

00:00:02:33 - 00:00:34:38

Unknown

Good afternoon, everyone. Could you take your seats? I'll just wait a few seconds while anybody else joins us. In the room. We expect anybody else before I actually start. Claybrook. On behalf of the applicant, I think we are good to go.

00:00:35:12 - 00:00:52:33

Unknown

Am I? If I'm right in assuming a move into item eight or we just have one? Okay. One residual question, food item D, if you like. If we could just cover that, that would be good. Certainly, sir. On the odor.

00:00:52:34 - 00:01:14:07

Unknown

On the odor assessment. Clever on behalf of the applicant. We have now released Mr. Hazel Marshall. Apologies. He had to travel back. So we we felt we dealt with that point, but we were happy to take up the question and respond to it as part of our written response.

00:01:14:26 - 00:01:35:09

Unknown

Well, I wouldn't mind certainly be myself of the of the position as stated by North Lincolnshire and which was that as they said previously, to state that the aid is principally controlled through best practices are is not satisfactory and that still seem to remain in our view of this agreement.

00:01:36:03 - 00:01:58:23

Unknown

Subsequent to further submissions. So yeah, the ideal of an orphanage accounts, I think it might be worth mentioning, is that we are in the process of arranging a meeting for next week with the applicants to continue our discussions as part of the statement of Common Ground Process.

00:01:58:48 - 00:02:21:08

Unknown

And ODA is one of the items that we. And the assessment and suitability of it is one of the items that we have sort of tabled for that meeting. So. The discussion may be further through that process. Yeah, I think what I would just like to add is I understand what your colleague pointed out to us in

00:02:21:17 - 00:02:44:26

Unknown

terms of how he has screened out the need for an assessment. But the national policy statement it and in one paragraph 5.6.7 says the IPC so that the secretary state should satisfy itself an assessment of the potential for artificial light dust or to smoke steam in sectors.

00:02:45:23 - 00:03:13:34

Unknown

Infestation to have a detrimental impact on amenity has been carried out so. I that suggests me there's an area of risk there if. Your position remains the same. And so I would just ask you to consider that, because what your colleagues seemed to be saying was actually he could predict what his assessment was going to say.

00:03:13:48 - 00:03:35:23

Unknown

So why don't you just do it? And it seems like a relatively easy task that could then resolve a potential conflict. And. Whilst I understand the mechanism that are being proposed to control it. I would ask the question what happens when something goes wrong?

00:03:36:14 - 00:03:56:27

Unknown

Because inevitably something will go wrong at some point. However, well-managed systems are where you know things are not perfect. And so. That element, I would have thought should be covered in, you know, as part of that risk assessment.

00:04:00:39 - 00:04:21:19

Unknown

Well, telepathy, Mr. Nicholson. Before I fight. You need a microphone? Yeah, but if I. If I can leave that there for your consideration and then obviously, when your colleague returns or you can have the opportunity to respond in writing as Suits Claybrook, on behalf of the applicant, you absolutely understand the question.

00:04:23:02 - 00:04:45:11

Unknown

I think it's it's a it's about a scoping out process as well, which is also relevant. But we will particularly make reference to the paragraph in the national policy statement and further document worth referring to as well as the statutory nuisance statement which does cover off odor as well as one of the topics.

00:04:45:36 - 00:05:14:13

Unknown

And we'll take another look at that statement to see whether or not there's any further information that can or should be added to that. And to address the question, sir. Thank you very much. All right. So we move on to the so the last subsection within the waste section, which is about carbon intensity of incineration compared with

00:05:14:13 - 00:05:37:11

Unknown

landfill. And then we can also have use on consideration versus displaced power generation. So I'll start with the first area, which is. Carbon intensity of incineration gets landfill and would really just. Invite the applicant to to remind us of the analysis that they they've undertaken today and the conclusions that they reached.

00:05:39:19 - 00:06:05:14

Unknown

So could you do that, please? Mr. Morning. I think he might be on mute. You took me. Could you delight? Could you? I think he's saying that he's been muted externally. So it's all fine at this end. No.

00:06:06:28 - 00:06:21:04

Unknown

Okay. We're being advised that you can be heard elsewhere, so perhaps try again. Can you hear me now, sir? Yes, we can. Thank you. Fantastic. Not the first time that somebody has tried to meet me, I can assure you.

00:06:21:34 - 00:06:35:38

Unknown

And so some of the money on behalf of the applicant and first of all, I have to let you know that I've been informed that I will have a telemedicine appointment at very short notice this afternoon from 235 onwards.

00:06:36:18 - 00:07:02:34

Unknown

So I hope you'll forgive me if that phone call comes in that I duck out. I believe it will only be of a very limited number of minutes. And I apologize for this. Coming up, unforeseen. And so to move on to the carbon balance assessment or greenhouse gas assessment that was set out in the piece.

00:07:03:33 - 00:07:25:43

Unknown

It's one that aligns with the EMA guidance on such assessments and also with DEFRA'S guidance on assessing this type of balance for energy from waste, which dates from 2014 and which has been used and presented at many in many planning applications and examinations and public inquiries.

00:07:27:12 - 00:07:56:09

Unknown

I think a point worth emphasizing, sort of predicting some of our conversation as this item proceeds, is that this is a very conservative set of assumptions underlying this assessment. Indeed, and in response to written representations and in particular from UK wind, we have relaxed some of those conservative assumptions to show just how much of that sort of

00:07:56:09 - 00:08:18:15

Unknown

foreseeable space over which the assessment might reach a balance. It is overwhelmingly positive. And examples of that are the fact that the assessment doesn't take account of any benefits of heat recovery. It does. It only assesses a very limited amount of carbon capture.

00:08:18:16 - 00:08:46:38

Unknown

And we talked about the potential for that growing over over time. It uses a greenhouse warming potential value for methane, which is a very powerful greenhouse gas released from landfill. That is a typically used assessment, but one that underweight the effect of methane on global warming.

00:08:47:20 - 00:09:10:04

Unknown

And in the response to UK wind's representation, we've examined what would be the effect of using a different published greenhouse warming potential. We've also considered what if we were to give no credit for the potential for carbon storage in landfills?

00:09:10:48 - 00:09:32:21

Unknown

This is the concept that some of the biodegradable material sorry, some of the biomass material going into landfill degrades only very slowly and therefore we can omit it from the assessment because those emissions associated with it are only going to occur in a hundred years or more.

00:09:34:42 - 00:09:53:07

Unknown

That's typically used in such assessments, but it requires us to be happy with the assumption that we're really not concerned about greenhouse gas emissions in 100 years time or more. And it's a very legitimate position to take, which is we should be concerned with those greenhouse gas emissions.

00:09:53:07 - 00:10:11:39

Unknown

We're still going to be combating climate change at that period in the future. And there are issues around intergenerational equity which mean we should consider it and and and so on. And so these are some of the areas where the assessment has been very conservative indeed.

00:10:12:42 - 00:10:42:31

Unknown

And I'm reluctant to play about at this conservative margin by piling more and more conservative isms upon one another. I mean, again, we will no doubt talk about those in due course, but as one combines some of these ranges of assumptions, probabilistically one needs to multiply those potential outcomes.

00:10:42:32 - 00:11:03:18

Unknown

So take a one in 100 potential for one outcome and combine it with another one in a 100 chance of something happening. And you get a one in 10,000 chance of something happening in the areas of the carbon balance that we will potential outcomes of a carbon balance that we might be considering.

00:11:03:18 - 00:11:24:04

Unknown

There are vanishingly small and I think we should not be concerned about those. So to the assessment itself, we've looked at the emissions that. Amazed by the energy from which plant itself the earth in terms of direct emissions from the combustion of waste.

00:11:24:29 - 00:11:57:05

Unknown

We've taken into account the chemicals used in Fallujah's control and materials brought in for the the the block plant as well. We've considered a small degree of carbon capture and we've considered the substitution by the electricity generated for energy that would be or electricity that would be generated by combined cycle gas turbine, which is the marginal build

00:11:58:11 - 00:12:18:26

Unknown

recommended or pointed to. We're pointed to in the. In the debt for guidance. The remainder of the counterfactual, i.e. what happens if we were not to build the facility, is associated with the recovery of materials associated with the plant.

00:12:18:26 - 00:12:48:39

Unknown

So ash and metals extracted from incinerated bottom ash. We haven't considered in the base case what would be the benefit associated with the plastics recycling facility and its substitution

substitution of its output for Virgin Plastics. The base case assumes that that would take place outside the country and with which is bringing the benefit back into the UK

00:12:49:49 - 00:13:18:00

Unknown

. You mentioned the emissions from landfill itself. We've modeled on reasonable rates of decomposition of biodegradable material and the capture of landfill gas, the residual methane that will be released to landfill. We've taken into account energy recovery from the methane that is captured and it's substitution for electricity.

00:13:18:23 - 00:13:36:23

Unknown

So in the base case also accounted for the biogenic carbon capture and we end up with a balance which is positive in terms of the the development it provides for a net reduction in carbon emissions compared with the counterfactual.

