

00:00:06:22 - 00:00:31:11

Unknown

Good morning, everybody, and welcome. It is now time for me to open this issue specific hearing number three into environmental matters, which is being held in connection with an application made by the North Lincolnshire Green Energy Park Ltd for an order for development consent for the construction operation and maintenance of the North Lincolnshire Green Energy Park Project

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. Development proposes 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.

00:00:57:00 - 00:01:15:45

Unknown

Before I go any further, can I confirm that teams is working and I can be heard and seen and that the recording and live streaming of this event has commenced? Thank you. Thank you for those people watching the livestream.

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Unknown

Let me explain that. If the proceedings are adjourned at any point, we will have to stop the live stream in order to give us clear recording files when the meeting is resumed. You'll need to refresh your browser page to view the restarted live stream.

00:01:31:00 - 00:01:52:03

Unknown

I remind you again of this should we need to adjourn? Now let me introduce myself and my colleagues. My name is Edwin Maund. I'm a chartered town planner and a planning inspector. I've been appointed to this by the Secretary of State as the lead member of the panel of examining inspectors, and that together comprise the examining authority

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for this application. The other member of the panel is Dr. Phil Burr, and he will now introduce himself to you. Thank you, Edwin. Good morning. My name is Phil. I'm a member of the Institute of Acoustics and a planning inspector and have been appointed by the Secretary of State for leveling up housing and communities as a member

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Unknown

of the panel. Of examine the inspectors to examine this application. Oh, now I'm back to that. When? We're also assisted at the hearing by the Planning Planning Inspectorate case team. Today we have our case manager, Sarah Norris here in the room and supported by Caroline Hopewell remotely.

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If you have any questions or queries about the examination or the technology you are using for these events. Please contact them. In the first instance, they'll do what they can to assist you. Their contact details can be found at the top of any letter you've received from us on the project page of the National Infrastructure Planning website

00:03:03:06 - 00:03:23:45

Unknown

. Now, before I go into the main part of this hearing, I'll ask my colleague, Dr. Brewer, to highlight a few housekeeping background matters for today. Thank you. Firstly, I'll be mine to solve a few housekeeping points and then I'll go on to briefly describe the purpose and conduct of the hearing.

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Unknown

So as I explained in examining all sources of all six letter Annex E, the issue specific hearings will be livestreamed and recorded. The recordings will be published on the budget page of the National Infrastructure Planning website as soon as possible after each hearing closes to assist viewers and listeners.

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Unknown

Anyone speaking should introduce themselves each time they speak. As recordings of its handed and published, they form a public record that can contain personal information to which the General Data Protection Regulation applies. The Vault eight letter includes a link to the Planning Inspectors Privacy Notice, which provides further information on this topic.

00:04:12:47 - 00:04:28:22

Unknown

If there is a need to refer to information that participants would otherwise wish to be kept private and confidential. It should be in written form, which can be redacted before being published. If you prefer not to have your image recorded, you can of course switch your camera off.

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Unknown

I will repeat the request made in the arrangements conference that includes minimal background noise. Please ensure your microphone or telephones muted and that you stay muted unless you are speaking. And also avoid fatigue is their intention to take a 15 minute break at about 90, 90 minute intervals and the longer break over the lunchtime period.

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Unknown

So moving on to the purpose and conduct of this hearing. And issue specific hearing is an opportunity for the issues raised by interested parties and in particular the differences between them to be explored further by the examining authority.

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The purpose of an issue specific hearing is set out in Section 91 of the Planning Act 2008. It is held if the examining authority decides it is necessary for the examination to hear oral representations to enable adequate examination of the issue, or to ensure that an interested party has a fair chance to put their case as indicated

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in the agenda. Questioning at the hearing will be led by a member of the panel, supported by the other panel member. It is for the examining authority to determine how hearings are to be conducted, including the amount of time allowed at the hearing for the making the person's representations.

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Our aim is to use our powers of control over the conduct of hearings to ensure that they are carried out as efficiently as possible, whilst being fair to all parties and thorough examination of evidence. We have identified the matters to be considered at this issue specific hearing and those on which we require further information.

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And these are set out in the agenda published in advance of this hearing. Finally, participants should note the written summaries of your oral submissions to this hearing should be provided to the Planning Inspectorate by deadline four, which is 7th February 2023.

00:06:31:22 - 00:06:57:03

Unknown

So now I'm back traveling. Thank you. At this point, I'd like to invite parties to introduce themselves. So, please, if I start with the applicant. Claire Brook on behalf of the applicants, and I'll be passing over to several experts that will be dealing with the relevant topics.

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Before I do, I'll pass to my colleague Kevin Murphy. Dr. Kevin Murphy They are a consultant on behalf of the applicants and I'll be mainly looking after cultural heritage issues. My colleagues, Charles Arthur, who will predominantly looking at the archeological investigations that have been undertaken, and Charles McQueen, who predominantly you're looking at some cultural heritage setting issues

00:07:26:08 - 00:07:52:19

Unknown

. And they can further introduce themselves. Yep. My name is Charlie Arthur. And on behalf of the applicant, I've led the assessment of cultural, heritage and archeology for the North Lincolnshire Green Energy Park since January 2022. And I'm Charles Kane on behalf of the applicant, and I was preparing the assessment before that point.

00:08:01:25 - 00:08:19:18

Unknown

Okay. Thank you. I assume you'll introduce the others later on when necessary. Thank you. I come now to North Lincolnshire Council. Thank you, sir. Andrew Lowe, Development Management Specialist on behalf of North Lincolnshire Council. I've got two experts with me today from the council as well.

00:08:19:45 - 00:08:42:13

Unknown

Pass over and let them introduce themselves. Thank you. I'm Allison Williams. I'm the historic environment officer for North Lincolnshire Council, providing advice to planning colleagues. Hello. I'm Andrew Taylor, a natural environment policy specialist for the council, in effect, acting as the council's ecological adviser for this purpose.

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Unknown

Thank you. Apologies. And I come next to a representative of historic England who I believe is online. Thank you, sir. Tim Allen I'm a team leader with Historic England and also to inspect French monuments following. Thank you, Mr. Allen.

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Unknown

I come next to Mr. Doe in the UK. When? Hello. I am just stolen from the UK without interesting network or UK win. Thank you, Mr. Chairman. I recognize there are other people in attendance today who I've not come to.

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Unknown

I won't ask you to introduce yourselves now, but the first time you're invited to speak, please can you introduce yourself by giving your name and the name or names of the organization of people that you represent? I hope you've had the chance to reiterate the detailed agenda for this hearing.

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Unknown

During the hearing today, we have questions for the applicant and the other invited parties. I'm aware there are a number of interested parties who may wish to speak on some of the agenda items. Once I or my colleague Mr. Burr finished are direct questioning on the agenda item.

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Unknown

I will ask if interested parties would like to make any submission relating to that agenda item before moving on to the direct questioning on the next agenda item. I would remind parties this is an issue. Specific hearing and submissions made already should relate only to the agenda items we're discussing.

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Unknown

And I want to reassure you that your previous submissions have been read and noted, and I understand there may be other issues not on the agenda that parties may wish to raise, but submissions on these matters should be made in writing at deadline four on the 7th of February.

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Unknown

Thank you in advance for your cooperation with this approach. Just getting to the right points of the agenda. So starting this morning on culture, cultural heritage items and first items in respect of archeology. So if I can come to the applicant, please, if you can provide an up to date position on progress of the investigations, the results

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Unknown

or reports that are now available on whether there are any implications for the baseline. An assessment of conclusions. So at the time of I saw you. My name is Charlie Arthur on behalf of the applicant. At the time of submission in the Yes chapter, submitted a document reference number at 60 included to assist for further investigations and

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Unknown

those included geological deposit model and trial trench evaluation and the the fieldwork part of the geo archeological evaluation and deposit model production had has been complete two phases of fieldwork and one of one in April and May around the time of submission and a further one in September.

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Unknown

And those draft reports have been reviewed by North Lincolnshire Council and a high resolution deposit model has been produced and those results have fed into the revision of the charter and. WSI And can I just tell you that you using the acronym WSI now I know that what it means, but not necessarily everyone will apologize for that

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Unknown

. Yeah, it's a written scheme of investigation. It's Yeah. Common term in archeology. I apologize for not explaining that the so we, we agreed with North Lincolnshire Council the scope of the first phase of trial trenching and that was agreed in early December and work began soon after that on the 5th of December and with 75% through the

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Unknown

trial trench evaluation. Now we've had a number of meetings on site with North Lincolnshire Council and work is going well and we do not feel that the results of this evaluation will substantially change the results as set out in App 60, the Yes chapter included with the DCO submission and the App 60 the assessment of buried archeology

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Unknown

identified five five assets, and that may be significantly affected by the project. And the archeological evaluation has shown that two of those five will not be significantly affected by the project. And these results are preliminary and we will be expecting an interim report one month following the completion of the fieldwork.

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Unknown

Fieldwork is due to be completed at the end of January. So by the end of this month, say by the end of February, we'll have an interim report and by the end of April, we'll have a final report.

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Unknown

And all of that information will be included in an addendum report that we plan to submit by the end of July 2023. That's too late. Is it? The examination closes on the 15th of May, and so we wouldn't be able to take that into account.

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Unknown

So. Okay. Yeah. Well, well, well, well, well, well. Make sure that we we get those results sooner and submitted in time. I think not only do they need to be submitted in time, they need to be submitted at a time where North Lincolnshire Council have had an opportunity to review it and because obviously they've raised a series

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Unknown

of concerns and we would need to understand their position prior to the end of the examination. So even if the isn't agreement, we need to understand where the areas of disagreement are. So yeah, I think that gives me quite a bit cause for concern.

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Unknown

You're saying that you're looking at July as to your current plan? I think it's based on the standard amount of time that archeological reports are produced. You know, usually it's three months after fieldwork is complete. But I think as the evaluation has identified less archeology than we expected and there hasn't been there has so far been no

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Unknown

significant findings. I think we can expect that report to be produced much earlier. So therefore, I don't see it being an issue to be. And I was just erring on the side of caution with with that end date.

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Unknown

And the examination timetable has a series of deadlines within it. And you don't have to answer this now, but I think perhaps later on this morning, when you've had a chance to look at that, if you can let us know which deadline you're anticipating, you're going to have this available for submission so that all parties can view

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Unknown

it and commentate. That would be helpful. Yes, we'll definitely do that. And can I just come back to something that you said, Mr. Howard? You said that the fieldwork that has been undertaken so far, you don't consider it substantially changes what you've said.

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Unknown

So that indicates to me that there are some changes and you able to give us a bit more detail as to what those changes are that you have identified. Yeah, if I could, I could. We share one of the fissures, the archeology in trenches.

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Unknown

This was police. Not sure if it's going to be. Yeah. So this map shows the I actually can see it, the 168 trail trenches and they visible on there. They are just about. Yeah, yeah, yeah. It's difficult to see at this scale just because of the of the mask.

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Unknown

Is it possible to zoom in? Might make that larger? I mean, effectively, it's the top half of the slide. I think that's the most important. Yeah. There's as you can see, there's 168 trial trenches across the project area for only 41 are left to be excavated now.

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Unknown

So and they will be completed by early next week. And so far we have not identified any significant archeology in these trenches. Two of the assets we identified that we had predicted significant impact on have have not been identified.

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Unknown

So that that's one of the changes to our assessment. And there have been some other assets of minor significance that have been identified in the project. So they will be added in this addendum report that we'll be submitting.

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Unknown

So those are really the the substantial changes there in terms of the geological evaluation and the deposit modeling in up 60 and our original Yes chapter, we we identified three zones of archeological potential and the revised model using a large number of data points, over 200 data points.

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Unknown

So very high resolution and geo archeological model has really just confirmed the model that we included in up 60 and just added more detail and sort of confirmed that the vast majority of the project area and saying including the the plastics recycling facility, the proposed plastics recycling facility and a polymer factory and those locations on the floodplain

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Unknown

are of very, very low archeological potential. That's that's the key finding of that archeological evaluation. And that really just confirms the results that we submitted with the with the assessment, the original assessment and up 60. So so in terms of any changes that I don't see that being any substantial changes, just minor adjustments and confirmations of the

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Unknown

of the overall assessment. And there is also a second phase of evaluation that we are we have been discussing with North Lincolnshire Council in the area of the proposed RAF facility and flexible industrial estate which we haven't been able to evaluate because of current land use.

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Unknown

And that evaluation will happen pre post determination and but we are confident in that area that we, we, we at least we know what we believe we'll be encountering archeology. We've already identified a significant impact on two assets in that area.

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Unknown

So we are we're committed already. The applicant is committed to extensive mitigation in that in that area. So even those even though we have this second phase of evaluation that will be undertaken post determination, we are confident that it won't change our assessment of it.

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Unknown

We've already identified this as a significant impact. And there are two assets there. There's the there's the remains of what appears to be the medieval settlement of Alex Affleck's estate. And there's also some deeply buried organic deposits under up to six meters of of of alluvial silt, which we'll be tackling both of those and investigations at the

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Unknown

post determination stage. But even those which we haven't begun yet, we do not anticipate. Seriously changing the the conclusions within 60. So. As it stands, you're confirming that you consider the baseline effectively remains the same and that the conclusions that you've currently drawn are consistent and wouldn't change.

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Unknown

Yeah, I think that's a that's a fair, fair point to. Thank you. If I can come now to North Lincolnshire Council and ask for their position and their views, not only on what they've seen already in writing, but also what they've heard this morning.

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Unknown

Alison Williams, North Lincolnshire Council historic environment officer. So Charlie has given us a summary of where we're up to with the evaluation, which I quite agree with, and we'll be going out this afternoon for another visit to the trenches as well.

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Unknown

So as well as we're able to observe the trenches, we're getting an idea of what the archeological potential is within the area that's being evaluated. There are, as Charlie has said, still areas of the site that haven't been able to be evaluated through trial trenching.

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Unknown

But we've had the geo archeology and the geophysical survey, which we're still awaiting final reports for. So I think that's something that the timescale should allow us to receive its final reports. As Charlie said, the target areas for the Trial Trenching Geophysical Survey had suggested that there was archeology up in one particular area.

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Unknown

The trenches have shown that that is not archeology and certainly not archeology of any significance. So that's been useful result. But until we get the final results from all the trial



trenching, we're not really in a position to make the final assessment of significance and indeed what necessary mitigation measures will be appropriate.

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Unknown

And so it is this issue of. Getting the information and having sufficient time to consider it and then advise further. We'll be working. You know, I'll be working closely with the applicant and the archeological consultant to see if we can, you know, bring in the detail that we need.

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Unknown

You know, as soon as possible. But it's it's it's a difficult timescale. There's no doubt about it. You're obviously engaging with each other, which is which is positive. But from our point of view, obviously, we need to have that information in good time for everyone to have been able to comment on it.

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Unknown

So I just encourage you both to continue working constructively to to achieve that. And I just see if Historic England have anything they would wish to say on this particular topic item. No, sir. We defer to the expertise of the local authority archeologist.

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Unknown

Thank you. In terms of the situation, as you say at the moment. And I think the applicant's position with regard to how they have set out. Their assessment of. They've effectively tried to say that they've done things on a worst case basis, and therefore, even if the archeology is more significant than they're anticipating or you, the methods

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Unknown

and the safeguards in place would protect those assets. Now, as I understand it, you're questioning whether that's correct because. The full information is not yet available. And in terms of the what if we don't have the information by the time of the examination, that's where I'm trying to get to.

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Unknown

Am I in terms of the mitigation currently being offered? Would that give you an appropriate safeguards as a sort of final outcome? Allison Williams again. We are concerned about the mitigation that has been offered in the environmental statement.

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Unknown

It's it's basically what we would call a program of archeological observation and monitoring. It's being given the alternative of watching brief environmental statement. Now, we don't feel that we're at the stage of accepting that as the mitigation strategy for a development of this scale and potential archeology that still hasn't been evaluated for.

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Unknown

So we're saying that until we've got the assessment detail, until we know what archeology and that's also from the second stage of the evaluation that's been referred to, it will be difficult to confirm what mitigation is appropriate. Yes, there will be certainly some need for program of archeological observation and recording during construction, but there may well need

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Unknown

to be areas of pre-construction archeological evaluation in order that the archeology can be properly recorded. When you've got such huge developments ongoing, having archeologists standing at the side, watching and monitoring is not and not being able to record properly because of health and safety reasons.

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Unknown

You need to be thinking that, you know, the archeology may well need to be excavated and recorded in advance of any work taking place. So until we know what, particularly at this stage, the area that we've not been able to get into to evaluate the extent and the scope of the archeological mitigation that may be needed is

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Unknown

difficult to define at this stage. I mean, the reason I pose the question is to get both parties to be thinking about Plan B, because obviously, if for whatever reason, the timing of the report doesn't come through in in good time.

