicant, I don't think there's a great deal I can add in terms of the existing situation and any complaints that have been made in terms of noise that that's a massive NLC is the enforcing authority.

01:06:07:29 - 01:06:18:12

Speaker 6

All I can refer to is the fact that the nature of the surveys that we have carried out what he has to take into account the background position. But I probably can't add any further to.

01:06:22:06 - 01:06:38:14

Speaker 1

Okay. Thank you very much. I'm Mr. Nicholson, I see you have your hand raised. Do you have the microphone? Okay. I mean, you've had your your ten minute slot. Is there something new that's arisen?

01:06:41:20 - 01:06:53:27

Speaker 5

I'd just like to ask. How bottom up can be weathered in a shed. And what the processes because I've just Googled it. I mean, it's not done inside.

01:06:57:07 - 01:07:22:07

Speaker 1

Perhaps if I can leave the applicant to consider that and potentially give us a written response, because I don't think an open floor hearing is really the right forum for that. But if there's no other comments from anyone, I'll just check online if there's anyone remotely anything further.

01:07:22:12 - 01:07:41:17

Speaker 1

In light of your what you've heard so far. Nothing. So thank you. Thank you, Mr. Hammond. Um. Sorry. You. You raising your hand, Mr. Oliver. So.

01:07:43:18 - 01:08:10:13

Speaker 2

Yeah. Sorry. When I mentioned that, um, that there had been, uh. And. Yet the number of occasions when these noise levels have been above five and ten decibels by occasions, I should probably say that an occasion can be.

01:08:11:16 - 01:08:30:04

Speaker 2

Probably for several hours, several days. Or it can go on over a period of a week or more. It. Just a lot of a very great deal of it depends on, I guess, the activities on the industrial estate and, and the weather conditions particularly.

01:08:30:21 - 01:08:46:16

Speaker 2

Um. You know, the wind direction and the speed. The wind. That seems to make quite a considerable difference to these. So these readings can make them extremely uncomfortable at times. Thank you.

01:08:48:02 - 01:09:23:14

Speaker 1

Thank you. Think then if there's no other business, I can call this hearing to a close. Thank everyone for their attendance. Um. And, uh. Yep. Close the meeting. It is now 8:09. Thank you very much.