00:13:36:47 - 00:13:58:43

Unknown

And then we've undertaken a degree of sensitivity analysis in the climate chapter initially around those particular assumptions and then in the response to the UK when written, written representation, some of these issues that I started off by mentioning that are less conservative but still reasonable to undertake on.

00:14:01:14 - 00:14:22:15

Unknown

So maybe I should stop at that point for probably long enough spiel to say Thank you very much. Thank you. But before we before we go to any interested parties. I think he said that. And I bet the climate chapter and clearly their sensitivity to the actual composition of the waste.

00:14:23:08 - 00:14:42:45

Unknown

Could you say a little bit more about how, you know, the typical carbon composition and how that is likely like to change in view of the targets and what effect that would have on your assessment to date? Yes, certainly, sir.

00:14:42:45 - 00:15:09:47

Unknown

So we've, we've used reasonably high quality data such as exists for waste composition published by DEFRA and the Welsh Government on household waste and on commercial and industrial waste to arrive at an overall waste composition for the IDF going into the plant.

00:15:11:04 - 00:15:37:39

Unknown

That's something that would be controlled to some extent by the fuel specifications that the operator will arrive at with its waste supplies. So it has the opportunity to control the waste it received receives within in a reasonable limits compared with that specification, which I think is something that the Environment Agency confirmed in its response.

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Unknown

The. The composition of the film is different from that of the residual wastes arising. We've assumed that a degree of processing will be undertaken in order to take out some other recyclables. Is it through RDF processing in particular plastics?

00:16:03:48 - 00:16:26:32

Unknown

Given the focus on the waste policy and ultimately the balance of greenhouse gas emissions associated with the development will depend on the precise composition of waste that's used as a fuel from day to day, week to week and month to month.

00:16:27:30 - 00:16:54:38

Unknown

We think that the compositions used are perfectly reasonable assumptions for the average over the longer term, particularly given that the operator is able to control composition through the fuel specification rate. But ultimately, if you burn more fossil containing waste, the benefits of the plant will drop.

00:16:55:30 - 00:17:19:23

Unknown

And if you burn more biomass containing waste, then the benefit associated with the plant will increase. And I'm wary of becoming too speculative about what might happen in future. But if we look at the key fossil carbon containing components of the waste, that's plastics.

00:17:20:47 - 00:17:41:06

Unknown

Plastics are carbon intensive. Many, many commentators recognize that. Policymakers recognize that and are trying to do something about it. So there's a very real prospect, not only that society will use less plastics in the future and therefore less of them will end up in the waste stream.

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Unknown

And bans on the use of single use plastics, for example, have that effect, but also that more plastics will be produced from biomass, sources say from sugar cane residues or coal or whatever it might be. Plastics are produced and they don't have the same effect on the carbon balance as oil and gas produced plastics, because they're taken

00:18:07:40 - 00:18:25:28

Unknown

to be carbon neutral, because as you harvest one set of crops to turn into the biomass that goes into the plastic, then you release that combustion and the carbon is captured in the next crop cycle. So there's no net effect on the atmospheric carbon sink.

00:18:27:00 - 00:18:49:30

Unknown

Thank you, Mr. Money. I'm aware Mr. Nicholson had his hand up. I was going to invite interested parties to respond. So you came when? I'm going to let you go first. Thank you. Thank you, sir. Just in from U.K. win.

00:18:50:05 - 00:19:06:43

Unknown

So I don't want to believe with this point because we've done a lot of written submissions on it. But I think you'll appreciate that we don't accept that the opposition approach could on the whole be considered conservative if one defines contempt as being likely to underestimate the benefits.

00:19:06:46 - 00:19:28:27

Unknown

If you take the alternative view, they are in fact overstating the benefits and that the facility is likely to have a net benefit. And we've set out our position on this already and intend to respond to the latest argument APS deadline for and we do not accept the applicant's case that their approach is consistent with IMF

00:19:28:28 - 00:19:50:46

Unknown

guidance or different guidance. And we just want to note that the stricter the application the applicant is on its fuel specification, the less waste that will be available and the further it will need to travel. And the sort of restrictions that are being discussed have not been adequately assessed elsewhere by the Conservatives in the idea of supply

00:19:50:46 - 00:20:14:01

Unknown

assessments. If there really is going to be the sorts of changes that are being anticipated, then we would expect that to be seen elsewhere. And we do take the position that the proposal would be a high carbon development as set out in REP to document where we provide an estimate of 548 grams of CO2 per kilowatt hour

00:20:14:16 - 00:20:29:43

Unknown

, which is higher than unabated. Keep it good and 40 or thereabouts or the base model 50 make the 41. And so we consider that whether we are against landfill or against the generation, this would be a high carbon development and a backward step.

00:20:30:11 - 00:20:56:05

Unknown

Thank you. Thank you for keeping that relatively brief. So. So, but I just. Yes. I just started with a yes. I think it's a recommendation to UK win as they do that. Gentlemen, I take the time to read the base guidance that you use in your assessment and and to think about what it says about how those

00:20:56:05 - 00:21:24:10

Unknown

data should be used. And because I think, as I pointed out to you at previous inquiries, and this is not guidance for this type of assessment, it's its guidance aimed at government analysts but usable by anybody else. It's true for assessing change in the demand and consumption of electricity, and that's what the marginal figures are intended to

00:21:24:11 - 00:21:53:06

Unknown

be used for. And you're taking them into the context and using them for something that's entirely not appropriate for either. So I do bear that in mind as you make your representation. Thank you, Mr. Monnier. Has U.K. wing got anything further to add from what I've previously said?

00:21:53:17 - 00:22:10:46

Unknown

Or can I invite other other parties to contribute that way? Just on the specific point in relation to the government guidance. We note that the EFL guidance specifically says it is appropriate to take the approach to advocating with respect to energy from waste facilities.

00:22:11:10 - 00:22:30:47

Unknown

And more broadly, the guidance relates to changes in demand and obviously a king, as the Government guidance notes. A sustained kink in demand can derive not from simply reducing the amount of electricity that is being used, but also by creating alternative sources of activity such as the development.

00:22:30:47 - 00:22:45:19

Unknown

So this would create a factor of an increase in generation on one and one aspect, which is equivalent to a decrease in demand, and therefore just the sort of sustained change in relation to supply that the Government guidance is anticipating.

00:22:45:21 - 00:23:06:25

Unknown

And that's in that is consistent with the conversations that we've had with the Government on the matter. Well, I'd be very interested in seeing those conversations. If you've talked to energy economists about it and you have some guidance that recommends using this approach, then say, I very much look forward to seeing it.

00:23:07:28 - 00:23:19:47

Unknown

So can I. So I think you said the UK when you're going to make further submissions by deadline force, so you've heard what everyone's got. I've got to say what they would like to see or what they would like you to take into account.

00:23:20:08 - 00:23:36:13

Unknown

Obviously, if you can include some of those items that that I think will be helpful. So we can so they can then respond to that and we can hopefully understand better whether where the differences lie. Does anybody else want to add anything to this?

00:23:37:22 - 00:24:37:48

Unknown

Point, Mr. Nicholson. Juju. There's just a slight pause here while we're changing seats. Simon Nicholson from. I'm a question for Mr. Monnier. He was describing the change in legislation regarding bioplastics as future goes on obviously that this balance will.

00:24:39:28 - 00:25:10:48

Unknown

Gain weight, if that makes sense. So as stated earlier, biomass and biodegradable. Fuel, if you like, won't be something that's accepted at the plant. So will these bioplastics be removed for composting and. Biomass energy harvesting. Instead of incinerating, which should be the.

00:25:12:00 - 00:25:38:33

Unknown

Way that you're talking about proceeding. Can you respond to that? Mr. MONYELA If you think you need to have further from what you said before about the development of biobased, plastics is a fairly complex area. There will be some that are indistinguishable from the polymers that we see today and they are available.

00:25:39:00 - 00:26:05:04

Unknown

Should people separate them for recycling? Exactly the same way that we separate plastics now and again, going back to Mr. Lloyd's supply assessment, there's a very considerable uplift in recycling rate factored into the supply assessment, and there may be some other biomass based plastics which are not suitable for recycling or indeed are not technically, environmentally or economically

00:26:05:04 - 00:26:30:02

Unknown

recyclable. The point that I made before and that material remains in the residual waste stream. Thank you very much. If there's no other comments from the applicant, I suggest we propose that we draw a line under the waste discussion at this point and we then move on.

00:26:32:34 - 00:27:21:03

Unknown

In the in the agenda. Two issues relating to flood risk and water environment. So as Kevin Murphy, on behalf of the applicant and my colleagues here, Colin Byrne and Melanie Vann, will address flood risk related issues. And I think there's a couple of more sort of water environment issues outstanding as well, which I'll attempt to pick up

00:27:21:03 - 00:27:42:47

Unknown

in the absence of a specialist available to do that. That's okay. Thank you. Okay. Now, my first series of questions is really on the application of the sequential and exception tests, and you'll have seen from our written questions the concerns that we've had on that.