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Unknown

We need to be in a position where there is hopefully agreement but if not clarity on and. The mitigation side as well, because you're effectively saying the cart before the horse, I think am. And I'm just trying to see whether there is an avenue that might be open.

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Unknown

If your original timeline of July ultimately comes through. And what can we say to the secretary of state about the and. Satisfaction, if you like, in archeological terms of the work that's been undertaken and the obviously the difference of view that is currently in place.

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Unknown

So with whether that's a a revised requirement or something else, I'll leave you to to consider. But I don't want to be at the end of the examination, left up in the air if those reports are not arrived in good time.

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Unknown

So I'd ask you to think about that as an option now so that in the event those reports are not. Come through and we can advise the secretary of state with confidence is what the alternative is. Thank you.

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Unknown

I come then to the second point on archeology. There's obviously an. Been some issue with regard to the potential for effect on subsurface remains from vibration. And can I just ask the applicant whether there's any updates to the environmental statement that this might require?

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Unknown

From our point of view. Sorry, Charlie Arthur on behalf of the applicant and from from our point of view, we don't consider that to be a potential risk to any buried archeological assets from from increased vibration. Okay. That part of the assessment has been undertaken.

00:32:37:28 - 00:33:00:26

Unknown

And one of the issues is is piling and and I've read it somewhere, but it's just escaping me at the moment. The particular point, whether you're committed to non impact piling and hopefully someone can give me an answer to that and if you are where that secured.

00:33:04:13 - 00:33:20:49

Unknown

Sir Kevin Murphy on behalf of the applicants. So the code of construction practice has been updated to include a piling and fine. The title of it's actually a plan for the sake of arguments. And that would include a risk assessment.

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Unknown

At the moment, that's primarily aimed at protecting groundwater, surface water and soils from cross-contamination and so on. We also have another issue with the with piling with regard to the protected area. So we're proposing to further update that plan so that it accommodates the risk assessment that considers the protected site.

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Unknown

That's the and the Humber protected sites and and will also consider the proximity of buried archeology. So the proposal is to update that document so that the risk assessment is sort of more holistic than just considering pollution and cross.

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Unknown

And that will be presented an outline as an appendix to the code of Construction Practice. And the code of construction practice forms a basis for an invite, an engineering procurement construction contractor to produce a far more detailed construction environmental management plan.

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Unknown

And those are all secured by requirement. For. DCI. Just bear with me. I'm just trying to find my note of the element on pilings. Just bear with me a moment. Sir Kevin Murphy, on behalf of the Africans, I should have added that the the updated code of construction practices are EPI 3-015.

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Unknown

Now. She'll come back to it. I'll find it during a break. But the reason I'm. Obviously the method of piling has various effects on different things. And I am. But I just the way I had read with the moment, the element of calm qualifying to the moment was that the yes hasn't assessed impact piling.

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Unknown

It's been done on the basis of non impact piling, whether it be auger or vibration. And that's why I'm just wanting clarity whether that's actually secured and. And, you know, that's that's the point. Can I then come back to the council then about whether what your position is with regard to vibration effects on subsurface or below ground

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Unknown

archeological. Alison Williams North Lincolnshire Council. And I think it's the detail is needed to understand what impacts there might be. So once we receive that information, it's been referred to. Be able to take a view. Do you have evidence from other schemes where vibration has had an adverse effect on below ground assets?

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Unknown

Well, yes, there's a lot of documentation of how piling can affect below ground occupant archeological deposits. A lot depends on the type of piling, the proximity of each pile nature of pile caps and the nature of the archeology that might be encountered in the deposits.

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Unknown

So until we have the archeological assessment. And evaluation completed so that we know what archeological deposits are expected, where and how well piling system they're going to use. Then we can make an assessment as to whether the piling from vibration would affect from compaction from that and the vibration.

00:38:10:03 - 00:38:38:35

Unknown

There are. We're anticipating that there are buried structural remains at the RF domain plant. But again, because we've not been able to get access to evaluate through trial trenching, those remains, we don't know if those are in situ walls or anything like, you know, anything like that, whether there are timber investments preserved in the deposits there.

00:38:39:24 - 00:38:59:48

Unknown

And so it's the nature of the piling and the impact of the piling is. It's not easy to assess at this stage except, you know, the would be impact, but whether that will be from vibration or the actual physical impact and.

00:39:12:29 - 00:39:35:25

Unknown

Thank you. The third point I wanted to try and clarify. The applicant you've made reference to written scheme of investigation outlining how ground works in each impact area should be monitored and recorded, and that sets out in app 60.

00:39:36:25 - 00:39:56:42

Unknown

Paragraph 7.1.1.1. Under the section on mitigation. Now, could you just clarify whether you mean this would be covered in the in the scheme of mitigation measures secured by requirement 11, or is it a separate written scheme of impacts?

00:39:57:34 - 00:40:28:45

Unknown

Written scheme of investigation? And if so, when would that be prepared and how would that be secured? Hi, Charlie. Arthur here on behalf of the applicant. Yes, we we envisage developing a mitigation strategy as soon as we can following the the results of the of the ongoing archeological evaluations.

00:40:29:21 - 00:40:54:39

Unknown

And. That strategy will have within it a written scheme of investigation formats for mitigation, and it will include various aspects. Number one, it will include comprehensive mitigation of those structural remains at flex estates, which we we are quite confident that they exist below ground.

00:40:54:40 - 00:41:10:14

Unknown

And so we can. We will be able to put quite a bit of detail in there. But then it goes back to this question of not not knowing exactly the extent of those structural remains, of course, across the broader proposed facility.

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Unknown

But as noted earlier, we'll be taking a sort of precautionary approach and sort of estimating that there will be extensive structural remains across the wider area. And sure enough, time and resources are sort of timetabled in and to allow us to respond quickly and revise those losses as needed in conjunction with with Anderson at North Lincolnshire Council

00:41:36:42 - 00:41:52:14

Unknown

in the same mode that we've been working so far, which is slightly on the hoof. But you know, I must sort of emphasize that it's, you know, it's a large project. It's it's been relatively it was archeologically sort of unknown before we started.

00:41:53:18 - 00:42:20:36

Unknown

And it's a complex sedimentary landscape and all that. All three different zones have been quite challenging to to work in, including the, the sort of the higher ground where we have very potentially very complex and windblown sands masking archeological deposits and then in the floodplain and very, you know, some potentially archeological deposits buried under up to 12

00:42:20:36 - 00:42:37:04

Unknown

meters of alluvium. And this is why it's been quite tricky and why we sort of, you know, we're still here. We're still out there digging and getting close to that final, final deadline. But, you know, as you've noted, we've got a great relationship with nothing city council.

00:42:37:06 - 00:42:57:19

Unknown

It's it's about working, you know, trying to work by revising these pieces as we go, often number of days before fieldwork starts. But it's been it's been necessary to work on that iterative process where results sort of feed back into further project design.

00:42:57:43 - 00:43:29:09

Unknown

And I think will we will be able to design an effective mitigation program for those works. But yeah, I and we will I think we I'm confident we'll be able to submit for the final deadline. As part of this examination process, I'm confident we'll be able to submit an appropriate mitigation overarching mitigation strategy for them, which will

00:43:29:09 - 00:43:53:35

Unknown

be specific written schemes of investigation covering in full archeological mitigation of Affleck's Staithe and also the the the deeper organic deposits, which will be challenging to to investigate and to to mitigate. But we, you know, I think together we can we can do it and.

00:43:54:18 - 00:44:22:16

Unknown

Yeah. The Council won't say anything in response. I'm just to say that, you know, what we're after is obviously getting the assessment results, the evaluation results and agreeing an archeological mitigation plan that will. Tell us what further work is going to need to be done.

00:44:22:30 - 00:44:40:16

Unknown

The nature of the further works that are going to be need to be done, the specifics of the written schemes of investigation for each individual piece of work, we would expect to be produced by the archeological contractor who undertakes those pieces of work.

00:44:40:32 - 00:45:01:32

Unknown

So it's not the archeological mitigation strategy doesn't have to cover every every single detail because some of that detail should be included in WSI I's that are agreed with the contractors that we're going to taking, doing, going to be undertaking the works at a later stage.

00:45:01:44 - 00:45:31:14

Unknown

But we need a detailed enough overarching archeological mitigation strategy that is based on the results of the assessment and the evaluation, and that we can see that there's going to be a satisfactory program of archeological works done for the development and all the different elements of the development in all the different areas, zones of archeological potential.

00:45:31:30 - 00:45:59:36

Unknown

So in itself, the the archeological mitigation strategy is going to have to be pretty detailed for this particular a development like this, but individual written schemes of investigation for specific pieces of work, maybe something that are then agreed at a later stage with the contractors who would actually be undertaking the work but outlines in the in the

00:45:59:37 - 00:46:43:34

Unknown

archeological mitigation strategy. Do you wish to respond to? That? No, I agree with everything Alison has just said. And it's great to get that clarity. And. Yeah, I think I think there's a it's going to be. Tricky to to predict the extent of Flick's prostate, but that's why I say we'll be taking this sort of precautionary approach

00:46:43:37 - 00:47:05:25

Unknown

. I think that's that's the thing we'll be discussing together, trying to think of sort of worst case scenario and how we can schedule that in. And I think Alison's right, that the detail can come from the archeological contractors themselves in terms of the WSI, but there will be a fair amount of detail in the strategy itself as

00:47:05:25 - 00:47:39:24

Unknown

well. Yeah, I agree with everything she said. So I think then it really comes down to understanding the time frame for the production of the detailed archeological mitigation strategy. And having that agreed and hopefully and then that being linked in, as I understand it, to the requirement so that the written schemes of investigation that would come later

00:47:39:26 - 00:48:10:17

Unknown

flowed from that. So I guess the follow up question to both parties is, and does requirement 11 achieve what you would wish to achieve as currently drafted? If I go to the Council first in that instance. I think in the Britain, the Allison Williams Northridge Council.

00:48:10:17 - 00:48:33:35

Unknown

I'm sorry. We've made some suggestions for changes to the requirement in the response to written questions. So. I think that's our position at the moment that we would wish to see some changes. Along the lines of all of our response.

00:48:42:10 - 00:49:19:04

Unknown

Okay. And I'll ask then the applicant. What's the progress on working through the differences on Requirement 11 collaborated on behalf of the applicant? Yes, we have received, as part of the written representations and updated suggested requirement 11 from NLC and we've reviewed that and we will be updating the DCO as part of our deadline for submission and

00:49:19:14 - 00:49:42:36

Unknown

noting some of the changes that have been requested by NLC to cover off, in particular the timing of the preparation of the mitigation strategy and what that needs to cover. And also just to go back on one of the points that that NLC made is that the draft that we've been provided with does require that the timetable

00:49:42:36 - 00:50:06:33

Unknown

for that mitigation field work is undertaken uncompleted with in accordance with that mitigation strategy as and when that's agreed prior to construction commencing. So we, you know, we've

we've reviewed that updated requirement 11 and I think with some minor tweaks to bespoke it to the scheme and where we're at in the stage of investigations, we will be

00:50:06:33 - 00:50:19:47

Unknown

providing that and as part of deadline for and what we can probably do is liaise directly with NLC in terms of that precise wording to make sure that they are comfortable that that addresses those particular concerns and those points.

00:50:25:21 - 00:50:59:20

Unknown

It goes into a bit more detail than the current requirement 11 and that is in the current draft issue around in particular the mitigation strategy and how that's developed. Thank you. I'm just open to the floor in light of the progress we've made through the archeological part of the agenda.

00:50:59:38 - 00:51:28:40

Unknown

There any other submissions that other parties would wish to make on this topic? Mr. Nicholson. You just wait until microphones been passed to you. Thank you. Can you hear me? Yeah. And just two very minor points. One. It's not a story that's just other.

00:51:31:03 - 00:51:54:43

Unknown

And the other one is I noted that when driving past the test trenches. That the water table was so high. I don't see how any. Environmental archery, archeological investigations could be carried out as the water was within a few inches of the top of the trenches.

00:51:56:05 - 00:52:17:29

Unknown

So I wonder if there could be some clarity on how that was carried out with that volume of water in them. Thank you, Mr. Nixon and Mr. Allen. And you have your hand up on if you. I think you muted the strong.

00:52:19:37 - 00:52:35:08

Unknown

You need me now? Yes. Thank you. Thank you. Tim Allen from Historic England again. Yes. For you. Just to expand the space on those last points, that last dialog between an LCA and the applicant is very encouraging from our point of view.

00:52:35:08 - 00:53:02:22

Unknown

This is about management of risk, either side of grant, of potential grant of DCO. So that at the point DCI was granted the A requirement can refer to a submitted overarching scheme of mitigation. And then that requirement allows the local authority who would be discharging submissions post consent to measure what they receive in terms of specific written

00:53:02:22 - 00:53:20:24

Unknown

schemes of investigation for various parts of the work against a strategy submitted. The situation in terms of what's being submitted versus far is that all it does is presents to us to I've written scandal investigation for supervision and recording and design.



00:53:21:01 - 00:53:44:40

Unknown

So it's very detailed but inadequate. What we need is that overarching strategy. And then as Alison Williams sets out for NLC, the actual detail, the fine detail of how that work will be done should be coming in post determination written by the actual archeological contractors who would do that work.

00:53:45:11 - 00:54:11:30

Unknown

Thank you. Thank you. And just checking that there's no one else online wishing to say something. There was a hand up there for a moment. Now, if I can then return to the applicant for the. Any final comments?

00:54:17:37 - 00:54:36:02

Unknown

I'm Charlie Arthur here on behalf of the applicant. And just in response to the the observation that the water table was right as water was visible in the tops of the trenches. Typically those trenches will have the water doesn't come in immediately.

00:54:36:25 - 00:54:55:31

Unknown

And the archeologists able to observe the excavation of that trench and make make assessments of whether or not there's archeology, if there was archeology visible, that they would have got on site and and endeavor to investigate it as best as they could.

00:54:55:32 - 00:55:22:49

Unknown

But I think the trenches that were observed would have already been assessed and awaiting backfilling. They would have been photographed and appropriate drawings made as as is necessary. Prior to that filling up with water, I think one or two trenches have filled up rather rapidly with water, and perhaps recording hasn't been as appropriate as we would be

00:55:23:01 - 00:55:45:22

Unknown

or as detailed as we would have liked. But there's little we can do about that when working in a floodplain next to a river. We do the best we can. And I think the number of trenches, the the shear percentage sample that we've employed, which is in a lot of areas, is upward of 4% beyond the standard

00:55:45:47 - 00:56:29:08

Unknown

sampling and shows that we have adequately evaluated those those areas under investigation. Thank you. Fine. Move on then to the next question. And it's really understanding the position of the Council and historic England in terms of the latest on the views on the protocol to suspend work in the event it would be necessary to protect assets.

00:56:29:43 - 00:56:52:03

Unknown

And I think in paragraph 9.0 11, in Rep to 042, just from the Council, he reiterated concerns about the potential for substantial harm if development, which results in the removal or destruction of unknown remains or alter the setting of other assets.

00:56:53:06 - 00:57:27:17

Unknown

So I just need to understand your position as it is now. Thank you. Alison Williams North Lincolnshire Council. So the the protocol for stopping work as I understand it, is part of the procedure for the archeological. Monitoring and recording, a.k.a. the watching brief.

00:57:28:49 - 00:58:00:26

Unknown

And. What we're saying is that we're not yet at the stage of. Accepting that that is a risk that is going to be the appropriate mitigation strategy in any such program of archeological monitoring and recording. You would expect the archeologist always to be to have the to have the this the status of seeing some archeology and requiring

00:58:00:26 - 00:58:19:00

Unknown

the machinery to stop work until the archeology was they were able to get access to the archeology, assess it, decide what the appropriate treatment needed to be for it. So that that is a standard part of a program of archeological.

00:58:19:44 - 00:58:52:06

Unknown

Monitoring and recording. But. On a scale, no development of this scale. Where construction, you know, is going to be quite vast. It's hard to see how that protocol is going to would work within a program of archeological monitoring and recording, which is why we're saying that until we understand more fully the archeological potential and until we can

00:58:52:21 - 00:59:24:39

Unknown

understand the nature and extent and type of construction in those areas, that agreeing a mitigation strategy, whether or not it contains this standard protocol, is difficult. And come then to the applicant and seek your view on how we might resolve this tension.