00:27:43:45 - 00:28:11:07

Unknown

And so if I can. Just go through. The National Appalling National Policy Statement in Walnut per our 5.7.3 makes clear the aims of planning, policy on development and flood risk are to ensure that flood risk from all sources of flooding are taken into account at all stages in the planning process to avoid inappropriate development in areas at

00:28:11:08 - 00:28:38:01

Unknown

risk of flooding. And then to direct development away from those areas at highest risk. And where new energy infrastructure is exceptionally necessary. In such areas, policy aims to make it safe without increasing flood risk elsewhere, then goes on to state at paragraphs 5.7.9 in determining an application for development consent, the IPC, now the Secretary of State, should

00:28:38:01 - 00:29:07:15

Unknown

be satisfied that where relevant, the application is supported by an appropriate flood risk assessment. The sequential test has been applied as part of site selection and that's the key for me to get to the bottom of it, because when you set out your responses to the first written questions, which were questions 4.0.54.0.8 and I think 17 .1.3

00:29:08:25 - 00:29:25:41

Unknown

. You provided us with their criteria you used for site selection. And obviously that was supported in part by the Appendix A and Table A2. But I can't see anywhere within that where you had included in a criteria on flood risk.

00:29:26:15 - 00:29:46:32

Unknown

So. Perhaps you can respond to that concern for me. And yes, Sarah Price, on behalf of the applicant, I say I will deal with policy points relating to site selection, sequential testing and the exception test when we come to it.

00:29:46:32 - 00:30:11:15

Unknown

And I'll pass over to my colleague Ms.. Fen to deal with the technical aspects. And as you say, so we've responded to this in questions. And so I, I won't go through all of that again. And but I think that the the principal point is turning to what NPS and one says in relation to sites being reasonably

00:30:11:15 - 00:30:38:41

Unknown

available and there being no reasonably available sites in applying the sequential test. And so as we've set out in our responses or the applicants set out in its responses to the first written questions, the applicant initially undertook effectively a commercial exercise of identifying what would be a suitable site to deliver an aircraft.

00:30:39:11 - 00:31:05:48

Unknown

And that was very heavily informed by supply of waste material and the discussions that we've been having in relation to where those capacity gaps exist. And so a number of criteria, criteria were considered in determining what might be an alternative sites and in working through those alternatives.

00:31:06:18 - 00:31:36:41

Unknown

And effectively it transpired that there were no reasonably available alternatives to the application site that met that identified need. And as as we've summarized in in the applicant's response to Q four point 0.8, which was one of the responses I think that you referred to, there were essentially eight sites identified.

00:31:37:05 - 00:32:04:38

Unknown

And of of those only only two were potentially available to meet the regional need and were also of sufficient size and not being developed for alternative uses. And the the other site wasn't commercially available. So and albeit falling within a a lower risk zone of lower risk of flooding.

00:32:05:19 - 00:32:33:05

Unknown

And however, from the perspective of the the sequential test, the site didn't meet that test of reasonably available. And and that's that's why flooding or flood risk is not set out in that way. And the exercise undertaken by the applicant and it wasn't a site selection exercise led by flood risk, which, you know, is quite, quite reasonable

00:32:33:06 - 00:32:50:44

Unknown

and I think is it's reasonable for the applicant to start by looking at where's an appropriate site to meet the needs identified for for an RF. Albeit our position is that the sequential test is passed for the reasons I've just given.

00:32:53:18 - 00:33:16:01

Unknown

That's a helpful clarification. I'll come to you, Mr. Nicholson, in a moment, if I may. Can I just ask North Lincolnshire Council what your view is and what the applicant has done in undertaking their site assessment in terms of flood risk?

00:33:16:24 - 00:33:42:10

Unknown

It's not something I think you've said you have a great concern about, but just the clarification, please. Andrew Lowe for North Lincolnshire Council. Yeah. I mean we, we've taken the view that the applicant had set out that there were no alternative available sites and that's why this is essentially the sequential test was passed and we, we haven't

00:33:42:10 - 00:34:06:18

Unknown

raised the concern with that and we don't we don't have a concern with that approach. Okay. That's very helpful. Thank you. Mr. Nicholson. Simon Nicholson from Raine. My first question is, which was the other alternative site that you said wasn't commercially available, I suspect.

00:34:08:16 - 00:34:25:17

Unknown

Can you just answer that first, please? So I've lost my microphone, so only you have me to answer that. I'm Sarah Price on behalf of the applicant said that that's the British steel site in Scunthorpe. Simon Nicholson from right.

00:34:26:23 - 00:34:53:31

Unknown

Okay now through conversations with the applicant in the summer of 21 in. The public consultation inflicts poor. It was said that. The Chinese wouldn't speak to us. Now. The chief executive of the All Things Council said to me, that's complete rubbish.

00:34:53:31 - 00:35:15:14

Unknown

They would welcome it. But it's a far better site. It's far better suited. There would be no rail. Uh, recommissioning, there would be no worry about loading and unloading of boats because it would all be done at the coast due to the.

00:35:16:22 - 00:35:42:04

Unknown

Receding side of the steelworks. The rail capacity from the Humber ports is running at a very small percentage of what it originally was. The main railway feeds in the motorway network is there and available and used to supply the site already.

00:35:42:32 - 00:35:59:36

Unknown

The road capacity's there. I know for a fact because I was part of it, that there used to be 40 wagons running from Immingham to Scunthorpe every day, 24 hours a day, bringing minerals into the steelworks along with the rails as well.

00:36:01:32 - 00:36:24:46

Unknown

So there is not a capacity issue if the. I think there needs to be a far better conversation with British Steel. Who would benefit from the production of. And when I say this in inverted commas, green electricity. It's just a marriage made in heaven.

00:36:25:25 - 00:36:52:45

Unknown

And his if counselor Rob Balsam, says that that he's spoken to them and they would like a dialog, then I don't understand what the obstruction is. There is a brown site brownfield sites up there to. At least five of your sighs project on without the.

00:36:53:40 - 00:37:12:00

Unknown

With the flood totally removed. And also the the stock could be of of a height where it wouldn't have a direct impact on local residents. It would be more dispersed into the upper atmosphere because of its elevated position.

00:37:13:18 - 00:37:33:38

Unknown

Thank you. So should I come back on those points? So, Sarah Price, on behalf of the applicant. I'm. I mean, I think the first thing to say is that I personally was not involved in those discussions, but I have discussed at length with my client who was involved in those discussions.

00:37:33:45 - 00:37:50:16

Unknown

And our understanding is that fundamentally, we have been told that site is not available and we work consistently. And that's it's been the subject of a long discussions and that we've we've been told that the site is not available.

00:37:50:29 - 00:38:16:01

Unknown

So I can't comment on Mr. Nicholson's alternative information on that. That's simply the basis that we're proceeding on. I think the the other point that I would raise is in relation to the suitability of this site, the application site and the core strategy does identify the flexible industrial site estate as being appropriate and for energy from waste

00:38:16:02 - 00:38:38:34

Unknown

, that's policy 20 of the adopted core strategy. So in in looking for alternative sites, again one of the key principles of the applicant was to consider local policy and where local policy was misdirecting these sorts of facilities. So I do appreciate that Mr. Nicholson has a different view on the suitability of the site.

00:38:38:34 - 00:38:56:16

Unknown

But you know, again, I think that's a reasonable starting point for a site selection exercise and the British steel site. In addition and I appreciate what Mr. Nicholson saying about the rail link to the coast doesn't have the benefit of immediate port access.

00:38:56:43 - 00:39:20:12

Unknown

We this application site does have that inside this again and we've we've we've been we've been through what's currently allowed through the port. So, you know, I appreciate the difference in opinion but in carrying out that exercise, the the site at the application site does meet a number of sort of attributes, policy attributes from a planning perspective

00:39:21:01 - 00:39:40:48

Unknown

. The final thing I would just add is obviously in looking at site selection and alternative sites, and that's carried out at a relatively high level. And clearly what the applicant hasn't done and is obliged to do is to look in detail at what the effects would be of delivering a an RF in that location.

00:39:41:12 - 00:39:57:46

Unknown

And so I take Mr. Nicholson's local knowledge points about that. But and it's difficult to compare the detailed assessment of what's what's come out as part of the application and what might have transpired had that level of detail been undertaken for alternative sites.

00:39:59:31 - 00:40:35:17

Unknown

Thank you. Thank you. Can I just then go on to the exception test? I think this is a fairly simple point, but I just want to confirm that you're not arguing that it falls with any specific exception that would remove the need to undertake the sequential test, because obviously the industry talks about some exceptions that would avoid

00:40:35:18 - 00:41:03:10

Unknown

that. But that's not part of your arguments. Is that correct? That's correct. Thank you. So I move on to the next element. And this is within your planning statement app. 035 and paragraph 5.7.25. Part of the arguments in favor of the proposal appears to rely.