00:59:25:25 - 00:59:49:07

Unknown

Hmm. And I think I think there's some sorry Charlie out there on behalf of the applicant. I think there's a number of things we can do. Obviously, we we we are always in dialog and we we can we can commit we in our code of construction practice documents to to something more detailed.

00:59:49:26 - 01:00:13:41

Unknown

And I think that would secure at least our commitment to it. And we have we have already at the previous deadline, submitted an alteration to the in paragraph 5.417. We've expanded on the provision for stopping work in the event of encountering human remains.

01:00:13:45 - 01:00:34:00

Unknown

But I think we could we could add an additional text which we can agree together and which will hopefully instill some confidence. But I think Allison's broader point is that we, you know, and that we need to keep doing this and it will have to be something the stop work policy will have to reflect the nature of

01:00:34:00 - 01:00:54:13

Unknown

the archeology and the and the detailed designs as we go further down the road. So it's something that will need to be fleshed out in that overarching strategy of mitigation. And then in the individual cases, as we become more familiar with the the nature of the archeological deposits we're going to encounter and the the impacts, potential impacts

01:00:54:14 - 01:01:10:31

Unknown

, and once the detailed designs are available and so it's a work in progress, but I think immediately we can we can draft something that secures our commitment, the applicant's commitment to that, to doing those steps as the information becomes available.

01:01:11:10 - 01:01:30:32

Unknown

And I would I would also like to point out that it has been referred I've mentioned that we our mitigation strategy as as set out in the an appendix in the environmental statement chapter was just outlining a monitoring program.

01:01:30:32 - 01:02:00:33

Unknown

But actually in paragraph 9.2.11, we we commit to controlled archeological investigations at the at Flick's birth. Stay there. And, you know, I think our requirement 11 has always committed us to controlled excavation, full mitigation of any any significant archeology that we encounter that that that commitment is already there.

01:02:00:37 - 01:02:17:41

Unknown

I feel like that is secured. And I take Alison's point that we need to be careful about deferring to watching briefs or monitoring programs. They are very much aware that that is not mitigation, and I think we both agree on that.

01:02:17:42 - 01:02:36:48

Unknown

And there has been, you know, some lack of clarity, perhaps, and and some of the documentation, and we will make sure that's ironed out and together and that we we can ensure everyone that we you know, we are committed to to comprehensive mitigation all like at all significant archeology.

01:02:47:04 - 01:03:16:41

Unknown

Thank you. Can I just ask Mr. Allen from Historic England whether you would have any additional comment you want to make on this particular issue? I think it's about that management of risk across. They dropped of DCO so it goes back again to them have a the the being in place and submitted before DCO the overarching archeological

01:03:16:41 - 01:03:35:18

Unknown

strategy that then can clearly set in a way that I don't think was clear before about how archeological mitigation will be deployed and how residual risk would be managed for supervision and recording. So the distribution of that risk is more appropriate.

01:03:36:18 - 01:03:56:17

Unknown

And then that can come back to the construction management plan to secure that. Yeah, it all goes back to having that overarching archeological strategy that's informed by the asset, by field assessment. And having that as the yardstick against which those determinations of missions, of schemes of investigation can be measured.

01:03:56:33 - 01:04:27:43

Unknown

And having that outline archeological strategy tied across to the construction management plan. Thank you. Thank you. So anything further you'd want to say in response to what you just heard from Mr. Allen? Kevin Murphy on behalf of the applicants.

01:04:27:46 - 01:04:47:43

Unknown

And I think it's probably worth mentioning that the construction environmental management plan there will likely be more than one and they'll be certainly be one for the early works and then likely separate plans for different parts of the development, simply because different parts of the development have different environmental issues, say the railway reinstatement versus the energy park

01:04:47:43 - 01:05:10:12

Unknown

lands. And so the camps will set out things like roles and responsibilities and staffing levels. So although it's a complicated site with potentially lots of different things happening in different places at the same time, and bearing in mind a lot of the work is also phased, but we can make provision for the staffing levels necessary to give

01:05:10:12 - 01:05:24:13

Unknown

that level of safeguarding for archeology. So it won't be sort of one person trying to run around and cover a large site and working long hours and going crazy with it. So it will be very clearly set out.

01:05:47:19 - 01:06:03:27

Unknown

Okay. I think I'm ready to move on to the next section, the setting of listed buildings. But before I do, just check with other interested parties whether there's any further. Observations or submissions they would want to make on archeology.

01:06:05:48 - 01:06:42:24

Unknown

Mr. Nicholson. Simon Nicholson from Raine going back to the map of the testicles. There seems to be a huge area. The the proposed road covers where no digging has been done on the grounds that. Archeology is is an unknown.

01:06:43:12 - 01:07:04:33

Unknown

Why hasn't there's been test dog as that could be important. It could be important that. Of an importance that we don't know of. And this, you know, by the admission of the applicant, they they're discovering stuff that they didn't know was there.

01:07:06:06 - 01:07:45:06

Unknown

Okay. You want to respond to that? Yes. The area referred to there is the new road and utilities corridor that runs from Ferry Road West in the south and north all the way up to is it that stay the road that went after it bends around from its north south orientation to the East-West orientation leading up to

01:07:45:06 - 01:08:11:32

Unknown

the proposed RF facility. So we have evaluated that floodplain through extensive geo archeological boreholes and created this high resolution geo archeological map, which shows that that that area was has been a wetland most likely for four millennia prior to it being drained.

01:08:13:02 - 01:08:40:28

Unknown

And in discussion with our GEO archeological team and North Lincolnshire Council, we've reviewed the whether it was appropriate to excavate trial trenches in that area and we have decided that it that for now that it wasn't appropriate because they would tell us very, very little said, you know, it would have been an unnecessary use of resources.

01:08:40:49 - 01:08:59:39

Unknown

This is primarily because there's meters and meters of flood and warping salts below the surface. So the and for health and safety reasons, we can only put trenches in to a certain depth. So we would literally be putting our trenches just through undifferentiated silt.

01:08:59:39 - 01:09:14:48

Unknown

So when I say undifferentiated, I mean there's no there'll be no stratigraphic divisions between the silt. So there would be nothing to see. And we're very confident that that would be the case based on the the boreholes that we have put in across that area.

01:09:16:12 - 01:09:49:36

Unknown

Yeah. Thank you. Move on then, to the setting of listed buildings and. What I'd like to try and understand is whether the assessment undertaken is appropriate and provides sufficiently detailed information to full fully understand any implications. Respect of the effect on setting, particularly for the six grade two listed buildings which are within one kilometer of the main

01:09:50:14 - 01:10:15:27

Unknown

infrastructure works. So if I can come to the Council first to ask you to expand on the concerns you've identified and then explain your position. Thank you. Under law on behalf of North

Lincolnshire Council. Thank you, sir. Yeah, the concern really is, as you stated there, that the level of detail in the assessment we've seen, the responses

01:10:15:35 - 01:10:42:13

Unknown

from the applicant understand some of the points put forward with regard to the nature of some of the works. However, we don't believe that the assessment really sets out and an appropriate level of detail on on the potential impact and just relies upon the fact that, you know, the works will essentially be temporary and a number of

01:10:42:13 - 01:11:03:42

Unknown

the works which will be below ground works. And with regards to sort of district heating and and the private line network. Our position was that there should be a more robust assessment with regards to the length of the works that I propose we take in potential for impact and a more detailed settings assessment and.

01:11:07:07 - 01:11:30:39

Unknown

And what do you mean by that? What are you looking for the applicant to do to sort of fill the gaps? Well, I think as a minimum, we would have expected some visualizations to be included within within the assessment to get more information with regards to, I suppose, the nature and length of the construction which they referred

01:11:30:39 - 01:11:53:12

Unknown

to, just to give us more confidence that the matter is actually properly being assessed. And I suppose not just, you know, relied on the fact that there'll be no permanent impact. I think in effect at the minute, it's just a statement that says there won't be any impacts and we kind of want that to be evidenced through

01:11:53:12 - 01:12:16:07

Unknown

the assessment. Thank you. If I can just ask Mr. Allen, is there anything further that you would wish to add to that, whether you agree with the statements of the council at this stage or not? This is set it as it is setting of grade two listed buildings.

01:12:16:08 - 01:12:50:23

Unknown

We defer to the local authorities. On that. Okay. Thank you. I then come to the applicant to respond. So this is Chancellor Kane on behalf of the applicant. And so with specific regards to the issues that Mr. Law has just raised, I think those refer largely to listed buildings in the vicinity of the heat network.

01:12:51:18 - 01:13:10:28

Unknown

And perhaps if we look at one of the plans that there are a couple of plans that we have to refer to might help. The other one, please. So and if we zoom in on the top half of that.

01:13:18:40 - 01:13:47:48

Unknown

Essentially there are the the sites that are within I think that Mr. Laws, referring to our site, are gazetted sites 100, which is the South Lodge of Normanby Park. 63, which is so Cliff Farmhouse, the Angel War Memorial and 45 to 47 old Crosby and the Barclay Hotel.

01:13:48:39 - 01:14:06:48

Unknown

Now these all fall within one kilometer, not of the main European processing area, but of the district heat network. And they do not lie adjacent to it. They lie in a at least a few hundred meters from it.

01:14:07:45 - 01:14:30:04

Unknown

The closest one being 45 to 47 on Crosby. And given that this is a the in that the heat network is a, as Mr. Lowe said, a temporary. I mean, the main impacts are going to be during construction, during excavation and laying of the utilities.

01:14:30:39 - 01:14:47:26

Unknown

And it's our view that that wouldn't have an impact on the setting of listed buildings. So am because it's temporary and it's similar to a utility construction in the highway, you're effectively saying because it's some distance away from the building.

01:14:47:44 - 01:15:06:48

Unknown

Yeah. It's not necessary in your view, to to make an assessment of effect on setting or that you just think that it's been screened out because there won't be one because of that separation distance and the temporary nature of the second of those two.

01:15:08:26 - 01:15:37:27

Unknown

That there won't be an impact. Therefore, there isn't anything to assess and. I just asked the Council for a response to that response. Yeah. Thank you. So Andrew Lawford offering his counsel. I think our position is, is that we would have expected some form of assessment, even if the conclusion of that assessment then is that there is

01:15:37:27 - 01:16:03:20

Unknown

no impact. And we seem to have the conclusion without the assessment that that's the position of the Council. Okay. Well, I think I. Sorry. Kevin Murphy, on behalf of the applicant. So we have Nathan George joining remotely, who may be able to give some information on the likely duration of the district heating and private line network works

01:16:03:24 - 01:16:23:31

Unknown

. Sort of in terms of how long the construction work would be evident, any one location for a period of time. And hopefully Nathan is available and able to answer that. Okay. Hello. Nathan George. On behalf of the applicant.

01:16:24:23 - 01:16:42:12

Unknown

I'm just getting the construction program that was appended to the environmental statement. Just have a look at the district heating duration. With me. 2 seconds. I think we can hear you, Mr. George, but we can't see you. So.

01:16:43:35 - 01:17:26:43

Unknown

Whether that's out of choice or the system apology, the cameras just say yes. Thank you to. That would mean to me. That's my computer is just loading. And so I understand that the district heating network is planned to be constructed over a period of.

01:17:28:37 - 01:17:47:24

Unknown

So from approximately. Two and a bit years, two and a half years. Obviously, this will be phased as the progress of the heating sort of continues along the road. So I think there will be sort of sections that are done as phases as it progresses.

01:17:51:30 - 01:18:08:12

Unknown

Are you able to provide any greater clarity in terms of the length of time where you might be doing work in proximity to these listed buildings? The reason I pose that question is two and a half years is the total program.

01:18:09:02 - 01:18:24:39

Unknown

Yeah. And obviously, as you say, it'll be done in phases. So it may well be that the temporary construction effects could be over a much shorter time. But it's just getting clarity on what realistically that might be in a worst case scenario.

01:18:26:12 - 01:18:43:12

Unknown

And I guess to a certain extent I'm not asking a fair question, because what distance are we measuring from? So am. If this is going to be of any assistance to us. That's the sort of detail we're going to need.

01:18:43:12 - 01:19:05:34

Unknown

Otherwise we'd have to just say worst case scenario is a total of two and a half years, albeit some of that will be quite distant to some of the listed building that I'm assuming. And maybe you want to have a think about whether that might be helpful or not, bearing in mind what your colleagues said about.

01:19:06:38 - 01:19:25:47

Unknown

Their view in terms of the actual effect. They don't consider that there is one in reality to the setting because it's temporary. Construction works at a minimum of 45 to 47 meters away. Yes. I think. I think something we'd like to take away.

01:19:27:00 - 01:19:41:05

Unknown



Thank you, Charles La keen for the applicant. Just to clarify, I think the closest to any listed building would be over 100 meters at and that would be the listed building at Crosby. Otherwise it would be many hundreds of meters.

01:19:43:29 - 01:20:34:10

Unknown

Okay. I had a note of 45 to 47, but it's over 100. Yes. To clarify. 45 to 47 is the number of the house. Yeah. I'm just just a question on this while also listening to this discussion. I mean I mean, do you have a point of reference or any guidance on where at what point you can

01:20:35:09 - 01:20:49:39

Unknown

screen out these these effects and or if not if not sort of recognize guidance published by someone thoughts audited body like a best practice, a comparative project where you can sort of somehow compare what your positions on this.

01:20:54:41 - 01:21:12:33

Unknown

Yeah. All right. Andrew Love and Offerings Council. To be honest, our conservation officer wasn't able to be present today, so I'm not sure what guidance he's is using. I think the clarification that's that's been offered would be helpful for us just to understand the position.

01:21:13:48 - 01:21:36:49

Unknown

Yeah, maybe defer to the side to answer the question. Charles Cane, on behalf of the applicant. I mean, the most the most important guidance is the historic England guidance on the impact on setting of heritage assets, and that focuses on qualitative rather than quantitative issues.

01:21:36:49 - 01:22:00:45

Unknown

So it's about whether the development affects the significance. So first, you assess the significance of the building and you decide whether the impact of the development could affect that significance. So it it's a qualitative thinking, qualitative thing. In terms of other projects, I mean.

01:22:02:23 - 01:22:24:40

Unknown

I spent a long time working on HS2 and which where there are long, long appendices of assessments, tape tabular appendices of assessments on unlisted buildings, most of which are negative, negative all the way through. And I really want to.

01:22:24:47 - 01:22:45:01

Unknown

I was hoping my intention in this was to focus on whether we could potentially be significant issues. So that's which is why we focused on flex brown nunnery. We considered the other listed buildings which fall within proximity of the RAF project.

01:22:45:01 - 01:23:03:46

Unknown

The two listed buildings, Ancoats and the Four Phylloxera, visited those sites and considered those factors. But again, the screening and the relative relationship of those buildings to the development. In my view, meant that that wasn't going to be an impact.

01:23:04:02 - 01:23:25:26

Unknown

Wasn't going to change that significance, as I said in the assessment. So. Thank you. Thank you. I think if when you get a chance to have a conversation with your colleague who's not able to be present if there is different guidance that they would wish to point to.

01:23:25:28 - 01:24:09:08

Unknown

If you could perhaps include that in in written submission in response so that all parties are or are aware, that might be helpful. Yeah, certainly, sir. Okay off and move onto the flicks and nunnery. You helpfully made reference Dad and can I just ask historic England at this point to comment on the.

01:24:11:32 - 01:24:38:36

Unknown

Comment on the position that the Council have stated in their rep to zero for two where they're classifying substantial harm. And do you agree with that classification? Tim Allen, historic England. I think I can't speak for the council.

01:24:38:36 - 01:25:03:13

Unknown

I think we may have interpreted the question slightly differently. Our view was that there will be. A considerable impact on the significance of the monument for a change to its setting within the limits of the archeological work that's been done to date and reported, which is limited, obviously.

01:25:04:15 - 01:25:26:36

Unknown

There's the two areas of potential setting impact. One is what you might call visual and esthetic. It's about how one understands the relationship of the nunnery site to the Trent and in the modern landscape, the introduction of new structures into that will.

01:25:27:36 - 01:25:47:10

Unknown

After that experience, it will to a degree, erode the. Ability of one to experience it in an historic landscape context. That context is already to a degree, and altered from what it was in the. Ninth century. Much has happened on the river.

01:25:47:11 - 01:26:13:31

Unknown

Much development has occurred. However, there is a predominantly rural character to parts of that, and that balance between rural character and industrial character would be shifted. Also, there is the contribution made to the significance of the site from such archeological remains as may occur, either at the stabber or more broadly.

01:26:14:29 - 01:26:36:24

Unknown

Now these could speak directly to the significance of the site. If they turn out to be contemporary remains, they could provide much information about how that site related to secular settlement, how it related to activity on the river, and potentially how it relates to Viking activity on the river.