00:41:04:14 - 00:41:33:15

Unknown

On it being seen as appropriate for development through the local plan process. And I'm just wondering whether it's been overstated because the area action plan was for a housing scheme. And clearly there's a justification that's been promoted there because there's a shortage of land available for housing in lower risk flood areas.

00:41:33:48 - 00:42:01:40

Unknown

So am I misunderstanding what you've you've said with regard to that. Sarah Price on behalf of the applicant. Say you're correct for that is what that says in in the paragraph and it's not a central part of of our argument and say and our arguments in relation to the exception test is set out primarily within the flood

00:42:01:40 - 00:42:22:44

Unknown

risk assessment. And if it would be helpful, my colleague Mr. Venn can can go through those again. And I think that some of the sort of background is that that area has been, as you identified and allocated for development through and the the Lincolnshire Lakes A&P.

00:42:22:44 - 00:42:43:36

Unknown

AP but that isn't the central part of our policy test. It's more as a background really. The point I was referring to earlier, which I appreciate so you probably appreciate, is a different point, is that the, the principal site on which the RAF is located and is allocated through the local plan as part of the industrial estate

00:42:46:04 - 00:43:29:11

Unknown

. Okay. Now. Thank you. Okay. Well, I think I've understood your position. They're just as safe as any other parties would wish to make any submissions before I move on to the next topic. Okay. Thank you. So moving then on to the the flood management plan, which is set out I think as part of requirement 12 of the

00:43:29:11 - 00:43:55:01

Unknown

draft consent order. Can you just clarify for me what is the intended role of the flood management plan? I'll try to be more precise, is intended to be limited to evacuation routes and flood resilience implementation, or are there also sort of design implications and measures also proposed to be incorporated within that?

00:43:57:11 - 00:44:14:44

Unknown

Claire Brook on behalf of the applicant, I'll start on that question. Recognizing it relates to requirement 12 of the reference there. Certainly in terms of Requirement 12, which is is primarily to deal with the operational management of the site.

00:44:15:19 - 00:44:35:21

Unknown

So this is post-construction when the energy part works are in operation. And the reference there to the flood management plan that needs to be approved is specifically to include, as the requirement says, the evacuation route plan and the flood resilience implementation plan.

00:44:36:02 - 00:44:55:22

Unknown

So in the context of requirement 12, that is primarily and solely to deal with operational requirements as far as the flood management plan is concerned. But I will let Ms.. Fenn to

respond in terms of whether or not the flood management plan, per se has a broader remit as well.

00:45:00:08 - 00:45:25:24

Unknown

Nonevent. I'm speaking on behalf of the applicant as class and fact, and that is correct, that the flood evacuation management plan is primarily focused on when the plant is in operation and what will be in place to manage uses of the site in the event of a flood risk.

00:45:30:43 - 00:45:45:34

Unknown

Does that sense? So there's no intention for it to be covering any physical works. It's purely about the evacuation of operatives during the operation of the of the plant in the event of a a flood event in London.

00:45:45:42 - 00:46:05:45

Unknown

On behalf of the applicant. Yes, that's correct. Thank you for that clarity. So I'll then come to Norfolk North Lincolnshire Council as a as Emergency Planning Authority, do you consider you you have sufficient information and can be satisfied that evacuation would be possible if necessary.

00:46:09:01 - 00:46:29:30

Unknown

Andrew Law for North Lincolnshire Council. Yes, and the simple answer is yes, sir, we do. And I think our previous concerns with regards to the drafting of Requirement 12 have just been answered and clarified by the applicant. Then we had concerns about the timing of the submission of that plan, primarily because we felt that there may be

00:46:29:31 - 00:46:45:31

Unknown

physical works required and that they should be agreed pre-construction, as you would expect. But I think that clarification has been very helpful. Thank you. All right. Thank you. Can I just come to the Environment Agency in terms of your role within within this?

00:46:46:00 - 00:47:13:40

Unknown

Are there any outstanding concerns that you have in this regard? And that huge sum for the Environment Agency. And yes, I'm afraid there are still outstanding concerns in regard to this. And certainly now it's been clarified that the plan required under requirement 12 is solely for evacuation purposes.

00:47:14:23 - 00:47:40:38

Unknown

There is still assessment work required to inform further mitigation in respect of the site. And we don't feel that that element is covered in any of the requirements as currently drafted. Now I know the and the applicant has suggested that they would put an addition into the design requirement that it accords with the flood risk assessment.

00:47:41:08 - 00:48:13:34

Unknown

But that doesn't secure the additional assessment work to inform mitigation that we require. So no, as currently drafted, it doesn't cover our concerns. Thank you. Thank you. I come back to the applicant. And Claybrook, on behalf of the applicant, I possibly could have headed it off, and I dealt with the requirement of anticipating the Environment Agency's position

00:48:14:06 - 00:48:39:34

Unknown

. What we are proposing to do, we recognize that there isn't a specific requirement that addresses the if I call it the physical mitigation measures largely covered by work. Number 13 in the draft DCO. What we are proposing, in addition to making reference to the flood risk assessment as in this year said refers to in requirement three.

00:48:40:28 - 00:49:04:49

Unknown

So that that is taken into account as part of the detailed design for all elements of the development that we also agree a bespoke requirement to deal with. What McPherson talks about in terms of the approval process, the detailed design of the physical mitigation measures that are required in terms of flood defenses and associated works referenced in

00:49:04:49 - 00:49:24:33

Unknown

work number 13. What we propose to do, we've discussed a draft between us. We hope to provide a copy of that in fairly short order to the Environment Agency in the hope that we can agree that wording and then add that to the draft ECI before deadline for.

00:49:28:38 - 00:50:00:04

Unknown

Thank you. Okay. So if I then come on to item C, part of the relevant representation which is our r073 from a B, I agree. They have expressed concerns on the undertaking of the flood risk assessment and the suitability suitability of the model used and whether it accurately reflects the risks of flooding in light of the relative

00:50:00:04 - 00:50:24:28

Unknown

Crest Heights of current defenses. And they've maintained that view both in their D2 written submission, which is REP to 081 and then reiterated at deadline three. I wonder if I could have your response to those concerns. Hi. This is an event speaking on behalf of the applicant.

00:50:25:06 - 00:50:44:49

Unknown

Um, I've prepared a response that hopefully addresses this. And as part of that response, I will be making reference to the following. The Flood Risk Assessment App Series 70 and Image three that was provided earlier, which comes from the FRC Figure 5.8.

00:50:46:12 - 00:51:08:21

Unknown

So the hydraulic modeling has been undertaken to support the FRC and inform its outcomes. Early engagement with the Environment Agency and the Council has been undertaken to ensure that the latest approved and most appropriate hydraulic flood model was obtained and used as the basis of the FRB.

00:51:09:44 - 00:51:27:29

Unknown

The North Lincolnshire Council 2017 flood model used to design the Lincolnshire Lakes Flood Defense Scheme was agreed to be the most relevant model. It extends approximately 60 kilometers upstream from Newark on Trent to ten kilometers downstream to do number.

00:51:28:43 - 00:51:51:39

Unknown

This module has been updated to include the most recent EPA Humber Extreme Water Level model to inform the tidal boundary taking into account the latest UCP 18 Advice on climate change and sea level rise. The hydraulic model utilizes topography that is averaged across a grid resolution of 25 meters by 25 ounces.

00:51:52:19 - 00:52:18:08

Unknown

This resolution allows the flood model to assess a large area of approximately 970 kilometers squared within a reasonable computation one time. As the proposals extend across a distance of one and a half kilometers in the floodplain, this grid resolution is considered to be appropriate for the purposes of assessing the impact of the proposals to surrounding areas, as

00:52:18:08 - 00:52:45:04

Unknown

well as identified the flood mechanism that will put users of the development at risk. As it can be seen in Image three and. Approximately 97 hours after the start of the tidal surge. The proposed development is at risk from overtopping of the east bank of the River Trent, approximately three kilometers north of the site and overtopping of

00:52:45:04 - 00:53:12:43

Unknown

the east bank at the industrial estate and the agricultural fields within the site. Once overtopped flood water generally flows north to south into through and beyond the site. By assessing this large extent beyond the site boundary, the hydraulic model has enabled iterative testing of the development proposals and its layout to ensure minimal impact to third party.

00:53:13:34 - 00:53:35:19

Unknown

Further description of this process is provided in Appendix A of the FRB. During consultation with Abbey. I agree there was discussion with regard to the flood model potentially overestimating the ground elevation level at the wharf. That may prevent the model from representing overtopping at the wharf in the future.

00:53:35:19 - 00:53:54:28

Unknown

Extreme baseline condition. Therefore, when the development is added to the model, it could potentially displace the overtopping flow path and redirect it northwards onto the Abbey Agri site. Following these discussions. Further interrogation of the flood model has been undertaken.