01:26:40:24 - 01:27:00:31

Unknown

Were such remains to be lost, consumed through the development process that would be archeological setting impact upon the significance of the monument. The degree of that is obviously difficult to judge. And this is where. In answering your questions.

01:27:00:31 - 01:27:26:24

Unknown

There was. And. And I'll say. May have taken a dip. View that potential impact on either side of the substantial less than substantial harm line, but that any variance, I think comes back to the uncertainty over how important and how closely related such remains are survive on the development sites.

01:27:27:27 - 01:27:52:44

Unknown

Oh two the significance of the monument given the act time of writing? We haven't that. Information either about the significance and character of those remains in detail or the impact of the development upon us. Thank you. So is the sorry, Mr. Allen is the concern and am.

01:27:55:09 - 01:28:21:46

Unknown

And in terms of understanding whether it's substantial harm or not. To do with below ground works or is it to do with the visual and and change in esthetic? Or is it a combination of both? Tim Allen from Historic England again writes, It's a combination of both.

01:28:22:37 - 01:28:44:46

Unknown

What we do in endeavoring to answer your question on questions, first questions was. To assess, to take a view of the impact on significance for change in setting on the esthetics, which one can be more confident in sense?

01:28:44:47 - 01:29:14:00

Unknown

There is information on that and that would be. In the realm of less than substantial harm, although considerable. It's. To then factor in the archeological setting impacts is clearly. More difficult until we can see the results of those archeological investigations.

01:29:14:48 - 01:29:30:11

Unknown

We took a view, it was unlikely those would push the impact right up to substantial harm in respect to the monument. But that's not to say that it wouldn't be substantial harm, respect of those assets that live in the construction site themselves.

01:29:31:49 - 01:29:53:44

Unknown

But that's a best guess judgment. If. Dependent upon some more information about the character and importance of the remains on site and their relationship to the monument. Were they very close with a very important, very well preserved and closely associated?

01:29:55:38 - 01:30:13:36

Unknown

With the use period of a matchstick site. And impacted to a severe degree by the development, then potentially that could push it up into substantial harm. But that I felt that would have been something of a reach to take that goal.

01:30:14:10 - 01:30:34:33

Unknown

In terms of answer your question, but it does depend. I wouldn't interpret what. Okay. Thank you, Mr. Allen. I'll come into the Council to understand your position and how you set out your concerns and the assessment of of harm.

01:30:39:30 - 01:31:05:39

Unknown

Allison Williams North Lincolnshire Council. I think there has been a slight misunderstanding here. Are you under the impression that North Lincolnshire Council is saying that there is there would be substantial harm to the fixed reschedule monument. Because. Sorry.

01:31:07:09 - 01:31:44:14

Unknown

That's what I thought you'd set out in the rep. 204 to paragraph 9.0. 11. I thought you'd it's classified as substantial harm. A of. I misunderstood that. Um. So the response to that question was the response to. Clause two of that question.

01:31:46:49 - 01:32:11:19

Unknown

Do you agree with the applicant's overall conclusion at 931.4. Sorry. Am so many that that paragraph didn't specifically refer just to. The flexible schedule of monument. That was my understanding of it. That paragraph referred to all the heritage assets.

01:32:13:35 - 01:32:52:19

Unknown

In that section 9.3. And I think this is a long winded way of saying that. I we agree with what we've what historic England have just set out that the for the Flick's prescheduled monument heritage asset the results of the archeological assessment will inform the assessment of what the impact on Flick's on the Flick's scheduled monument is

01:32:55:27 - 01:33:12:08

Unknown

. The main impact that we have that we can see at the moment is through the setting. And that will be judged as, as I said, substantial. Thank you. I just need to pause you. I'm being advised that, again, we've got a loss of teams.

01:33:12:31 - 01:33:44:21

Unknown

I can. I'm sorry to interrupt. I'm. Just try and check those on teams whether you can still hear and see us. Yeah. Mr. Allen's giving me a positive thumbs up. I just see from another party Mr. Doerr and I used to with is able to hear and see us.

01:33:45:08 - 01:34:10:39

Unknown

I can still hear you. Fine. All right. Thank you. Right. Sorry. It would appear that. Everything's okay. So that's good. Yeah, I think. Okay. It's an internal. All fun and games. Okay. Well, I'm sorry to interrupt you there, Mr. Williams.

01:34:10:40 - 01:34:33:29

Unknown

Perhaps if you can continue. Yes. So essentially what we're saying is that the full impact of the flick sucks and and really shut your monument site can't be assessed until we have the full details from the archeological evaluation.

01:34:34:25 - 01:35:01:12

Unknown

What we what I. Yeah, that's. But I wasn't aware that I was saying there that there was substantial harm. Thank you for that clarification. I mean, it may be that we've misinterpreted the responses, but, you know, that's helpful to understand.

01:35:01:36 - 01:35:21:08

Unknown

And come then back to the applicant to see if there's anything further you would wish to say in response to the comments you've heard so far. Chancellor Kane on behalf of the applicant. No, really. I mean, the the.

01:35:23:30 - 01:35:48:38

Unknown

Understanding. Of. The significance of any hypothetical contemporary remains that might exist for express data. We are only really going to get when when the site is mitigated, is excavated, which we've already committed to do. And that was never could never happen until post consent.

01:35:49:38 - 01:36:17:18

Unknown

So I don't think it's. Appropriate to expect us to take that into account at this stage because. It can only that something can only be assessed post mitigation. Thank you. That's come to the end of that particular. Topic.

01:36:17:19 - 01:36:38:24

Unknown

So just hoping to see if there are any interested parties either in the room or remotely, who have any comments on what they've heard about flicks. Birth, sex and ordinary. Okay. Well, I think that's probably a good time to take a break.

01:36:39:22 - 01:37:02:12

Unknown

It's 1136. So if we resume at. So 5 to 12. And that gives us a reasonable time to get coffee and avoid a queue for various facilities. And so those of you who work remotely or watching the live stream just remind you you'll need to refresh your browser when you return.

01:37:02:12 - 01:57:00:36

Unknown

So adjourn now until 5 to 12. Thank you. Okay. It is now 5 to 12. So we're ready to resume this hearing. So if I can ask everyone to retake their seats. We're resuming, Mr. Nicholson. Thank you. I said this morning I would come back to you with the detail in respect of piling.

01:57:01:09 - 01:57:28:35

Unknown

So I've actually been able to find it in the first written questions which the applicants response which is rep to zero 33. Your response to question 5.1.5. You said piling on land will be board piling. So bold statement so and that's why I was seeking clarity on the position of piling and the commitment to it and how

01:57:28:36 - 01:57:51:18

Unknown

that secured. I do understand we've obviously now got the appendix K to the code of construction practice, but I just wanted clarity as to whether that now specifies within it that it will be board as opposed to impact or other types of piling.

01:57:59:18 - 01:58:11:28

Unknown

Claire Brook on behalf of the applicant. It's certainly said at some point that we can take away a bit more detail. I don't believe at the moment that the service in that aspect of the plan is that specific.

01:58:12:15 - 01:58:45:38

Unknown

But we will pick up you know, we have noted the points on piling in, the types of piling that might be used. So we'll come back to you on that, sir. Thank you. Right. And if I can move on then to just understanding the historic one landscape character assessment position and.

01:58:47:02 - 01:59:07:32

Unknown

Before I come to the applicant. Now, in the open floor hearing last night, Councilor Maupin asked for us to give great weight to the review of the character, landscape, character assessment and the. Which has been recently revised and also to the.

01:59:09:27 - 01:59:37:44

Unknown

Upcoming local plan. Now, as I understand it, the council's actual submission has indicated you're not giving great weight to the local plan draft as it stands because it's in such an early stage. So from our benefit, can I just understand what the Council's position is with regard to the review of the landscape character assessment and the local

01:59:37:45 - 02:00:04:46

Unknown

plan in that regard? Yeah. Thank you, sir Andrew Law for North Lincolnshire Council. We have been undertaken an update of the landscape character assessments in preparing the new local plan. However, as you correctly said and therefore stated previously, the new local plan has now been submitted for examination.

02:00:04:46 - 02:00:27:49

Unknown

But it's a very early stage and we are giving limited weight to to the new local plan. In any assessment, the updated landscape character assessments haven't been formally adopted by the Council, and in decision making we're using our existing, somewhat dated character assessments at the moment.

02:00:30:10 - 02:00:55:18

Unknown

Thank you. Um, can I then come to the applicant and just to provide an update on the progress with reviewing the characterization study of the Isle of Oaks Home and any implications for assessment of impacts to historic landscape character as a result and the timescales for that work.

02:01:01:08 - 02:01:30:32

Unknown

Claire Brook on behalf of the applicant. I believe we do have the landscape expert from Yarram on teams lost and the I think case is there in case he wants to comment on this particular point. Good morning, Sir Paul McCrea.

02:01:31:04 - 02:01:50:06

Unknown

On behalf of the applicant. Just to introduce myself, I'm a landscape architect with LTC and we've been working as part of the ramp team on the landscape and visual impact assessment. Just to clarify the question. There are there are two.

02:01:51:45 - 02:02:21:09

Unknown

Two things here. There is the landscape character assessment, which which assesses the present day character of the landscape. And there is also historic landscape characterization, which is a separate approach to understanding historic landscapes. I can only speak to the the former if is I'm not an expert in analysis of historic landscapes or historic environment, but in relation

02:02:21:09 - 02:02:53:00

Unknown

to the landscape character assessments, we've been working to the same. Previous landscape character assessment for North Lincolnshire, which Mr. Law has referred to just now. I'm not aware of. A. An updated landscape character assessment as opposed to a historic landscape characterization.

02:02:54:05 - 02:03:19:02

Unknown

But I'd be happy to discuss that with the team if there's something that's that needs to be looked at. Okay. Thank you. I don't know whether to look to him as Brooks Gun and whether there's

anyone else from the applicant's team who could assist further on the historic landscape character.

02:03:20:33 - 02:03:52:49

Unknown

So, Kevin Murphy, on behalf of the applicant, Mr. Brooks, gone too far. Historically, the can. Okay. We coming back in shortly. Because whilst whilst we wait for them and. If I can perhaps ask Historic England whether they have any comments on the applicant's approach to the assessment of historic landscape character or whether, again, that's something you'd defer

02:03:52:49 - 02:04:19:06

Unknown

to the council's experts. Thank you, sir. Tim Allen. Historic England in a. Response on questions one we deferred to the the council in terms of. That broad question that as regards the value of access, I'm finding on discount.

02:04:21:37 - 02:04:44:01

Unknown

And what we did focus upon was that they strip the cultivation on the oil of AXO. Has been identified previously in the 1997 Countryside Commission report as of national importance. Clicks has been identified by the Secretary of State as of national importance.

02:04:44:21 - 02:05:10:01

Unknown

So. In so far as the landscape character of Axon Fen contributes our setting to those assets in that respect that we believe that would be a matter of great weight because it relates to the to a potential setting impacts upon those naturally important assets that otherwise it's for the LPA.

02:05:13:48 - 02:05:39:24

Unknown

Thank you, Mr. Allen. To if I if I go back, perhaps repeat the question for those who who weren't in the room, just looking at the historic landscape character assessments and ask for an update on the progress with reviewing the characterization study of the Island of home and any implications for the assessment of impacts to historic landscape

02:05:39:24 - 02:06:07:07

Unknown

character as a result and the timescales for that work. Charles La keen for the applicant. We are not planning any additional assessment at this stage. We feel that the methodology and assessment used in a piece of 60 is is appropriate.

02:06:09:14 - 02:06:26:16

Unknown

Can I just jump in? Charlie Arthur On behalf of the applicant, I think we in response to the outpace and response to examiner questions and we did say we would look into that earlier characterization report. I think that's might be what you're referring to.

02:06:26:26 - 02:06:41:43

Unknown



Is that correct? There's an earlier publication, I think, that we we may not have considered an assessment, and I think that might be the. Yes. So tell us sort Charles McCain to the applicant. Yes, I've looked. I looked at it when I was preparing the assessment.

02:06:42:40 - 02:07:10:44

Unknown

I don't think it changes anything. It's it's only covers AXA mining in itself and it distinguishes I think basically two different character types within the area. Right. So I'm fine. One is recently enclosed land and one is older settlement around the area of course.

02:07:11:46 - 02:07:27:46

Unknown

And I think that it was it was reasonable to sort of group those together as part of a single landscape and assess an overall moderate effect. So I still think it doesn't I don't think it really affects our assessment.

02:07:30:23 - 02:08:01:02

Unknown

Okay. If I can then come to the council then. Because as I understood your submission and you are assigning a. A moderate value to the potential impact is correct. Thank you, sir. Angela from North Lincolnshire Council. Unfortunately, my stark environment colleagues has made excuses and left yet another engagement.

02:08:01:17 - 02:08:23:28

Unknown

But yeah, I mean, the response that we provided is that we felt that there was potential for impact and that the assessment was and wasn't acceptable. But I think if potentially we may need to consider and respond in writing once I've had a chance to confer with Alison and see an updated position.

02:08:25:00 - 02:08:56:07

Unknown

Okay. Well, if you can do that in readiness for the next deadline, that would be helpful. And thank you. Just an open up to see if there's any final submissions from interested parties on that topic. And if there's any any final comment the applicant might wish to make.

02:08:58:00 - 02:09:30:32

Unknown

No. Okay. Well, that ends the topic on cultural heritage for this morning. So thank you for your contributions. Can I move on to design? Now what I'm trying to get to here is to really have an understanding from the applicant as to the relationship between the design and access statement and the development consent order and the assessment

02:09:30:32 - 02:09:56:18

Unknown

within the EIA. Yes. And and also then nothing can she counsels view in light of the applicant's responses at deadlines two and deadline three. And because obviously the there is a thread through the national policy statements about achieving good design and we obviously need within our report to be able to explain to the Secretary of State that

02:09:56:18 - 02:10:23:23

Unknown

we're confident that good design would be achieved if the consent order is granted. And so what I'm seeking clarity on is what the principles and codes as now drafted, whether that would secure a way of delivering in a way that we can confident can become confidently get words out, administered and assessed by the council.

02:10:24:11 - 02:10:46:10

Unknown

And so. If I can come to the applicant first in terms of the designs and principle code document. Can you just explain to us how you consider that would work in practice? Robert Powell on behalf of the applicant.

02:10:46:41 - 02:11:09:21

Unknown

If it be helpful, I can provide an overview summary to kind of set the scene and then maybe we can just dove into the detail of the comments after that and if that's okay. So myself and my colleague Peter Corry, who's online on behalf of the applicant, have led the masterplan process and co-ordinated input into the design

02:11:10:01 - 02:11:29:11

Unknown

process for the project team to achieve a good design outcome. The documents that I'd like to refer to as I go through the design and access statement, revision one, RFP 3012 and the Design Principles and Codes Document Revision one, RFP 3013.

02:11:30:27 - 02:11:55:17

Unknown

We fill these documents with the other submission material, provide considerable and proportionate design information to demonstrate the delivery of good design, as well as securing its ongoing role in the future stages of the project. As you've mentioned, good design is recognized within the National Policy Statement and one within Section 4.5, where it states that high quality design

02:11:55:18 - 02:12:20:11

Unknown

goes beyond esthetic considerations and that the functionality of an object is equally important as its esthetics. It also goes on to say that applying good design should produce sustainable infrastructure sensitive to place efficient in the use of natural materials, resources of energy matched by an appearance that demonstrates good esthetic as far as possible.

02:12:20:46 - 02:12:42:06

Unknown

Although it does recognize that the nature of energy infrastructure will often limit the extent to which it can contribute to the enhancement of the quality of the area. The National Planning Policy Framework sets out what is expected for well-designed places, with a national design guide providing guidance on how well places that benefit, benefit people and communities are

02:12:42:06 - 02:13:05:27

Unknown

recognized. In light of this, in recognizing the importance of good design. The applicant at an early stage of the project established suitable governance to aid in the delivery of good design.

This was established through the Project Principles. These project principles set out the aspirations and help guide the project throughout the design, planning and consultation stages.

02:13:06:28 - 02:13:25:17

Unknown

Project principles are based upon the National Infrastructure Commission's Design Principles for National Infrastructure Guidelines. The this document also recognizes that design is about is about how something works and how it looks and how design can be used to solve problems and maximize different types of benefits.

02:13:26:18 - 02:13:44:30

Unknown

The design process, together with technical and creative expertise, provides good value and works well for climate people and places. Good design is as much about the process as it is. The products and principles ensure that good process leads to good design outcomes.

02:13:45:29 - 02:14:05:11

Unknown

The Design and Access statement sets out how the design process was conducted across six stages that cumulated with the submission of the DCI. The six design stages illustrate how the design of the project evolved, with an explanation provided regarding the position of the project within its wider and immediate context.

02:14:06:06 - 02:14:25:34

Unknown

The layout of the individual elements in order to reduce the effects on its neighbors. Design access also provides illustrative materials and illustrative material that has elements of the detailed design that build in beneficial biodiversity and recreational features as recognized with within the national policy statements.

02:14:25:34 - 02:14:50:28

Unknown

And one in three. The design process also reflects the components of good design and sets out with the National Design Code. This recognizes the importance of careful attention to the components of place that includes the context for places and buildings, hard and soft landscapes, technical infrastructure and social infrastructure, all of which have been considered by the applicant

02:14:50:28 - 02:15:08:13

Unknown

during the design process. Along with careful consideration of the overall masterplan performance scale of the buildings, their appearance, landscape materials and detailing has explained within the design and access statement and secured within the design principles and codes. Documents.

02:15:09:27 - 02:15:27:49

Unknown

Development of the Data. The illustrative detailed design within the task demonstrates how the provinces are set out within the environment. Statement have been tested and also provides a context and understanding of the project, providing assurance that the project can deliver the applicant's vision and good design.

02:15:28:45 - 02:15:48:20

Unknown

The illustrated detailed design has been used to inform the design principles and codes document. The role of the design codes is to provide a series of rules to be applied to the ongoing design of the project. Since there is some aspects of the detailed design, they help to provide the next level of detail and control beyond those

02:15:48:21 - 02:16:05:04

Unknown

set out in the project parameters and have been informed by the mitigation measures identified in the environmental statements. An example of this is in the landscape and visual impact assessment mitigation, which identifies the need for variation in roof heights and massing and use of material colors.

02:16:06:00 - 02:16:28:21

Unknown

These elements are secured through design codes DC, AOC one O2 and DC AOC 3.0632 DC AOC 3.08, both of which are key considerations of good design as set out within the national policy statement in three paragraph 2.5. 50.

02:16:29:21 - 02:16:51:10

Unknown

The illustrative material within the tests, design and access statements is therefore an expression of how the project could be implemented when the design principles and codes and the mitigation identified within yes are applied. So it's for these reasons and I think this is partly coming to the one of the questions is our intention isn't for the design

02:16:51:10 - 02:17:15:08

Unknown

and access statement to be certified document within the DCO, but it doesn't prevent it from being used as an informative document for the detailed design process. The Design Principles and Codes document has been updated to include references to the illustrative material within the design and access statement that provide informative text and illustrations on how the interpretation on

02:17:15:09 - 02:17:32:13

Unknown

the interpretation of the design codes and principles. These references will assist the design champions at Design Review Panel as well as the local planning authority. Understand the design intent by providing points of reference as the project moves forwards through to the next stages.

02:17:34:18 - 02:17:53:21

Unknown

The Design Access statement, therefore, helps to articulate illustrate the applicant's vision for a hub of low carbon and renewable energy generation set within a sustainable landscape of wetlands and woodland corridors. Explains how the design process of good design has been applied in delivering the vision.

02:17:54:12 - 02:18:16:03

Unknown

The design principles and codes will help demonstrate how the project has and will continue to deliver good design. North Lincolnshire Council In your response to the Examiner's questions, support the ambition and the merits of the design principles and codes and state that they provide a robust framework, providing a level of certainty and control to the detailed design

02:18:16:27 - 02:18:40:42

Unknown

, ensuring consistency across the projects. In responding to the comments and Elsie's comments, the applicant is also committed to ensuring the design champion is identified for each stage of the project and that the detailed designs undergo a review by an independent design review panel in order to provide greater certainty and assurance assurance of the delivery of good design

02:18:40:43 - 02:19:00:18

Unknown

across the project. Responsibility of the design champion will be to take ownership of design and delivery of good quality, sustainable design. They will ensure the design is appropriately considered alongside other factors such as cost, safety and technical compliance, all of which are embedded within the design principles.

02:19:01:17 - 02:19:25:17

Unknown

Their approach reflects what is advocated in the National Infrastructure Commission's Design Principles for National Infrastructure Guidance, which highlights the benefits of appointing design champions. Promote this vision across the projects. The role of the Design Review Panel is to provide scrutiny to the design outcomes of the detailed design process and draw experience from similar scale types and types

02:19:25:17 - 02:19:58:48

Unknown

of projects with the ability. To bring in local. Let's just get going. Yeah. You pull, you pulls very well. Teams of friends. And yes, we've got a message that went bowling just as. Yeah. Let's hope it didn't drop out.

02:20:00:16 - 02:20:33:36

Unknown

Oh, yeah. So is there any understanding as to what's happened with teams? Apparently there's a national problem with teens today. It's been on the news. So it may not just be those of us who help, but probably not.

02:20:51:36 - 02:21:14:05

Unknown

I appreciate. We've only just got restarted, but am. If this isn't resolved promptly, it may be an appropriate time for a lunch break. But unfortunately, those are why you won't want. No. Just give it a couple of moments and see if the solutions available.

02:21:47:25 - 02:22:26:11

Unknown

Do we know if the live streaming is affected or is that that's that's fine. Unfortunately, people who are excluded because of the teams wouldn't be able to hear it. So I would ask you to save that for the moment.

02:22:26:12 - 02:22:58:42

Unknown

Thank you, Mr. Nicholson. I think probably best thing to do is to adjourn. And hopefully it'll get resolved during the lunch break. But if there is a national problem, then we'll have to see where that takes us later on this afternoon.

02:22:59:19 - 02:23:56:40

Unknown

And. If we adjourn until 1:00. Does that suit everybody? I'm afraid we haven't got very far into the design section, but hopefully by then we'll have a remedy. Mr. Nicholson. Mr. Nicholson, I don't. You're not using a microphone at the moment, are you?

02:23:58:03 - 02:24:18:28

Unknown

Well, I think for those on the live stream, they won't hear you. And it might be best if. No, I appreciate that. So sorry to interrupt this clip. Do I need to say, Claybrook, on behalf of the applicant, if Mr. Nixon has a specific question that he wants to raise, will happen to have a discussion outside of

02:24:18:34 - 02:24:41:43

Unknown

the hearing and then seek to answer it as part of the hearing. And if you about later, we can reconfirm and in response, that is helpful. Yes. Thank you. Thank you. Okay. Well, I think those if you watch the livestream, apologies for the interference.

02:24:42:31 - 02:25:01:41

Unknown

We will adjourn now until 1:00 AM and hopefully we'll be able to put a message up so that if teams should become available again, those those using that will will will see that. So I can adjourn now to till 1:00 and hope the technical issue has been resolved.

02:25:02:26 - 02:25:32:00

Unknown

And of course, as soon as I say that, people's pay was popping up. So. Um. Right. Okay. Perhaps I'll get Penny for the swear box. Um. Okay. Well, um, in light of can someone just confirm to me that teams is now functioning again?

02:25:33:12 - 02:25:51:27

Unknown

Okay. And have everyone who was in the room prior to it falling over managed to reconnect. I can see Mr. Allen giving us a positive. So that's that's one plus. And can you just check for me, Sarah, that we've got all of the other respondents.

02:25:52:10 - 02:26:09:21

Unknown

Yeah. Thank you, Mr. Dillon. It doesn't appear that anyone else dropped out, Mr. Bond. So thank you very much. Okay. Well, if we can carry on, I'm hoping those that watching the live stream are still with us. Um.

02:26:12:36 - 02:26:34:30

Unknown

Yeah. Let's carry on. Sorry, we interrupted. If you can carry on. Thank you. Not a problem. Robin pile on behalf that we can pick up from, hopefully where it dropped out. The role of the design review panel is to provide scrutiny to the design outcomes of the detailed design process and draw in experience from similar scale and

02:26:34:30 - 02:27:03:14

Unknown

types of projects and design with the ability to bringing local through to national experience and relevance into the review. The draft DCO under Requirement three requires that the details regarding siting design examine external experience dimensions of all buildings and structures, colors, materials, circulation rates, parking, ground levels and heights, all to be submitted to and approved by the

02:27:03:14 - 02:27:24:47

Unknown

relevant planning authority. Requirements five and six also require details regarding lighting and landscape to be submitted and approved, all of which are covered within the Design Principles and Codes document. This approvals process is supported by a design principle and codes compliant statement.

02:27:25:21 - 02:27:45:05

Unknown

Provides North Lincolnshire Council with the appropriate design governance to ensure the delivery of good design as required by the NPS National Planning Statement policies. In summary, the Design and Access Statement sets out how the applicant has had regard to good design and developing the proposals for the project.

02:27:45:35 - 02:28:10:43

Unknown

The document explains how the site's context, wider setting, planning, policy and design guidance has been taken into account in the design evolution of the project. The Design Principles and Codes Document establishes appropriate governance to ensure the delivery of good design within the detailed design stage, including the provision of a design champion and the commitment to an independent

02:28:10:44 - 02:28:40:15

Unknown

design review panel established. Design Principles and Codes to steer the detailed design and commitment to the preparation of a Design Principles and Codes compliant statement to be submitted alongside the detailed designs. The design governance will provide North Lincolnshire Council and hopefully the inspectors the the confidence that that along with other stakeholders that good design will be delivered

02:28:41:25 - 02:29:04:00

Unknown

and will be a fundamental consideration within the next stages of the design process. Thank you. Can I just take you to a couple of examples then? And within the Designs and Principles Code document, which. There was a revision provided.

02:29:05:06 - 02:29:30:38

Unknown

And. In that if we look at. Page 17, for example, you've got the code which is DPI people 101 and. And that says you bring new job opportunities and contribute to education and vocational training. And then underneath you have your objectives.

02:29:31:18 - 02:29:56:14

Unknown

And to bring to Scunthorpe and North Lincolnshire areas, direct and indirect job opportunities and so on. And so just explain to me how the code links to the objective and how. The two work in parallel, work together to assume the code is there and the objective is to be achieved.

02:29:57:06 - 02:30:21:01

Unknown

Is that correct? Robert Robert Paul, on behalf of the UP can say this section that we're referring to is kind of the high level design principles, which sets out a principle of what we're trying to achieve. And as you pointed out, the three bullet points are bring new job opportunities to contribute to education, vocal vocational training, provide

02:30:21:02 - 02:30:39:21

Unknown

high quality place of work for the entire workforce, protect them where possible, enhance amenity of our neighbors so that that's the principle of what we set out to achieve at the beginning of the projects that then is supported by the objectives underneath, which kind of provide a little bit of clarity of what we are trying to achieve

02:30:39:22 - 02:30:56:45

Unknown

through the application of those those principles. The second half of the document, which relates to the codes, they are more prescriptive and provide a further level of detail to actually specifically control some of the detailed design elements of the project.

02:31:00:25 - 02:31:19:21

Unknown

Okay. So I'm I'm looking at the very high level in the beginning of this. But one of the things that slightly concerned me about when I was the objectives and follow through in a number of them, it says to consider and I'm struggling to see how that can be an objective.

02:31:21:48 - 02:31:36:04

Unknown

An objective is something you would achieve or you're aiming to achieve not to consider. So I don't want to be pedantic about it, but I'm just what I was just trying to think through as if what the council was going to do.

02:31:36:27 - 02:31:59:02

Unknown



Assuming the discos granted and this is the basis against which they will be judging your submissions for quality of design. What does that actually mean? How will that secure? Confidence for the council that they will have a document that gives them.

02:32:00:42 - 02:32:22:42

Unknown

Sufficient elbow room to deliver on it. Do you understand where I'm coming from, Rob? Yes, I do. I think that that may be something we can take away and have a look at that particular wording. The principles and the objectives were set out a very early stage in the process.

02:32:22:45 - 02:32:40:19

Unknown

So it's probably a use of tents that when we originally set out the principles and the sporting objectives early within that design process, one of our objectives was to consider how temporary works and permanent changes will affect people.

02:32:40:19 - 02:33:01:01

Unknown

And that was one of our objectives as a project team, was to make sure we were always considering that. So. But I appreciate the point about how this is a document that now which will be then used to help panels to consider good design moving forward so we can go away and check the wording of those particular

02:33:01:01 - 02:33:12:44

Unknown

objectives to make sure it's appropriate for this point in time, as opposed to reflecting the point of time we were at when we came up with those objectives. Thank you. I'd ask you to look through the whole document.

02:33:12:45 - 02:33:39:00

Unknown

So I'm not just thinking about those particular examples where it says to consider. What I'm hoping to is to get this document to move forward so that it's going to give the council the appropriate tools to be able to ensure that the quality of design is actually delivered.

02:33:39:48 - 02:34:00:01

Unknown

And you know, DPI places will know seven. It says in the objectives where possible. So again, you're thinking, well, that sort of undermines to a certain extent what you've said as an objective because anything's possible potentially. So and.

02:34:03:41 - 02:34:29:31

Unknown

So yeah, I'm grateful that you'll review it. But I suppose if I move away from that document in itself and just come back to your overall vision, and if you can explain to me how this Principles and Codes document will deliver on the vision, and what do you mean by your vision?

02:34:30:00 - 02:34:55:32

Unknown

You've obviously set out in the design and access statement what you believe the vision to be. And but I, I'm trying to understand how your scheme respects and responds to the landscape,

the integration and connectivity to the local context, and so that we can be assured that we have a high quality and imaginative design.

02:34:56:16 - 02:35:18:30

Unknown

And, you know, taking into account the engineering and architectural design should create clear design rationale sympathetic to the context and you know, for example, using a coordinated palette of materials and finishes and. So that's what I'm trying to understand how this will deliver on that.

02:35:19:31 - 02:35:44:03

Unknown

So I'm hoping you'll be able to explain in more detail how that will actually work. Robert Pyle on behalf of the applicant. I suppose the fundamental point from sort of 21 was this was. A fantastic opportunity to bring together a multitude of different benefits.

02:35:44:03 - 02:36:11:40

Unknown

And it wasn't just about the technology. It was about how this scheme, within its context and place, delivered multiple benefits. I think one of the prime examples of that from our perspective is how we've worked hard considering the landscape, landscape, visual impact assessment, the landscape design, the ecology design, the surface water drainage design, and how all of

02:36:11:41 - 02:36:36:07

Unknown

those elements have come forward along with consideration of recreation benefits that the project can deliver. How the team have collaborated and worked hard together to come up with a a scheme that joins all of the buildings and structures together in a meaningful way that offers the good design outcomes as best we can achieve.

02:36:36:07 - 02:36:57:35

Unknown

It wasn't a a process where we looked at how do we just construct and put a number of buildings within the context. It was more holistic than that, and we were seeking to deliver multiple opportunities and benefits for the local the local area with regard to the architectural design.

02:36:58:43 - 02:37:27:08

Unknown

Gary Stewart, who unfortunately isn't here today, was the architect who led on those particular aspects. We worked alongside Gary and Paul Macrae from the OP, spoke earlier to consider the reforms and the massing of the buildings and the type of colors and materials that could be used to help integrate the buildings into the landscape.

02:37:27:35 - 02:37:51:13

Unknown

And again, those those elements are controlled while not while we haven't set out and secured exactly what those colors of materials will be at this stage, because they're very much at the parameter stage. He had design principles and codes, documents, sets out the need for supporting color studies and set out some of the principles for how those

02:37:51:46 - 02:38:18:17

Unknown

the massing and the roofs pile profiles of the roof should be addressed at the detailed design stage. So there's some clear instructions within that document that will guide that detailed design beyond what are the parameters, the parameters that have been assessed in the yes and the mitigations identified in the landscape and visual impact assessment has been drawn

02:38:18:18 - 02:38:43:14

Unknown

through into the Design Principles and Codes document. Thank you. Come to North Lincolnshire Council next. In light of the questions I've been asking and what you've heard from the applicant, is there anything you would wish to say at this point on on the issue?

02:38:45:22 - 02:39:08:34

Unknown

Thank you. So under law for North Lincolnshire Council. Yeah, there's a few points I think. Appreciate you raising the terminology used in the documents because that's going to be important for us going forward in terms of actually securing good design, you know, rather than having more vague terminology with regards to considering considering issues.

02:39:09:31 - 02:39:28:42

Unknown

I think, you know, from our point of view, we just want a clear framework that sets out there that we that we can use to inform our assessment. I think the aspirations this hour are fine. It's just making sure that, you know, they're actually secure throughout the document.

02:39:28:44 - 02:39:48:33

Unknown

I think we we really appreciate and agree on the point of the design champion and the design review panel. Think given the scale of the project. And you know, for North Lincolnshire I suppose we have a one of a kind, it's not, it's not something that we deal with every week, it's a put it that way.