00:53:55:07 - 00:54:18:46

Unknown

Topographic levels along the wharfe and existing defenses have not been amended in the baseline model received from North Lincolnshire Council. The data in the model is based on

survey data undertaken in 2016 as part of the Lincolnshire Lakes Flood Defense Scheme and considered the most appropriate data at the time the modeling was undertaken.

00:54:20:20 - 00:54:46:37

Unknown

Through reviewing the topography in and around the wharf, it was found that if overtopping did occur, flood water would flow eastwards and primarily along First Avenue or southwards towards Stafford Road. With the development in place, flood water prevented from flowing east would either pond the development's western edge or continue to flow along First Avenue or southwards.

00:54:48:25 - 00:55:06:04

Unknown

As part of the flood risk assessment to ensure the assessment was robust when assessing risk to and from the site. It was agreed during consultation with the EA at two breach scenarios were also tested and that the results informed the design criteria.

00:55:07:13 - 00:55:28:11

Unknown

Immediately south of the wharf, a 50 meter stretch of the existing embankment was removed to represent a potential failure or collapse in the defense. Due to the significant increase in flows, flood water was observed to be prevented to flow east due to the new development and it spread north and southwards.

00:55:28:43 - 00:55:47:36

Unknown

This resulted in an increased depth of approximately 200 millimeters at the location of the warehouse in the Abbey Agri site. As such, this led to the inclusion of a new flood defense wall and gates around the perimeter of the API as part of design proposals set out in the FOIA.

00:55:49:05 - 00:56:06:11

Unknown

It should be noted that there is an existing low embankment, approximately one meter higher than the very level that borders the Abbey Agri site along First Avenue. That is not specifically picked up in the flood model. This embankment will help prevent flood water to flow into the site.

00:56:08:01 - 00:56:25:40

Unknown

The proposed flood defense wall and gate would prevent any overtopping at the wharf or breach in the defenses to flow along First Avenue and therefore not increase the flood risk to other parts of the industrial estate. To manage the flood risk around the wharf and the wider area.

00:56:25:40 - 00:56:46:02

Unknown

It is proposed that a flood evacuation and management plan is put in place. This will require the operators of the new development to receive appropriate flood alerts and warnings of a potential tidal surge event. This information can be disseminated and coordinated with other users at the wharf and to the intention that the new development will have staff

00:56:46:02 - 00:57:08:32

Unknown

on site for 24 hours and therefore be able to close the proposed gate on nine. It's anticipated that there would be a minimum 48 hour flood warning time before an extreme event. The new access road proposed as part of the development will be set above future extreme tide of flood level, including an allowance for Freeport and would

00:57:08:32 - 00:57:32:04

Unknown

therefore provide dry evacuation for users of the industrial estate out towards higher ground. The Flood Evacuation and management plan will be developed in consultation with Shire Council Emergency Planning Team. It's nice to me afraid that as part of a detailed design stage, that further flood modeling should be undertaken.

00:57:32:37 - 00:57:49:25

Unknown

This will be undertaken at higher resolution to include localized topographic features to better ascertain and inform the exact setting of flood defense levels. Discussions are ongoing with the Environment Agency regarding elevation levels around the wharf and bank levels.

00:57:50:18 - 00:58:02:06

Unknown

It's understood that an updated flood model for the River Trent is in the process of being completed by the AA and that this will be the basis of the detailed flood model used at the next stage of design.

00:58:03:18 - 00:58:16:12

Unknown

It's important to note that the EIA has confirmed that the flood model used to support the FOTA has been reviewed and the EIA has confirmed that it is fit for purpose for its use at this stage of design to support the effort.

00:58:17:10 - 00:58:32:00

Unknown

We will continue engagement with Abbey Agri on this and in updating the statement of Common Ground. Thank you. Thank you very much. I've come to you in a moment, Mr. Nixon. I'd just like to see if a react.

00:58:32:01 - 00:58:58:30

Unknown

We would like to respond to anything that they've heard or to clarify their position. Yes. This is our Roberts represents. Maybe. I agree. And so just taken up on some of the points that has been made and. Portions of the model is one of our key concerns.

00:58:58:44 - 00:59:23:37

Unknown

So the model is based on a model of this provision constructed by the Environment Agency as a strategic level model to assess flood risk over a very wide area, as was stated. So by necessity it needed a very coarse model grid so that the two degrade, which represents the flood plains floodplain pitch features, is very large and

00:59:23:38 - 00:59:50:21

Unknown

as was stated, 25 meters by 25 meters. And that's far too large to represent a flutter of routes through urban areas, you know, as it can't accurately represent flows along roads or between buildings. So. The concern is that this course model has been used to try and design flood mitigation measures and flood valuation plans where it's not

00:59:50:21 - 01:00:13:45

Unknown

accurate enough to define these. But that's flood velocities, flood hazards. The other points regarding that is the reported in the flood risk assessment. They've used the model to look at impact on third party flood risk. But the the accuracy in terms of impacts on peak flood levels and third party land is only reported to an accuracy of

01:00:13:45 - 01:00:33:02

Unknown

plus -25 no. Whereas typically the Environment Agency would expect models to be able to represent impacts to a resolution of plus or minus five millimeters, with any increase in flood levels increased in five millimeters being cast as an unacceptable impact.

01:00:37:16 - 01:00:55:43

Unknown

The second point, which again was mentioned, is the issue with the flood defenses in a dock area. And the applicant has confirmed that the peak level in the Trent in the 200 year plus climate change tidal flood event is 6.2 meters 80.

01:00:56:44 - 01:01:13:00

Unknown

And this is higher than the flood defenses in the dock area. But the model doesn't appear to show any overtopping in this area. So this is a key concern for al-Bakri as the docks is directly opposite their site.

01:01:13:38 - 01:01:38:40

Unknown

So if the model is an attorney representing a key flood flow route and. The impacts of the development aren't being assessed. So if there's overtopping in the dock, as Ms. mentioned, with a development in place, there is concern that the flood waters would be directed onto that AP access site, resulting in an increased third party flood risk

01:01:40:19 - 01:02:08:13

Unknown

. So basically, therefore, your conclusion is concerns that the findings of this risk assessment aren't accurate or suitable for assessing the potential impacts of the proposed development. Thank you for your clarification. Can I ask you then what you would expect to be done to try and resolve the shortcomings as you see it?

01:02:10:02 - 01:02:27:11

Unknown

Yeah. Or obviously Vietnam. SAN To me, the key thing I think is resolving the moral grid. So rather than having a grade, which is 25 meters by 25, it should be a maximum of five meters squared to be able to represent do flow routes through the industrial area.

01:02:28:12 - 01:02:46:14

Unknown

That is a key, key refinement of the model. And we would seek clarity in terms of why the model actually isn't showing its overtopping at the docks, whereas where they've confirmed the level is higher than the crest level, they report in the flood risk assessment.

01:02:46:14 - 01:03:11:06

Unknown

So I don't fully understand why the model isn't showing flooding, but. Thank you for that. Can I come to the Environment Agency next? Just to understand your position in respect of the concerns that maybe I could have identified from that perspective and your responses today to the examination.

01:03:19:09 - 01:03:42:44

Unknown

Hi. It's Harvey Speed here on behalf of the Environment Agency. Um. Firstly, I think, um. Just to touch on the, the model resolution. Um, as Ms.. Van. Identify. This is quite a large catchment. Where in the title extents of the river Trent third longest river in the UK.

01:03:42:45 - 01:04:10:34

Unknown

So we're dealing with huge computational speeds if we further refine the model at this location. And given this is, I guess, a strategic stage of design, we can take a view that model resolution can be, of course, a nature at this stage has been discussed with Ms..

01:04:10:37 - 01:04:42:14

Unknown

Van and the consultants working on the flood risk design, the future stage. We would expect a final resolution of the model to great to understand the risks particularly around this wharf area. In terms of assessing this particular risk that's been identified, we've asked the consultant to undertake a high level assessment of what would the impact be if

01:04:42:14 - 01:04:55:42

Unknown

there was an overtopping event at the wharf, and that would assume that the model is perhaps incorrect as it as it stands. So we're sort of taking a conservative. Look at what would be impacts be and as Ms..

01:04:55:42 - 01:05:32:45

Unknown

Vance said in her response before. There would be ponding by the proposed buildings and players would generally be deflected in a different direction to about three sites. So in addition to this post Flood Bund, we feel that there is sufficient level of protection for the site at this stage, and we wouldn't have any concerns that any risk

01:05:32:45 - 01:05:52:26

Unknown

can be that could cannot be mitigated against the detailed design stage. Okay. Thank you for that. Uh, can I come then back to the applicant to see if there's anything further you would wish to say in response to either of those submissions?

01:05:57:04 - 01:06:18:02

Unknown

This is a nonevent on behalf of the applicant. And no, I think since speaking with the consultants, I agree and we have undertaken that further analysis, looking at the topography. And so I can share that information with Abbe.