02:39:49:02 - 02:40:02:20

Unknown

And I think that will be very helpful for us in bringing in that specific expertise in that we may not have in-house. So that's something that is very much welcomed and that there is that that commitment from an applicant.

02:40:04:30 - 02:40:27:28

Unknown

And I also appreciate the clarity of clarification regarding the design and access statement. I think when we provided our response to the first written questions, I think we were not necessarily 100% sure on the status of that document and whether the design codes and principles translated the aspirations that were set out in that document.

02:40:27:29 - 02:40:50:34

Unknown

So I think it's been very helpful to understand that process of how that's fed into into those documents. Yeah, I think we will look to review any updated version of the codes and and

principles to make sure that we have that more, I suppose, more prescriptive, more definite terminology in there.

02:40:52:21 - 02:41:14:04

Unknown

But you know, overall that the actual aims and aspirations as set out in those documents, we do agree with and we think that they you know, they are robust. Thank you. Thank you. I just come then to just see if there's any other interested party who have any submissions on this particular aspect.

02:41:19:08 - 02:41:49:10

Unknown

No, I'm not. Mr. Nicholson. Going back to right at the beginning of Mr. Powell statement, he mentioned about the codes of construction and the the main planks, if you like. One thing that mystified me, this is a very large development.

02:41:50:39 - 02:42:27:41

Unknown

Which part of the design enhances? The local area because I can't see that anything will, you know, it's being dropped into a relatively rural location. How how on earth could it possibly enhance the area? Q. Robert Palmer I'm not entirely sure.

02:42:27:42 - 02:42:42:41

Unknown

I think I made a passing reference to the national planning policy statements that do recognize that the nature of energy infrastructure projects will often limit the extent to which it can contribute to the enhancement of the quality of the area.

02:42:42:41 - 02:43:03:23

Unknown

So I'm not sure whether it was that particular line that you picked up on. But I suppose beside to that I think it is recognized that, yes, this is a large scale project and we have to balance a number of different elements to it.

02:43:03:24 - 02:43:31:15

Unknown

So we have sorts through especially the landscape design in the wetlands areas to kind of enhance that particular area of the site that offers PNG benefits, which I know will be discussed later on this afternoon. And the applicant has also taken the opportunity to improve the network of footpaths throughout the water limits and provide opportunities to link

02:43:31:16 - 02:43:57:16

Unknown

up footpaths. Currently there are no link, so we have sought where we can to provide benefits and provide enhancements to the local area. But we do also recognize that it is a large scale project. There are large buildings and that's a it's a balancing exercise of where we where we put all of our efforts into that regard

02:44:01:27 - 02:44:24:42

Unknown

. Thank you. Can I just come in? Sorry, Mr. Nicholson. It's Simon Nicholson from Raine. Um, I'm. I'm sorry you completely missed my point. You. You stated it right at the beginning of your submission. That one, the you outlined the the codes that need to be followed to the national national planning.

02:44:26:27 - 02:44:48:07

Unknown

And one of them was. The design must enhance the local area. Well, I fail to see how it does. And putting frilly bits around the outside, like wetlands and planting a few trees is going to have any. Offset.

02:44:49:16 - 02:45:24:48

Unknown

To this very large development and it's not really going to enhance the local area. Robert Powell on behalf of everyone. Considering my previous response, I don't think I've got anything more to add on that. Thank you. If I can, then just move on to the role of the design champion and how you envisage that will again work

02:45:24:48 - 02:45:52:07

Unknown

in practice because you've indicated is potentially going to be more than one. That's the way I read it. Almost as if each. Phase or each element was going to have its own design champion. And I just wondered and whether that's a correct understanding and if it is correct, whether that would lead to an inconsistency of approach or

02:45:53:16 - 02:46:18:24

Unknown

a challenge to ensuring a sort of single picture being delivered. So that's one element of the bit I'd like greater clarity on, but also. You understand the independence of the design champion within the team and also what teeth the design champion might have in in.

02:46:21:35 - 02:46:41:08

Unknown

Encouraging and ensuring that the submission is of quality and not being watered down and so on. So I don't know whether you're able to give greater clarity on on how you will make that work and how that would then be secured within the the documentation linked to the DCO.

02:46:43:45 - 02:47:10:14

Unknown

Robert Powell on behalf of the applicant. Your interpretation of that is correct in terms that there could be multiple phases. So that may require multiple design champions. So the 21 are committed to the delivery of good design and good ones that design coordination across multiple phases to make sure it isn't broken down into individual elements.

02:47:10:14 - 02:47:34:13

Unknown

So that's something that we can go away and just have a look at that that wording when we're reviewing the Design Principles and Codes document to help provide that clarity on that particular point in terms of addressing whether they would have any teeth, I think the commitment to the detailed design is going through the an independent design

02:47:34:13 - 02:47:58:11

Unknown

review panel. That will be where it needs to be scrutinized. So yes, they will need to ensure that they are what we're presenting and putting forward is fit for purpose as it will be scrutinized. And the results of that design review panel will be available to the local planning authority and will have to prepare a design compliant

02:47:58:11 - 02:48:21:21

Unknown

statement that supports the detailed design. It's helped provide that reassurance in answering that particular point. And is the intention that the design panel review element will be in public? Robert Powell on behalf of the applicant, I'll have to defer and come back to you on that one.

02:48:22:07 - 02:48:46:34

Unknown

Okay. Thank you. And I know I'm asking lots of detailed questions that you may not have the answers to just yet, but in terms of the design review process, what happens if the design review panel don't agree? What's the process that you're thinking through about in the event there's a conflict between what the review panel saying and

02:48:46:45 - 02:49:02:37

Unknown

and what you're wishing to do? Well call on behalf of the applicant. Yes, there are a number of detailed questions. I'd like to go and just take that one and come back to you, if that's okay. Okay. Thank you.

02:49:03:20 - 02:49:22:42

Unknown

I'll just come to North Lakes Council. Have you got anything further you would wish to raise in light of the questions I've been asking Andrew Lowe for North Angus Council. I think we probably need to wait for some of the responses to come back to detailed questions, but I think the point on consistency is one that we

02:49:22:43 - 02:49:42:20

Unknown

would raise through written questions given the scale of the project, the timescales of of it being delivered in the phased nature of it, we would like to see that there was some. Yes, security that we would be getting a consistent approach to design rather than a piecemeal approach across the across the scheme.

02:49:43:05 - 02:50:09:21

Unknown

Thank you. Okay. Well, I think from our point of view is the examining authority. You're working on a statement of common ground. And I think these details in terms of the role of the design champion and the design and review panel need to be worked through in more detail so all parties understand what you're committing to or

02:50:09:21 - 02:50:32:38

Unknown

not, and how the process is intended to work so that hopefully we can include within our report that understanding and the process being agreed and then secured. Ultimately, that will be the

bottom line. So if you can make sure that that's something you're covering within the statement of common ground.

02:50:51:39 - 02:51:08:39

Unknown

So again, I'll just check. There's no one else. Got any final comments on that? Point. And if not, then again, I've come to the end of the design section on the agenda. It probably is a good time to take a break now for lunch.

02:51:09:23 - 02:51:28:10

Unknown

I being 10 to 1. So if we can reconvene at 130 and if there's anyone still with us on the livestream, again, just remind you you'll need to refresh your browser when you return. So again, if we can adjourn now until 130.

02:51:28:24 - 03:30:54:24

Unknown

Thank you. Two, one, two, three, four, five. Good afternoon, everyone. It's now 130, so it's time to resume this issue specific hearing. Welcome back. Can I just confirm that teams is working and that the live stream is has commenced.

03:30:55:40 - 03:31:24:47

Unknown

Thank you very much. And just before we then go on to the next section of the agenda, which is the ecology and HRA side of matters and just hopefully for a bit of further assistance on the piling question, I was revisiting my notes over the lunch break and within your noise chapter table one makes reference to again

03:31:24:47 - 03:31:45:08

Unknown

non impact piling and that seems to be what's been assessed for for noise. So this seems to be a common theme through but it's then again how that is committed to unsecured assuming that's where we're going. So hopefully that's just a helpful, helpful additional piece of documentation.

03:31:59:07 - 03:32:25:01

Unknown

So in terms of biodiversity net gain and two questions really here for the applicant. Can you provide an update on the current position in respect of the anticipated level of biodiversity net gain that is likely to be achieved in light of the review of use of best and most versatile agricultural land?

03:32:26:14 - 03:32:47:22

Unknown

And then the second point in doing so, respond to the concerns identified in the advice from natural England about their desire and advice to us that there should be a commitment to 10% biodiversity net gain. Sir Kevin Murphy on behalf of the applicants.

03:32:48:30 - 03:33:06:49

Unknown

We have with us Sarah Bartley, who will answer questions around biodiversity net gain. And if we need to move on to the best and most versatile land issue, we have two and cultural experts who will be to come in remotely, and that's Bill Crookes and Dr. Kirsty Charles.

03:33:07:26 - 03:33:20:08

Unknown

So we can bring them in as required. But I think initially it would be for for Sarah Bartley to deal with. And then when we move on to the HRA, if I just like to introduce, they can introduce themselves at greater length later.

03:33:20:08 - 03:33:38:26

Unknown

But Andrew Coates from erm look after HRA related issues from the ecology perspective and Dr. Chris Hazel Marshall will talk about air quality impacts and I think it's important to get that air quality context on that first rather than launching straight into the HRA itself.

03:33:39:15 - 03:33:56:37

Unknown

Because Chris will be able to talk about the actual approach, the assessments and how it is a worst case approach, conservatism and so on. So thank you. Thank you. Sarah Bartley, principal ecologist, speaking on behalf of the applicant.

03:33:57:29 - 03:34:12:02

Unknown

Just to give a bit of background on the biodiversity net gain, on an update on where we are with it at the moment. And so the Ecology and Nature Conservation Chapter App 058 included an assessment of biodiversity net gain.

03:34:12:19 - 03:34:32:21

Unknown

This was undertaken using the DEFRA metric 3.0, which is presented in Appendix I of the chapter. The National Policy on Biodiversity Net Gain as set out in the Environment Act 2021, will require development to deliver at least a 10% net gain in biodiversity.

03:34:33:01 - 03:34:50:45

Unknown

Although this policy is not mandatory for nationally significant infrastructure projects. The project has been designed to meet with this target, considering its size and the design principles which reflect a commitment to respect, restore and promote biodiversity and the ecology of local terrestrial ecosystems.

03:34:52:17 - 03:35:10:26

Unknown

The Biodiversity Net Gain assessment itself uses information on baseline and proposed habitats, hedgerows and watercourses to calculate the change in biodiversity units for each of these three categories individually. This is done by inputting habitats, hedgerow and watercourse parcels.

03:35:10:26 - 03:35:28:24

Unknown



R lens into the Microsoft Excel metric table and baseline information was collated from initial phase one habitats. Surveys of the site and habitats were converted into the new UK hub classification system. Ready for input into the metric calculator.

03:35:30:31 - 03:35:58:32

Unknown

So inbuilt criteria determine the number of baseline biodiversity units. These include habitat type, area length, distinctiveness, condition, strategic significance and connectivity. Post intervention habitats are scored using the same criteria in addition to the difficulty of creating or restoring a habitat and the time taken to reach the target conditions specified post intervention habitats are those which will be

03:35:58:32 - 03:36:22:35

Unknown

present on completion of the development, including developed land, soft landscaping and the creation and enhancement of semi-natural habitats. Overall, the assessment demonstrates a positive change in habitat, hedgerow and watercourse units, all of which exceed 10%. So the precise values for habitat units are an increase of 13.74%.

03:36:23:33 - 03:36:43:11

Unknown

For HEDGEROW units, it's an increase of 34.8%. And for watercourse units, it's an increase of 66.59%. It should be noted that the biodiversity net gain assessment in line with the relevant guidance does incorporate all of the land in the application site.

03:36:43:33 - 03:37:08:38

Unknown

So this includes extensive retained areas of arable land to the east of the access road, which will support the flood risk management strategy for the site but will not be altered in terms of the metric calculator, habitat classifications and such large areas of retained habitat serve to significantly limit the overall percentage of biodiversity net gain for habitats

03:37:09:27 - 03:37:33:27

Unknown

. For example, if this land was excluded from the calculator, the percentage for habitat gains would be in the region of 35 to 40%. But as we stand, we do still have the over 10% of a 13.74% increase. So enhancements contributing to this positive increase in biodiversity units include the wetland creation within the energy park land, improving the

03:37:33:27 - 03:38:03:08

Unknown

condition of livestock stream hedgerow creation and habitat improvements in the in the near England, which is to the far east of the energy park land. These areas are shown within their indicative landscape and biodiversity plans. Reference R EP three seven The Outline Landscape and Biodiversity Management and Monitoring Plan Reference r e p to 018 covers the 30

03:38:03:08 - 03:38:27:12

Unknown

year operational management and monitoring of these created and enhanced habitats which contribute towards the biodiversity net gain values. Natural England have confirmed that they

are satisfied with the approach and the results of the biodiversity net gain assessment. Currently, biodiversity net gain is secured within the DCO via the landscape on biodiversity management and monitoring plan.

03:38:29:35 - 03:38:55:10

Unknown

Thank you. Do you have the reference for the landscape and biology mitigation or management plan? It's a mouthful. Yeah. So that reference is. So the outline landscape and biodiversity management and monitoring plan is are p to dash 018.

03:38:57:08 - 03:39:25:42

Unknown

Thank you. The way I read the submissions, the there had been a movement away from the initial calculation in light of the best and most fertile agricultural land and what was going to be included were not included in that respect.

03:39:26:13 - 03:39:49:13

Unknown

Can you just clarify for me, is that still the case or have I misunderstood something? Sarah Birtley, speaking on behalf of the applicant. And the issue surrounding agricultural land is something that's relatively new and we've brought on new experts to help us with this.

03:39:49:32 - 03:40:25:33

Unknown

As we stand, the biodiversity net gain calculations haven't been officially revised. Sorry. Sarah Price on behalf of the applicant, just to add some some detail to that. And we were hoping to have discussions with natural England regarding precisely how and how these areas and a dealt with which could include and crops that potentially also contribute to biodiversity

03:40:25:33 - 03:40:41:49

Unknown

net gain. So at the moment the position sir is, is as my colleague described and if it changes at all and as a result of these ongoing discussions, we will update the examination and, you know, as soon as soon as that happens.

03:40:45:31 - 03:41:09:35

Unknown

Okay. Just try and get my thoughts clear in my mind. The. So as it stands, you're sticking by your calculation of the quantum of biodiversity net gain that could be achieved. But there's a review in respect of best and most versatile agricultural land.

03:41:09:35 - 03:41:33:39

Unknown

And what contribution or diminishing that might result in that? Yes, absolutely. That's correct. Thank you. Can I just come to North Lincolnshire Council then to hear their views on this topic? Yes. Andrew Taylor for North Lincolnshire Council. Yeah.

03:41:33:43 - 03:41:55:33

Unknown

We fully support the ambition to achieve 10% plus net gain in biodiversity, recognizing that it's not currently mandatory but is likely to become so during the lifetime of the project. Yeah.

Similarly, we haven't considered the effect of changing things to take into account the best and most versatile agricultural land.

03:41:56:34 - 03:42:17:46

Unknown

And we'd been quite encouraged by the proposals on the table which were locally appropriate, sort of taking into account surrounding habitats, wetlands in there alongside the Humber Estuary, expanding Semi-Natural ancient woodland in a way by planting Broadleaf woodland and to to to increase the extent of that.

03:42:18:23 - 03:42:43:40

Unknown

And so a move to more agri environmental options would seem a shame, but obviously that's the only way to to square the competing demands. Then then we'd have to take that into account. Thank you. Okay. Um, I'll just go to the room and then those remotely.

03:42:44:22 - 03:43:14:24

Unknown

Yes, sir. Can I. Can I just wait for you to get a microphone so that. Okay. Thank you. David Connell. Interested individual attendee. If I heard correctly, I may not have done, but if I heard correctly, there was mention of a 30 year management program to ensure that this biodiversity gain is established.

03:43:14:36 - 03:43:40:27

Unknown

And I just wonder if you're in a position to give any more detail of how you anticipate that certainty of management program being rolled out. Or is that still the subject of review negotiations? Sarah Birtley On behalf of the applicant, I understand that there are discussions with Lincolnshire Wildlife Trust.

03:43:40:32 - 03:44:11:14

Unknown

However, I don't believe there's any agreements in writing just as yet. So on behalf of African, I can add slightly to that. The outline landscape and biodiversity management and monitoring plan referred to earlier will be formulated into the details and landscape and biodiversity management and Monitoring Plan, and that sets out management and maintenance intervention measures and monitoring

03:44:11:15 - 03:44:31:14

Unknown

, annual monitoring, five year substantive monitoring throughout the 30 year lifetime. So that there's a document in existence at the moment which has some information. There will be a future document that will have a lot more detail that the future document probably sets out things like roles and responsibilities, staffing, which organizations might be participating and the like.

03:44:37:38 - 03:45:08:31

Unknown

Thank you. If I can, then come on to the next point. With regard to great crested Newt and the clarity in light of natural England's comment in their representation and whether any progress

has been made in discussions with natural England about the suitability of the surveys you've been able to undertake in light of absence of information in

03:45:08:42 - 03:45:32:46

Unknown

not being able to access ponds 28 to 30. Sarah Bentley speaking on behalf of the applicant. So ponds 28 to 30, these farms are located close to the eastern edge of the energy park, land on land just outside the outer limits and close to the land which is proposed for biodiversity enhancement.

03:45:33:45 - 03:45:53:31

Unknown

Requests to access these pond ponds for survey were repeatedly denied. However, it hasn't posed a limitation for the overall assessment of great crested newts within this part of the project, primarily because the ponds are located over 400 meters from the energy park development at the closest point.

03:45:54:11 - 03:46:11:31

Unknown

And the intervening terrestrial habitat comprises arable fields which great crested newts are unlikely to cross at such a distance. As such, assuming great crested newts are present, the effect on them posed by the development within the energy park remains not significant.

03:46:14:14 - 03:46:48:02

Unknown

We have received some correspondence from Natural England today actually confirming that they are satisfied with the responses relating to great crested newts. So though we see thus those matters. Matters are settled. Obviously to date we haven't seen this statement of common ground between yourselves and natural England.

03:46:48:34 - 03:47:06:49

Unknown

Is that something we will see by the next deadline? Anecdotes on behalf of the applicant. Yes, this is something where actually I was going to come on to. We are updating the the draft of the of the statement of Common Ground at present.

03:47:07:13 - 03:47:22:04

Unknown

And we are in discussions with natural England about a continuing update of that. And yes, we hope to have an update of that during during the course of February, just maybe not for the very next deadline of the seventh.

03:47:22:04 - 03:47:41:37

Unknown

But I know it was later on in the agenda has just the reference to the correspondent for Natural England. That just prompted me because one of the concerns we have from our side of the table, if you like, is that we we haven't seen any draft of that yet.

03:47:42:27 - 03:48:04:07

Unknown

And equally, a lot of your responses to our questions and the issues raised by natural England, we haven't really seen a response to their relevant representation from your side. So I think and if we're not going to see the statement of common ground first draft by deadline for.

03:48:05:00 - 03:48:21:49

Unknown

Can I make a request that you have to provide as a response to that relevant representation even if you say, you know, discussions are ongoing for various. Yes, but would be helpful to understand your position relative to their table of concerns.

03:48:23:02 - 03:48:36:40

Unknown

We're working we've worked on a draft. We have a draft sort of this there at the moment. And so we are updating that. So you will be able to see a draft of that. So I was thinking more final version of the statement of Common Ground as we have some further discussions to have with natural England on

03:48:36:40 - 03:48:52:49

Unknown

some of the points, but we could certainly forward a draft for even for the next deadline, if that's it. I'm sorry. Just I just to add to my colleague's comments on that, there is a very substantive draft now and we will provide it to the examination.

03:48:52:49 - 03:49:21:30

Unknown

A deadline for essentially has gone to natural England. They've commented it's come back it's it's pretty well drafted now so we can submit that to you yourselves as soon as you would like. Okay. Thank you. Just see if any other parties has any issues or questions with regard to great crested newts.

03:49:25:47 - 03:49:47:22

Unknown

All right. Thank you. Move on, then, to. And I think we've probably got the issue with the best and most focused on agricultural land, which was the next topic. But again, are we likely to get your information by deadline for on that?

03:49:47:37 - 03:50:06:02

Unknown

Is that a timetable that you're still going to be able to achieve? Sir Kevin Murphy. On behalf of the applicants, I think we'll endeavor to produce something for deadline four. But our plan is to produce a fairly substantive assessment of the agricultural land issues.

03:50:06:02 - 03:50:16:35

Unknown

So it may it may be the following deadline, but perhaps in the meantime, one of my colleagues, Bill Crookes, could give an overview of where we are at the moment, just to give some comfort that it's getting the attention it deserves.

03:50:16:41 - 03:50:47:34

Unknown

Thank you. Hello there. Still crooks speaking for the applicant. We can see and hear you. Thank you. Can I just ask that the drawing be brought up of the provisional A.L.S. map? This. So I'm not sure. I can't see that.

03:50:48:00 - 03:51:06:49

Unknown

Is there a drying up? No, not yet. No. I think the A.V. team are just looking to locate which. Which drawing it is. Okay, I'll introduce that quickly. Um, this is a. A substantive improvement in the information available for the site in terms of agricultural land.

03:51:08:02 - 03:51:25:16

Unknown

This is a result of a survey done by the then government agency MAFF in 1990, and it constitutes, say, a fully accurate ALC classification. And for much of the site, and I think there's a few areas that are not quite covered.

03:51:25:45 - 03:52:00:01

Unknown

So it's. It's a substantive improvement in understanding of the agricultural and capacity for the area. It highlights the location. Sorry is not coming up. Showing the amount of. Best and most versatile land and its distribution. These. This particular type of report, which is referred to as the post 1998 dataset, is or is often used as baseline when

03:52:00:01 - 03:52:22:38

Unknown

we're doing more contemporary assessments. Typically, we would just be looking to do a verification on this type of assessment to ensure that there's been no substantive changes to the land quality since the original survey was done. So in terms of the progress made on understanding loan capacity for the area, this is a fairly good foundation slate.

03:52:22:41 - 03:52:35:20

Unknown

There's a small so as I understand it, there's of small parcels of land and in the development boundary that are covered with this survey and that would need to be addressed. But it would be a relatively small area requiring intensive TLC survey.

03:52:35:38 - 03:52:59:49

Unknown

But the bulk of the area would be done on what we call a verification survey. So on low intensity, just to confirm this original survey. I don't have anything else at this stage. Is there any questions? I just wanted to document that you were hoping to be displayed, which is that go to an examination library reference.

03:53:01:24 - 03:53:25:16

Unknown

It does. It's it's it's under the system. Let me just bring that up. Yes. I'm so sorry. Sorry to interrupt my colleagues. The server price for the applicant. The plan that we were hoping to display isn't currently in the examination library.

03:53:25:16 - 03:53:43:46

Unknown

It's updated information which will form part of the updated assessment. But it is a public document, which is what my colleague Mr. Crooks is referring to. Unfortunately, there seems to be an issue with the availability of the plan, but hopefully it doesn't affect what Mr. Crooks are saying.

03:53:43:46 - 03:54:06:01

Unknown

Oh, it sounds like there's been a development and it might it might now be available. Is that correct? Just a transfer. Okay. Okay. It's on a different laptop, it seems. And I think if it's something that's going to come into your subsequent submission.

03:54:06:24 - 03:54:22:16

Unknown

On dealing with the best and most versatile land that may not be with a deadline for as I understand it, but it'd be helpful. I think in your summary of submissions you can provide is the link to the reference document that you're referring to.

03:54:22:16 - 03:54:42:07

Unknown

So hopefully in the meantime everyone can see the connection. So on behalf of the applicants, there's actually two documents and they've both been referenced by Natural England who've helpfully provided pointed us in the right direction. So one of them covers the large part of the application land in terms of the energy park.

03:54:42:29 - 03:54:56:18

Unknown

And the other one just fills in a little gap up to the north of the Felixstowe Industrial Estate. So so that they will be fully they would exist somewhere in the document library, I suspect, but they'll be incorporated into the, into the assessment that we provide.

03:54:57:02 - 03:55:25:12

Unknown

Is it as if by magic. Bill Crook speaking for the applicant. I see that that drawings come up. So this is a image of the site itself showing the original AOC classification that was done in 1998, breaking it down into grade one, grade two, and grade three and beyond.

03:55:30:02 - 03:55:50:18

Unknown

Okay. So I'm just looking at an hour, just so I can understand the, uh, what's the red area? To the western edge. Next, the trend is that the train connection or is that something else? Georgia that's listed as nonagricultural.

03:55:52:19 - 03:56:40:27

Unknown

Kevin Murphy, on behalf of the applicant, said that some agricultural buildings apparently. Yeah, it's probably where, probably where we're meeting on Friday I think. But yeah, I was just trying to orientate myself. Yeah. Okay. Thank you. Come to the council that in terms of whether you've got any issues or concerns about the latest position on best and

03:56:40:28 - 03:57:07:25

Unknown

most versatile agricultural land. Andrew Lowe for North Lincolnshire Council. There's not really anything else to talk from our point of view at this point in time. I think we'll wait to see what comes through in terms of the updated assessment and then may wish to comment it on that document once it's with the examination.

03:57:08:05 - 03:57:35:29

Unknown

Thank you. Thank you. So again, I just opened the floor and those on teams, whether there's anyone got any further observations or submissions that wish to make in respect of best and most versatile agricultural land. No. Okay. We can move on then to respond.

03:57:35:48 - 03:57:58:28

Unknown

Triple X, I think is the next item on the agenda. So if I can then just introduced Dr. Hazel Marshall, he'll talk about the equality impacts and obviously that would be relevant to both Frisbie Warren and other sites that fall within the HRA itself.

03:57:58:30 - 03:58:25:20

Unknown

So thank you. Dr. Chris Hayes, Marshall Kelsey, Technical Director at IRAM. Speaking on behalf of the applicant, I'll provide some details on the equality impact assessment that is undertaken to inform the habitats risk assessment and handover to my colleague Andy Coates, who talk in more detail about which people aren't and take questions on specifically the impacts on

03:58:25:27 - 03:58:49:31

Unknown

habitats. So yeah, impact assessment is detailed in the environmental statement, considers the erect plant backup boilers providing hot water for district heating when the earth is off line, backup generators, road traffic on new access, road shipping, emissions from vessels on wolf and rail emissions for those sections of the rail line within 200 meters of habitats.

03:58:49:47 - 03:59:04:37

Unknown

Specifically, those on the High Street primary tool for assessing impacts is dispersion modeling. In this case, the five model, which is widely recognized to use this type of assessment, and the Adams Roads model which used for the new access road.

03:59:05:21 - 03:59:24:13

Unknown

The Impact Assessment considers the potential impacts of emissions from these sources in the context of the local environment. Considerations include locations of sensitive ecological receptors, baseline ecological receptors. This data, having been obtained for the Air Pollution Information Service APC website, the effect of nearby terrain.

03:59:24:14 - 03:59:38:02

Unknown

Noting that the ERF is in a river valley and there are hills ridgeline effects receptors on higher ground. The effect of wind turbines to the north on plume dispersion and local meteorology notes. This was obtained from Doncaster Airport.



03:59:40:37 - 03:59:59:35

Unknown

The requirements for assessing impacts from erect plants are well established as our requirements for assessing impacts from traffic and transport sources. Guidance includes the Environment Agency for England on modeling best practice habitats, assessments and permitting and guidance from different Institute of Air Quality Management to screen traffic impacts.

04:00:00:07 - 04:00:22:29

Unknown

The DCO application also considers the future needs of the environmental permit. The erect plant is required to meet the emission limits in the waste incineration. Best available techniques. Reference Notes The Brief Notes The Emission limits combined with design information for the plant provided by the engineers, which provides details such as design, tonnage, stack height, exhaust characteristics, building

04:00:22:29 - 04:00:39:06

Unknown

envelope, spatial location. This data is used to inform the dispersion model. The modeling was undertaken for all of the emissions of interest set out in the Bref note for the ERF and for oxides of nitrogen for the backup boilers, backup generators, shipping rail and road traffic.

04:00:39:20 - 04:00:56:14

Unknown

This being a key emission of interest for these sources. In terms of ecology, it is common that more than 95% in the UK baseline is in excess of critical levels and critical loads more than one parameter within the air quality impact assessment.

04:00:56:14 - 04:01:11:38

Unknown

There are a number of worst case assumptions. As such, the actual impacts of the operation of the project will be substantially lower than what is presented in the environmental statement. The worst case assumptions do include the modeling assumed the project will operate at the brief emission limit.

04:01:12:08 - 04:01:29:17

Unknown

However, the project's actual emissions will be below breath limits substantially. In some cases, typically, oxides of nitrogen will be around 90% to the limit. This being controlled in the process to limit the amount of ammonia dosing needed ammonia being used to abate NOx emissions to meet the limit.

04:01:30:00 - 04:01:47:00

Unknown

Sulfur dioxide and ammonia would be typically around 30% of the limit does vary between plants. Ammonia is the most important driver of neutral nitrogen deposition and as such this approach is substantially overstated impacts when considering ammonia critical level and nutrient nitrogen critical loads.

04:01:48:14 - 04:02:11:05

Unknown

The dispersion modeling assumed the ERA facility will operate for 8760 hours per year. In practice, planned maintenance will account for downtime of approximately 10% of the plant lines. As such, long term emissions and therefore annual mean impacts which are the most important for habitat regulation assessment, are overstated within the dispersion modeling five years metrological data is used

04:02:11:05 - 04:02:28:25

Unknown

to capture interannual variability image will oge. The air quality impact assessment is based on the year that produced the highest impacts. However, impacts to ecology over it occur over a time frame of multiple years and using only the worst case will again overstate the actual impacts.

04:02:30:16 - 04:02:51:00

Unknown

The project is proposed to deliver RDF using ships, trains and road haulage. At the time of preparation of the Air Quality Impact Assessment, the exact modal split is not known. Therefore, the approach needed to be taken whereby each mode was assigned 100% capacity, i.e. the total modal capacity for transportation is 300% of the required total.

04:02:51:24 - 04:03:11:40

Unknown

This therefore overstates the impacts of transportation, noting that close proximity of the ship and rail sources to the Humber Estuary habitats in particular, the assessment of impacts on habitats for nutrient nitrogen acid deposition uses critical loads. These are provided as a range and the Equal Impact Assessment utilizes the low range critical loads.

04:03:12:04 - 04:03:30:02

Unknown

Again, this is worst case given that the high range critical loads can reasonably be utilized in the assessment in terms of impacts at sensitive ecological receptors. The Echo Impact Assessment used a series of screening steps to identify that where there are habitats, where potential for significant impacts cannot be conclusively ruled out.

04:03:30:36 - 04:03:53:16

Unknown

This identified some habitats where impacts cannot be screened out. These will be discussed in more detail by my colleague Andy Coats. If deemed of use within the inquiry schedule, there is an opportunity to undertake an additional assessment step based upon a reasonable operating case, which would provide further detail on the likely actual impacts at ecology sites, in

04:03:53:17 - 04:04:24:45

Unknown

contrast to the worst case assessment currently presented. Thank you. Can I just that final point. Is there a commitment to do that? Likely effects assessment? And when would that be done? If there is a commitment to do it and how does that work in light of what we've currently got is a worst case scenario because obviously you've

04:04:24:45 - 04:04:41:49

Unknown

gone through a whole series of elements which cumulatively could bring down the outputs quite substantially, potentially. And so how does that work? Chris Hayes Well, Marshall speaking, I'm part of the applicant. Yes, there is a commitment made to do that.

04:04:42:21 - 04:05:10:17

Unknown

The schedule is to have that delivered by 20th of February. There are ongoing discussions that Andy Coates will talk to you about with Natural England. The intention of this additional assessment at the actual impacts of those ecology sites is to inform that discussion to further assist in excluding sites where no significant impact can be proven through the

04:05:10:17 - 04:05:47:21

Unknown

Equality Impact Assessment and therefore refine the HRA, the habitats risk assessment, sorry, habitats regulations assessment onto those sites where further works, further investigations mitigation may be appropriate. Okay. Get back on my hobbyhorse. And the timing of the 20th of February is that when you're having discussions with natural England or is that when you're hoping to submit to

04:05:47:21 - 04:06:13:15

Unknown

them your latest report or discuss with them the the more so that your sensitivity testing on limitations the 20th of February deadline is the intended sorry. Chris Hazel Marshall speaking on part of the up to the deadline of 24 February is intended to be the deadline at which we will produce our report for submission that can then

04:06:13:16 - 04:06:45:23

Unknown

be discussed with natural England. And that will then potentially have a knock on effect for your HRA assessment. And what then the likely timing of a submission on that? Andy Koch for the applicant. Yes, we we when we had this updated reasonable operating case, we intend we're in the process of arranging a meeting with natural England, hopefully

04:06:45:23 - 04:07:03:19

Unknown

in the next week or two. And we would actually discuss a lot of the issues that that Chris has raised here about these look at the of the information we're going to probably expect to get out of that and then we'll agree a timescale for updating the regs.