01:06:18:02 - 01:06:38:48

Unknown

I agree. And following this so that they have the same information. And as commented, we will be undertaking a more detailed flood risk modeling exercise as part of the detailed design stage to make sure that we are appropriately setting defense levels to the correct level.

01:06:40:27 - 01:07:03:07

Unknown

Thank you. Do you have a timescale that you have in place for sharing that information with a BlackBerry's consultants on behalf of the applicant? We will send that information ahead of deadline for. And is it going to come into the examination as well or are you going to have the dialog?

01:07:06:34 - 01:07:49:49

Unknown

To one side of it were before doing anything to the sending anything through to the examination. On behalf of the applicant, we will share that information and hope to update the statement of Common Ground. Thank you. And I just seek to get an interest to pass his views on on clarity, really, with regard to flood issues during

01:07:49:49 - 01:08:14:25

Unknown

construction and subsequently operation. And so I don't know whether there's any distinction that parties have on the two. So can I just. I'll open up to the floor, Mr. Nicholson, in the first instance. Simon Nicholson from Rome. As a local person, understanding the topography, probably.

01:08:16:01 - 01:08:50:02

Unknown

Greatly better than the majority of the people sitting in this room, with all due respect. And. Where do I start? Right. Okay. Can I ask why? The local. Float model has been taken. As a priority over. The Climate Central Flooding Report Climate Change Report of September 2021.

01:08:51:45 - 01:09:12:17

Unknown

Which the float, which is not done by some Mickey Mouse organization, it's done by Nasser. And I do believe it's in the. In the documents somewhere. I don't know what the number is or anything, but I believe it's in there as I referenced it before.

01:09:14:08 - 01:09:39:21

Unknown

It may know all your flood risk mitigation. If that was taken into. Consideration because it would be on the water. The other thing is if we don't use that as a reference point. The flood mitigation bond. Yes, you can put up flood mitigation bonds where you like.

01:09:40:07 - 01:10:01:04

Unknown

There's an opposite, an equal and opposite reaction. So where you stop one place flooding you then push the water into another place. As I live north of the site and the flood will flow north as prescribed by. A learned expert.

01:10:02:27 - 01:10:24:39

Unknown

In the application. What mitigation are you going to put for the effects on all the properties? Both sides of the river? Nobody speaks about the West Side who are going to be unduly affected by this development anyway. Okay.

01:10:29:32 - 01:11:01:12

Unknown

And you see if there's any other parties that wish to say anything further before I ask the applicant to respond. I'm not seeing any hands up either in the room or online. So back to, you know, on behalf of the applicant with regard to the model mentioned that looks at the sea level rise on the coast.

01:11:01:12 - 01:11:30:22

Unknown

And my understanding of that model is that it's looking at the increase in sea level rise on the coastline and it's extrapolating that estimated level across the land. I'm going in and say it's actually a slightly coarser flood model that doesn't take into account so the local topography and local flood defenses that already exist.

01:11:30:47 - 01:11:55:29

Unknown

So the model that we have used is a more site specific flood model that has been created for the river trends. That does take into account the existing flood defenses along the bank. And that's what was discussed in consultation with the EIA and North Lincolnshire Council to agree that the most suitable model to be used in the

01:11:55:29 - 01:12:15:21

Unknown

assessment, and it does also include the the impact of sea level rise. And that was undertaken by the Environment Agency as part of the Humber Extreme Water Level Study. So we've also included that in the flood model. I'm.

01:12:16:35 - 01:12:45:28

Unknown

In terms of the potential impact to the sites upstream like to the north, as he mentioned. Well, again, one of the reasons we used this this flood model was because it had quite a large cap area. And we looked at the and we looked at modeling the scheme and compared it to the baseline and had a look

01:12:45:47 - 01:13:11:34

Unknown

to see where the impacts were across a wide area. So much further upstream. Downstream. The other side of the river. And that informs the design layouts that that has been proposed. And therefore in the areas that you're mentioning, there's no anticipated increase in flood risk areas.

01:13:11:46 - 01:13:42:33

Unknown

That was part of the assessment undertaken and it was looking at that wider area, not just at the site itself. Thank you. Okay, then I'll move on to item D. You've indicated that Severn Trent Water's got a limited capacity for accommodating any foul water that might be generated.

01:13:43:17 - 01:14:10:39

Unknown

And has it yet been determined if an onsite package treatment plant would be required and if it has? Is it explicit that that's part of the DCO? And Colin Byrne on behalf of the and as you State Severn Trent Water have indicated that they don't have sufficient capacity in the public service system at the moment to tighten

01:14:10:41 - 01:14:26:42

Unknown

both the domestic flows and the trailer flows from our development. So we've just discussed this with the Severn Trent Water Asset Upgrade team. They're currently looking at what they might provide further downstream, but they don't have of when they would do that.

01:14:27:14 - 01:14:39:29

Unknown

So we've had to come up with alternative options to treat sewage on site, and that's split into two specific separate areas. We have to treat effluent which is generated on the site, which equates to approximately three and a half liters per second.

01:14:40:12 - 01:14:56:07

Unknown

And the alternative option for this water is to reuse it on the site after a multi-stage treatment process with the treated treat after being used at a concrete block manufacturing facility or the blue glass treatment facility, or to replenish the furnace ash pit, water bulk sale.

01:14:56:46 - 01:15:16:47

Unknown

And in this case, straight effluent drainage collection would be completely separate to any other drainage network on the site and would provide an opportunity for a circular water network across the developments. The second element is the domestic flow, which equates to approximately 0.35 liters per second, which is about 10% of the total flow.

01:15:17:27 - 01:15:33:32

Unknown

And the alternative option for this is to treat it via a UK certified package treatment plant after treatment and domestic flow would then be discharged into the ground either via infiltration or into the large wetland area. That is the post part of the ecological landscaping and surface water strategies.

01:15:34:42 - 01:15:56:24

Unknown

The total daily flow for the domestic element is in excess of the limit and detail within the Defra general binding rules for small sewage discharge. And thus we recognize that appropriate a

discharge permit would be required. And if this option is implemented regarding the element of weather of Severn Trent of suggested whether we would be able to

01:15:56:27 - 01:16:09:17

Unknown

discharge the sewer that is going to be quite a long process. We understand that their asset upgrade team are currently looking at a number of different upgrades in the area. We're not expecting a response from them in a timely manner, let's say.

01:16:09:48 - 01:16:33:32

Unknown

And we note that the EIA requested to be included as a consortium respect of requirement nine of the draft DCO and will meet its amendment when the draft. This is updated and a deadline for. So. As it stands, because you're not likely to get a.

01:16:35:06 - 01:16:57:18

Unknown

An early answer from Severn Trent Water. You're including the. Onsite treatment as part of the scheme. Is that correct? That concern on behalf of the applicant? That is correct. Will be including as part of the scheme and the draft eco number one will be updated to reflect that.

01:16:58:03 - 01:17:18:35

Unknown

Okay. Thank you. And I'm I'm assuming it's probably too early to say, but do you. Have you yet been able to work out which wetland area you would discharge to? Or am I just getting ahead of myself? Coming down on behalf of the applicant.

01:17:19:25 - 01:17:34:49

Unknown

We don't have the detail of which wasn't there, but it would be the wetland area to the east of the proposed access road, an area adjacent to the existing buildings due to proximity. Okay. Well, we'll come back to.

01:17:35:16 - 01:18:10:11

Unknown

WEST Let me correct myself and that's key because I've got some questions on that. And I think there's. East and west has been confused so that we'll get to that shortly. But. Okay. So I guess my follow up question really is that can you clarify for me that the impacts of having an onsite treatment plant have been

01:18:10:12 - 01:18:29:42

Unknown

assessed? And can you tell me where that is within your. Yes. Colin Byrne on behalf of the applicant, and I think we have to go and talk about the worries within the. Yes, I've discussed with the team and I believe that that I think.

01:18:33:16 - 01:19:33:40

Unknown

Okay. Thank you. Mr. Nicholson. Simon Nicholson from right and I'm glad you brought up discharge into the wetland area to the west of the proposed road south of the development. I'm. There are a number of sites around the country where wetlands are used or.

01:19:37:47 - 01:20:06:33

Unknown

Wetlands is probably the wrong word. Lund, which is made wet by. Affluent. And it's treated supposedly naturally. Can I ask what else is going to be put through the wetland? And also, will it be used? To discharge with 33 inches of annual rainfall from the site.

01:20:07:38 - 01:20:37:38

Unknown

Which one added together forms a huge volume of water. And if it's not, where will it be stored? Processed, etc.. Colin Byrne on behalf of the applicant. And it's just worth pointing out that with the sewage discharge, the treatment would be via a package treatment plant and not within the wetland itself.

01:20:38:00 - 01:21:00:28

Unknown

We would just be the water course for the clean fluid which is discharged. And in regards to the surface water discharge, which you reference and the surface water strategy across the site which has been agreed with Scunthorpe and Gainsborough Water Management Board and North Lincolnshire Council's lead local flood authority and Mr. Discharge from outside a greenfield

01:21:00:28 - 01:21:14:27

Unknown

rate which would be at 1.4 liters per second per hectare. So we're mimicking the site as it would be in its green condition and we would be discharging to the natural ditches that occur and then to lysis drain and eventually into the Trent.

01:21:16:48 - 01:21:34:36

Unknown

In terms of storage and treatment of surface water. It will be discharged by the wetland area that we have got indicated to the west of the access road that wetland areas designed specifically to be able to attenuate the amount of water that would fall for extreme events, which is up to the one and 100 year plus 30

01:21:35:02 - 01:21:55:26

Unknown

plus 40% climate change and the sizing of those, what it is just to attenuate that flow and let the flow discharge that the green rate that we have agreed with the Scunthorpe and Gainsborough Water Management Board. Simon Nicholson from Raine.

01:21:56:19 - 01:22:17:38

Unknown

Okay, so what you're telling me is that the. The rainfall from the whole site is going to go through that narrow strip of land and be slowed down by the wetland and fed into. At times when the rainfall is what it is, that will not be a wetland.

01:22:17:38 - 01:22:37:42

Unknown

It will be a river, in my opinion, because of the size of the area we're trying to channel the water through. Also, there was a point you I don't know whether you skirted around or missed it, but what else is going to be the wetland going to be used to an inverted commas purify?

01:22:40:46 - 01:22:52:34

Unknown

Colin Byrne on behalf of the applicant, just picking up on alternative other water that we go through that there's no other water's intended to go through the water, there is only surface water, untreated sewage water if that is the case.

01:22:53:28 - 01:23:09:43

Unknown

And in terms of the point about the volume of water, talk about the whole site. We're only discharging the water that we're collecting on the hard surfaces. Water that falls on the existing soft landscape has will drain as they do at the moment, to the natural ditches, particularly the area to the east of the access road where

01:23:09:43 - 01:23:22:46

Unknown

water falls on the on the on the green through land there with discharge, as it does at the moment, we're not affecting or changing that path. They're only collecting the water lands on the heart shaped areas and then discharging it via that wetland area.

01:23:26:40 - 01:23:49:21

Unknown

Thank you. I can see that the Environment Agency of the hand raised. Be helpful to hear your contribution. Thank you. Thank you to Annette Hewitson for the Environment Agency. I'd just like to come back in on the point of the foul water drainage to a package treatment plant.

01:23:50:41 - 01:24:13:34

Unknown

The Environment Agency considers the use of package treatment plants as a sort of a last resort, and certainly don't consider that lack of capacity in a mains sewage treatment system is a reason not to connect. So just really to put a marker down the, you know, package treatment plant is not a long term sustainable solution.

01:24:13:35 - 01:24:28:49

Unknown

It might be something that we would term it as a temporary measure, but we will very much be looking to the applicant to work with Severn Trent Water to get mains capacity available and to connect as soon as that capacity is available to them.

01:24:29:19 - 01:25:04:19

Unknown

Thank you. Can I just come back to you and Miss Hewitt's and the applicants obviously engaging with Severn Trent Water, but from what's been said this afternoon, this would appear to be quite a long process that will need to be gone through before.

01:25:05:49 - 01:25:26:13

Unknown

A conclusion is reached. I'm. Can I just get clarity as to what the Environment Agency position is? Because the I'm I'm assuming that we're unlikely to have an answer before the 15th of May when the examination would close.

01:25:26:46 - 01:25:43:07

Unknown

And so I'm just trying to get this clear position in my mind as to what your position would be if, come the end of the examination, Severn Trent haven't given clarity on their position back to the applicant. Is it that you would.

01:25:44:16 - 01:26:15:43

Unknown

Agree to a temporary. Package treatment plant. And. Just. Seek clarity. Annette Hewson for the Environment Agency. I'm sorry, I perhaps didn't make myself clear and the agency would consider it as a temporary solution. I obviously cannot say whether a permit would be forthcoming.

01:26:15:43 - 01:26:33:33

Unknown

We can't be seen to be predetermine any permits application. We have to look at what is actually being proposed internally in terms of the drainage from that package treatment plant and in terms of our position with regards to this in the development consent order.

01:26:34:05 - 01:26:57:19

Unknown

I'm satisfied that that Requirement nine will cover this, the detail of the scheme that will be forthcoming often that we will be a consultee to that. It's it's just a case of the expectation that we would expect that drainage strategies to be submitted to include a commitment to connect to the drains, mains drainage.

01:26:57:33 - 01:27:17:09

Unknown

When that is available. Thank you. I come back to Applicant, whether there's anything further you would wish to say in response to that. No. I think we'd have to discuss the comments in the and come back at the right time.

01:27:19:43 - 01:28:15:08

Unknown

Thank you. If I can then move on to an item on the agenda, which is just about water quality monitoring and treatment and. Can I clarify with the Environment Agency in light of the relevant representation? Whether you're now content with appendix A to the code of construction practice, providing appropriate controls and link through to the Construction Environmental

01:28:15:08 - 01:28:40:39

Unknown

Management Plan to ensure appropriate water quality monitoring and treatment. And it hits home for the Environment Agency. And sorry, sir, could you direct me to where in our representations, we. We brought that up. It's an issue. And now you've got me.

01:28:40:41 - 01:29:00:32

Unknown

And I may have to I'll have to follow up, because I'm not going to be able to put my fingers on that straight away. So you'll have to bear with me, I'm afraid. But obviously, your indication is that at least off the top of your head, it hasn't been a concern.

01:29:00:33 - 01:29:23:02

Unknown

And I've perhaps misinterpreted something, but you certainly seek to clarify. Yes, that's certainly not a concern I can remember raising. I think we're quite happy with with everything in that respect. Okay. Thank you. Just check with the council.

01:29:23:25 - 01:29:46:10

Unknown

Their view on that position in terms of quality, water, quality, monitoring and treatment, whether there's any concerns from your perspective. Andrew Lowe of an orphanage council. No concerns from our perspective. Thank you, sir. Thank you. Can I ask for figure three from App 49 to be displayed on the screen, please?

01:29:56:30 - 01:30:27:07

Unknown

I'm just bringing that up for you, and I thank you. And I think this neatly segues into your response earlier, because I think when we were preparing written questions and its questions. 17 .1. 13. And. Having reread your answers and.

01:30:28:17 - 01:30:52:05

Unknown

And I do wonder whether East and West has been confused and. Within App 51 at paragraph 3.2. 3.41. He says given that much of the application land is located adjacent to the River Trent and within flood zones two and three.

01:30:52:05 - 01:31:15:31

Unknown

The importance of existing drainage network and the need for attenuation ponds to mitigate the existing flood risk has created an opportunity to combine and integrate these features, creating a new wetland landscape to the east of the new access road, and I think it should be west, and that that's caused a great deal of confusion with the answers

01:31:15:31 - 01:31:48:05

Unknown

that we've got, I think, to a series of questions when the plan comes up, hopefully it will. Touch wood. Politics must happen. A few technical issues at the moment. Okay. So is this the red line boundary that. No, it's not.

01:31:48:06 - 01:32:26:43

Unknown

It's the. It's the figure three, which is in APA 49. And it's the overall site with the. Bear with me, and I think I may have a hard copy just to. Not that it will help everybody, but. This is just I'm afraid it's a bit small that people aren't going to be able to see it, but this

01:32:26:43 - 01:32:49:00

Unknown

is just. Yeah, I'd love to. Yeah. And it's that drawing and which I'm afraid is not helpful to the people who aren't in the room. It's not very helpful for people in the room, but it's the project elements within Chapter one introduction, which is helpful.

01:32:49:00 - 01:33:16:27

Unknown

He got a click, click he down the right hand side, which indicates the flood management area with Blue Cross hatching and the wetland area with blue and blue dots and. I think when you revisit the questions we were posing, there's been some confusion about cross-hatching.

01:33:17:45 - 01:33:37:23

Unknown

And what areas of land are doing what. And that's what I was really trying to get the clarity on about. Because I think the drawings correct that the cross-hatching to the east of the access road is intended to be flood mitigation only.

01:33:38:26 - 01:33:54:30

Unknown

And that's only going to be in the events when there's a high rainfall or a flood risk event. And to the west of the access road, it's actually going to be a wetland area designed to improve ecology and so on.

01:33:55:25 - 01:34:41:21

Unknown

And so if it's as simple as that. Hopefully you can say that. Colin Byrne on behalf of the applicant, your interpretation is correct. Just bear with me because I just want to make sure I'm not. Yeah. If you could have a.

01:34:43:03 - 01:35:02:23

Unknown

A relook at the answer given to question 17 .1. 13 because. That refers to new wetland landscape as the blue hatched land. And so it may have been I didn't write the question clearly enough, but the answer definitely confused me.

01:35:03:27 - 01:35:51:32

Unknown

So if in light of that clarity about the two areas, that could be further clarified. Okay. Thank you. I'll just then come to. The next item, which is the Water Framework Directive. And I just want to get clarity from the Environment Agency if there are any outstanding concerns in this respect.

01:35:52:23 - 01:36:20:19

Unknown

Thank you. And that huge sum for the Environment Agency. And no, there are no WFP outstanding concerns. Thank you. Nice and simple. Thank you very much. Yeah. Okay. Well, I think. Get myself slightly confused when me pieces of paper.

01:36:25:15 - 01:36:46:48

Unknown

I'll just then ask then before I move on, if there's any other business that anyone would wish to raise on flood risk or water matters. No, that's helpful. So I think on that basis, we have the round upon statements of common ground yesterday.

01:36:47:46 - 01:37:05:37

Unknown

And so I just checked, there's no any of the business issues from anyone. Just one. Thank you. Claire Brook on behalf of the applicant, I'm not sure if I can see whether or not we still have representatives of AP Agri on teams.

01:37:05:37 - 01:37:28:00

Unknown

I think we may have, but it was it was topic. I should have picked up the point at the end of the previous session on waste in particular and the concerns that have been articulated by our group in their written representations in terms of the biohazards contamination risks associated with wastes.

01:37:29:45 - 01:37:44:38

Unknown

As we mentioned, we are in ongoing dialog with APRA and we're very keen for that to continue to see where we can get to in particular around a statement common ground. But we have put forward a suggestion for a working group.

01:37:44:38 - 01:38:02:38

Unknown

We have an expert from R.M.. We are prepared to do further work in terms of assessing any potential risks and how we might address those. And we've been able to do that so far as our proposed development is concerned.

01:38:03:31 - 01:38:21:04

Unknown

There was reference by AP Agri to their own manufacturing facility and systems in place. So we have put out the offer and we're very keen to be able to attend with our experts to have that joint meeting on AP Agri site.

01:38:21:47 - 01:38:40:11

Unknown

And so I just wanted to note that with yourselves that we are keen to get that meeting as soon as we can where they be agreed so we can progress the matters further. It's very helpful. Does anyone al-Bakri wish to respond or give any further information?

01:38:46:48 - 01:39:02:10

Unknown

Yes. What? Congressman Matt, please, on behalf of Amy, I agree. Comments are noted and we have noted the comments in the statement of common ground to that effect and also response to applicant's response to our resume as representation.

01:39:02:11 - 01:39:24:13

Unknown

So we await that meeting to be scheduled to discuss a potential solution. Thank you. Thank you. I think you'd be very welcome from our perspective if you have that constructive dialog. I think we will need to understand from you it may be angry and how you see the risk from.

01:39:25:20 - 01:39:47:21

Unknown

The proposed development affecting your scheme. So we have absolute clarity on that because just sort of thinking it through, there are presumably rats and seagulls and others in the locality in any event, and you presumably have mechanisms in place to safeguard your manufacturing process and biosecurity.

01:39:48:00 - 01:40:20:14

Unknown

So it would be helpful to understand. What you consider would be needed to improve those and why you feel it would be necessary to improve those. Thank you. Understood. Thank you. Okay, then. If there's no any other businesses, then it just comes down to action points.

01:40:21:12 - 01:40:53:07

Unknown

So. Mr.. Mr. Nicholson. Simon Nicholson from Rome. And a couple of points that were covered yesterday afternoon. Unfortunately, I wasn't here. I think of very poignant to the application. One thing that has admitted to be. Munch and as far as I'm aware is the proximity of EPR energy who actually sit next door to RB agriculture.

01:40:56:11 - 01:41:16:44

Unknown

They are an incinerator currently burning waste. From. Various sources, they have the spurious practice of not having anything coming out of the top of their chimney during the day. If you go at night. You'll see a long plume heading north.

01:41:18:10 - 01:41:55:15

Unknown

North eastwards towards Burton. We were affected by that. The proposed. Application. Well obviously add to that. And in the. Plume. Prediction from the application. Has that been taken into account as in the compound effect of. Pollutants. That will be deposited on the prevailing wind.

01:41:56:29 - 01:42:16:34

Unknown

Oh, so can I. I have a plume expert in my back pocket who is currently doing a plume on. Accurate information. But he says the plume that's actually been entered to bear any relation to. What it should look like.

01:42:17:10 - 01:42:50:22

Unknown

That's just a forewarning of what's coming. Um. I think that was it. I think it's important. Mr. Nixon, if you're. Having contact with people who are experts, that they provide written submissions either through you, but showing their expertise so that everybody can understand the veracity of their comments and the applicant has a fair chance to respond to

01:42:50:22 - 01:43:06:12

Unknown

them. Obviously, I do understand you. You left early yesterday, and I think I don't really want to get into air quality issues again this afternoon. And obviously, I wouldn't have thought the applicant air quality people are here in any event.

01:43:06:42 - 01:43:25:03

Unknown

So and again, it might be worth if you've got those specific questions, having them to the side. And obviously if you have this expert on the the plume providing a written submission to the examination so we can all see that and understand it.

01:43:27:10 - 01:43:51:23

Unknown

So I mean. Nicholson from right. Can I say that the reason it hasn't been brought up before is because this only happened last night. And again, he's he's he's willing to do what is necessary for yourselves to get a clear picture for you and the applicant so that it gives a a clear picture of of.

01:43:53:30 - 01:44:14:39

Unknown

What it should be rather than what it is, if that makes sense. Yeah. Well, if you can have that dialog with this person and then put put that in writing to the examination, hopefully by the next deadline, and then everyone can have the opportunity to read it and review it and then see where it takes us.

01:44:15:33 - 01:44:39:05

Unknown

Thank you. But sir, if I may. Just to briefly confirm in part Claybrook, on behalf of the applicant. Yes, our air quality expert is no longer here, but I can confirm that we are aware, as an applicant of the approximate facility to a development that you referred to.

01:44:39:43 - 01:45:20:05

Unknown

So certainly that has been taken into account by the applicant. We can confirm the detail of that, but we're aware of its proximity. Okay. Okay. Well, come then to action points. And it's. The U.K. win have obviously confirmed that.

01:45:21:34 - 01:45:41:49

Unknown

There will be further submissions at deadline for with regard to their ongoing position on capacity. So we look forward to seeing that. I think that was Mr. Mooney was talking about further information with regard to. Now. I made a note of jet fuel.

01:45:42:01 - 01:46:06:37

Unknown

I hope that's understood in terms of the distinction between the different types of where energy for or wait for fuel can potentially go. Adjustments to requirement 15 I think anticipated and an explanation with how that links then with the environmental permit.

01:46:14:44 - 01:46:48:15

Unknown

I think we were asking for clarity on the planning permission that was referred to from 1996, from the council. I think also there was reference with regard to requirement 15 and. I'm seeking the council's view and UK wins you and any other interested party who feels it's now appropriate to say.

01:46:51:07 - 01:47:10:02

Unknown

How they consider it could be improved if they consider it could be improved because obviously there's some criticism of it about enforceability or or other matters. So it would be helpful for us. If you consider it could be improved to understand how.

01:47:10:20 - 01:48:03:41

Unknown

And I think that would help the applicant as well to understand any criticisms that are being made. And I think the only other point I have is reference again to any physical measures that might be covered through work number 13 and potential adjustment to requirements to respond to the concerns that the Environment Agency were raising about any

01:48:03:41 - 01:48:32:44

Unknown

physical measures for flood control. So. Thank you. Claire Brook for the applicant. I think I may have noted a couple of extra ones, certainly for our list. You asked us to clarify with respect to the DCO decisions to provide details of relevant paragraphs.

01:48:34:08 - 01:48:56:13

Unknown

Firstly, in relation to the points made by Nick Gallop in terms of rail. And then I think separately in terms of the comments that Mr. Price made in relation to traffic in particular. So those are two extra points I had if I just flick through the rest of my notes.

01:49:03:07 - 01:49:19:31

Unknown

There was a question around consent it out at the wharf. But I think we've got as far as we could with with that. To that point, the odor assessment points. We're going to clarify our position on that from a risk assessment perspective.

01:49:29:13 - 01:50:02:30

Unknown

We also agreed linked to the the oder point as well we would revisit the statutory nuisance statement. So. Well, we'll do that, sir. Yeah. Finally, the, the information that we'll share with APRA with respect to the information that Ms. Van was referring to.

01:50:02:47 - 01:50:26:02

Unknown

And to do that, the deadline for. I had two other ones, I think, and which was that we were going to check the app. Sorry. Sarah Price for the African. And we were going to check the answer to question 17 .1. 13 and also come back on the assessment of the waste treatment plant.

01:50:28:03 - 01:50:56:02

Unknown

Thank you for that. Those additional points. That's welcome. Thank you very much. So there's no further issues from anyone. I'll just check. And it's. Three. 40 AM. Close this hearing. Thank you all for your attendance. I will see some of you on a site inspection tomorrow.

01:50:56:32 - 01:50:57:48

Unknown

So thank you very much.