04:07:03:20 - 04:07:24:40

Unknown

We're conscious that the HRA needs to be back so you can see and others can see it as well. So the intention is to update that HRA within two or three weeks at the most after that, you know, after we've done that, that additional modeling work, hence why we're meeting with natural England now.

04:07:24:40 - 04:07:55:00

Unknown

And we were also hoping that Andrew from North Lakes Council might be able to join us as well perhaps. So we're actually looking to move that on pretty swiftly, so. Okay. That's helpful. Um,

can I just ask some specifics then in terms of Ruby Warren triple as I am, I think in the rep to zero 34 response

04:07:56:05 - 04:08:18:26

Unknown

section 8.7, hopefully my notes correct. And again to you reaffirmed the assessment was precautionary and you're agreeing to selecting and achieving specific levels for ammonia to avoid significant effects at the triple ACI, that is. I hopefully I've understood that correctly.

04:08:19:05 - 04:08:42:26

Unknown

And would that also help to reduce deposited nitrogen? Chris Hayes. Emotions become part of the applicant. Yes, it would. The deposition of nutrient nitrogen is dominated by ammonia. Therefore, reductions in ammonia will have similarly large effect on nitrogen deposition.

04:08:44:39 - 04:09:14:21

Unknown

Okay. And so how is that commitment secured within the DCO and the supporting documentation? And he goes above the applicants. That is something we are we are discussing. We want to discuss this with natural England in terms of how that firstly what's likely to come out of this revised modeling work and the implications for that.

04:09:15:45 - 04:09:35:35

Unknown

And as my colleague Chris has mentioned there, the ammonia, the changing expected reduction in ammonia would actually have a knock on effect on a lot of other things as well. For some of the sites as a lot of sites where the the you slightly over the the 1% value at the moment and that actually might change as

04:09:35:35 - 04:09:50:37

Unknown

a result of doing this. So some sites that are currently screened in might even be screened out going forward. So there is a there is an element of change in that could evolve due to nitrogen and other parameters as well as the ammonia because it's all linked.

04:09:50:43 - 04:10:13:39

Unknown

So so there is the potential then for a positive, significant effect if that's not treated? Absolutely, yeah. So those areas where potentially we're over the 1% threshold and therefore regarded as significant, potentially might go below the 1% in some cases.

04:10:14:08 - 04:10:38:49

Unknown

We're hoping that's possible. Yes. And for all others, they will decrease much closer to the warmer expectation as well. So the key then is how that's secured, isn't it, so that you can deliver on those improvements. Indeed. A dust cloud broke on behalf of the applicant.

04:10:38:49 - 04:10:59:02

Unknown

Just to briefly interject. I think it's it's recognized in terms of setting limits for Rivonia. I think all parties recognize that that is ordinarily dealt with as part of the permit itself. And. And Dr. Chris Hazel Marshall has reference the brief emission limit levels.

04:10:59:42 - 04:11:18:48

Unknown

I think in terms of where we get to with the updated realistic worst case report, if we get below the 1% threshold, then our position would be that we won't necessarily have to offer reduced ammonia limits in all cases.

04:11:19:43 - 04:11:36:27

Unknown

That isn't ordinarily something that would be controlled by the DCO. It is dealt with pursuant to the permit. Clearly natural. England recognized that the permit will not likely be in place as a as part of the examination process in the DCO determination.

04:11:37:45 - 04:11:52:29

Unknown

But the same process in terms of the air quality assessment, the HRA has to be performed as part of the detailed permitting and the more granular analysis that you have of emission limits as part of that permit process.

04:11:53:18 - 04:12:12:11

Unknown

But I think until we see the outcome of the updated report, we're probably not in a position to indicate what the applicant's case will be on that point around ammonia levels and setting those limits at this point. No.

04:12:12:11 - 04:12:40:42

Unknown

I mean, that's understood. I'm just trying to make sure I'm correctly joining the dots, because obviously the environmental permits are going to cover a significant part of these elements. But for our examination and for our report to the Secretary of State on HRA effects, the greater the clarity, the better.

04:12:41:02 - 04:13:03:03

Unknown

Obviously and and obviously the the question of adverse effect on integrity if there is any. And we need to understand as well as possible. So I guess that's where I have to leave it with you. And, you know, bearing in mind the timeframes that we're all working within.

04:13:13:25 - 04:13:42:37

Unknown

And I've just come to North Lincolnshire Council and the just in terms of Revesby Warren Tripoli's I think one of the. Did you have anything you wished you had on that, either in terms of what you've heard, but also whether the discussions that have been taking place about mitigation or enhancement for the troop releases?

04:13:43:19 - 04:14:03:31

Unknown

Is that progressing? Or maybe that's something that you're not involved with? I don't know. Because he's natural. England. Yeah. Andrew Taylor of North Lincolnshire Council. In terms of matters of dispersion modeling and air quality impacts on places and European sites, we tend to defer to natural England on these matters.

04:14:03:39 - 04:14:26:48

Unknown

They're highly technical matters and we do not have the in-house expertise. We do keep a close eye on which people are in places. It's our largest asset, grassland and most important grassland site. So I will say we're keen that any impacts are kept as low as possible, but also we're conscious that the site is already in unfavorable

04:14:26:48 - 04:14:46:13

Unknown

, declining condition already. If this application site if this project weren't to go ahead, there's already, you know, the steelworks and various other facilities in place that do already discharge an impact on the place. I so we have to bear that in mind as part of the background picture.

04:15:12:30 - 04:15:31:04

Unknown

And I think the council again would be helpful. Just to clarify, in the responses you've made, can I just clarify whether you're concerned in terms of how things are drafted at the moment with regard to mitigation being appropriately secured?

04:15:31:26 - 04:16:04:25

Unknown

That seems to be the way it's the response was written to seek clarification on on that. And so he clarifies that that question specifically about warranty policy, it's more broadly about the mitigation and enhancement for biodiverse biodiversity. I think you'd made reference to Section seven and ten of the environmental statement and the outline will be.

04:16:04:40 - 04:16:23:34

Unknown

MP Yeah, I think what that was, we'd look to see that the habitats and designated sites were specifically mentioned in any, any requirement as opposed to just species, which I think had been highlighted in the first instance. Thank you.

04:16:24:22 - 04:16:49:39

Unknown

I'll just come back to the applicant to see if there's any further response you would wish to make in light of the council's clarification. Sarah Bentley speaking on behalf of the applicant. And yes, I can confirm that the Camp Construction Environmental Management Plan will cover mitigation for both species and habitats, which includes also the locally designated sites

04:16:50:06 - 04:17:50:12

Unknown

. So that's one way that the mitigation is will be secured. And in terms of the enhancement, we have the landscape and biodiversity management and monitoring plan to secure that. All right. Forgive me. I'm just going through my notes, making sure I'm covered.

04:17:50:12 - 04:18:27:48

Unknown

Everything I need to do. Just bear with me a moment. No, that's fine. Thank you. I can move on to, um, in terms of the HRA and. Obviously you were advising is the statement of common ground with natural England is likely to be with us at the next deadline.

04:18:28:48 - 04:18:56:29

Unknown

And there were a number of issues that I think natural England had raised and within their representations. If I can just go through those sort of individually. We've touched on one of these already this morning with regard to the potential vibration effects within the River Trent affecting or potentially affecting sea and river lamprey and.

04:18:58:21 - 04:19:18:02

Unknown

To Sunnis, and this is as much a question to natural England as to you. But if. Non impact piling is committed to those that overcome the concern of vibration or is there still an ongoing issue that needs to be addressed?

04:19:20:37 - 04:19:36:01

Unknown

Anecdotes on behalf of the applicant. That is very much the position we are saying. If you have the board piling on land, that would not be a significant issue for the lamprey in terms of vibration in the river.

04:19:36:15 - 04:20:04:12

Unknown

We have actually just sent some information to natural England earlier this week on this topic. And again, that's something we will pick up with them at the meeting. Thank you. And I think the next point was the potential for cumulative effects on air quality in conjunction with key B2 and key B3 and then the relative Stack Heights

04:20:04:12 - 04:20:26:01

Unknown

and how that set out. So I just wonder whether you're able to provide any greater clarity on that possible concern. I think all all of the all of the modeling and Chris will be able to confirm this is that the all the modeling has been undertaken at a single state height of 120 meters, and that has been

04:20:26:01 - 04:20:51:27

Unknown

used throughout for the project alone. And obviously that's been taken into the in combination phase. We have we have assessed those and combination effects along with key B2 B3. And at the moment, there are we have the information that's in the HRA, which shows that some of the the levels are actually just slightly over some of the

04:20:51:27 - 04:21:22:06

Unknown

1% figures when looked at in in combination. And we are looking at that as part of the. Of the asset the assessment and discussion with natural England and looking at the ammonia levels. So is the intention then that you'll be providing an updated report for the h r a with a quantitative assessment to support the conclusions of

04:21:22:06 - 04:21:41:25

Unknown

no adverse effect on integrity to the throne, and hopefully a more s and on more essay C subject to the to the findings obviously of the the the operational case. Yes. That's what we're seeking to to provide an updated and updated report with information in.

04:21:43:40 - 04:22:06:44

Unknown

Okay. Thank you. And I think the only other element that links through to that is whether there is a need to do anything further with regard to road traffic and effects on air quality and implications for the Humber Estuary, SASE and Rams, which are also both within 200 meters of the road.

04:22:07:37 - 04:22:27:31

Unknown

And so to seek clarification on that. Indeed, we have actually just yesterday before yesterday, given a verbal update for natural England on that, that the new access road will in fact, be over 200 meters away from the river from the Trent from the Humber Estuary.

04:22:28:47 - 04:22:43:16

Unknown

So that should take it out of the area of concern for natural England and the stay the road that is actually running adjacent of the current access road will be stopped up. So we should have a new road to this over that 200 meter.

04:22:45:12 - 04:23:28:45

Unknown

Guidelines within natural England's guidance. Thank you. Thank you. I think and the only other point I wanted to touch on. With the concerns that natural England had identified. It's not just the noise impacts, but the and the potential visual disturbance on the Humber Estuary, Ramsar.

04:23:29:15 - 04:23:51:40

Unknown

So again, if you could update me on that. Indeed, one of the things we've actually in the draft SOCOG, we have at the moment, we have a data section in there which talks about the height of the embankment along the the Humber Estuary along the River Trent, and they are 2 to 3 meters high, which provides screening

04:23:52:35 - 04:24:17:49

Unknown

for the birds on the river. And that was something that natural England have acknowledged and said that was. That should assist in actually avoiding visual disturbance to the birds on the river. Okay. Um, and then I think the next point was, was whether there's any potential loss of functionally linked land associated with the rest of the SBA

04:24:18:25 - 04:24:41:45

Unknown

and Ramsar. And there's very little land actually being lost in terms of the sort of functionally linked land that's used by birds from the from the SBA or even from the Ramsar. The areas that



are that we are actually what we are doing is actually providing natural England with some additional information about noise levels.

04:24:43:00 - 04:25:03:23

Unknown

And we're actually looking at some additional background noise levels at the moment and seeking some comparison of those with the with the predicted noise levels in the area. And there isn't a huge use of the of the area by this sort of birds from the SBA.

04:25:05:33 - 04:25:23:41

Unknown

And again, we were updating the Suu Kyi to to include details of where some of those birds are using the land. And most of the usage where we are finding species such as Red Shank and Mallard are in areas that are away from development.

04:25:24:32 - 04:25:47:36

Unknown

They may still be within the actual overall red line boundary, but then in areas that are not going to be developed and often, you know, several hundred meters away from from the actual development itself. So. Thank you. And don't know the North Lincolnshire have any thing further I would wish to submit.

04:25:49:33 - 04:26:08:08

Unknown

Andrew Taylor of North Lincolnshire Council. Nothing really to our just to say that we would concur with our view of bird usage in the area. Thank you. I come then to other interested parties to see if there are any other submissions that they would wish to make on in light of what they've heard this afternoon.

04:26:08:20 - 04:26:33:23

Unknown

On that. Uh, those points. No, I'm not seeing any hands up. So that's. That's fine. Thank you. I'm sorry. I'm very. Thank you. Only David Connally. Interested individual only to say really that thank you. Because I'm very interested to hear what has been proposed from the ecology point of view.

04:26:34:07 - 04:26:59:35

Unknown

Right. So it's particularly encouraging someone who spends half his life working on a nature reserve. Thank you. I think then that takes us to item nine of the agenda, which is the review of issues and actions arising. So if I can turn to my left.

04:27:01:41 - 04:27:19:37

Unknown

Yes, ma'am. Ma'am. Yes, ma'am. Yeah. Thank you. I'll go through it if you prefer. No, no. I'll give it again. Yeah. I'll give it a go. So. Thank you, sir. My intention is just to go back through my.

04:27:20:08 - 04:27:35:08

Unknown

What I've written down for the. For the whole day. Try and keep it fairly concise and clear. And hopefully along the way, I'll. I'll probably look mainly to the applicant just to just to see if we're in the same place, if you like.

04:27:37:29 - 04:28:04:20

Unknown

So if we go back to trying to get the right item number. Archeology. Yes. Cultural heritage. There was one thing quite early on, I think, was that from the archeological dig work taken to date, there was some further work to be done to update the assessment.

04:28:04:21 - 04:28:25:28

Unknown

I think you said you would try and give a date when that would be complete and be reported back. That gives obviously gives the NLC enough time to review it. Is that? Can I just. Yeah. Would you like to just.

04:28:27:20 - 04:28:47:34

Unknown

Okay. Sorry, we don't have a date yet. I don't believe so, but I've noted it in action. Okay. And moving on from that. So ultimately, that will be that will be an addendum to the assessment. Basically what that would lead to that deliverable, if you like.

04:28:50:19 - 04:29:11:28

Unknown

There was obviously a lot discussion around the overarching archeological mitigation strategy and that that was seen as a a key document, I think by the North Lincolnshire and English heritage. And this would be, you know, agreed predetermination. I think that's the main point and that certainly came.

04:29:11:49 - 04:29:38:20

Unknown

Then it will become a reference document subsequently for the ecological contract and so on and so forth. That would then also be leading to an amendment to requirement 11. So that would in effect refer to that. Or we expect that would then refer to the overarching mitigation strategy.

04:29:41:14 - 04:30:03:16

Unknown

On a more detailed level. The way I interpreted it, it was supposed to be necessary updates to be the OCP, which would basically reflect some of these things that we're doing. And also the detail around what's what was the term that was used, the watching brief for you and what that what that would actually be more detail

04:30:03:21 - 04:30:21:43

Unknown

I think I think I think that was just a general sense that was more detail will be provided in that annex from the one of the annex is in the CCP. Sir Kevin Murphy on behalf of the applicant, I think it's probably in the main body of the CCP, but it's it's okay.

04:30:21:43 - 04:30:41:27

Unknown

Whatever it was, it sits here piling. Well, you have kind of this has been a recurring feature. I guess we just want this clarity over statements we've made a few times now that if there's a commitment just to do board piling, that is clear and everything else where that's referred to is consistent with that.

04:30:41:27 - 04:31:02:09

Unknown

So we don't get some confusion, I think. Sir Kevin Murphy on behalf of the applicant, yes. Will be updating the vibration and ground excavations. Our Foundations Management Plan part of the code of construction practice. They may also be referencing the construction noise management plan as well.

04:31:02:30 - 04:31:26:10

Unknown

So let's reflect on discussions today. Okay. So I think that's part of it. And so it's a bit more moderate still on cultural cultural heritage. Yes, there was there was some discussion, of course, around the the the think the district heating network program.

04:31:26:30 - 04:31:41:01

Unknown

At the moment we've all we've got as a sort of a headline 2 to 3 years if that could be clarified as to, you know, broken down a bit more into for how long would it potentially affect assets.

04:31:41:38 - 04:32:06:24

Unknown

Um, and counsel to go back to your specialist and seek out what guidance they were using to point them into their sort of opinion on the same issue. Really. Yeah. I'm moving on to other areas. I'm just getting through this.

04:32:06:45 - 04:32:34:49

Unknown

I think I've covered most of the things I'm going to press. That's more like just in a second. I'll make sure. Don't move on yet. I was young, just 33. And I think the only other issue I had on the cultural heritage side, and it's more of a question really, because it wasn't a it wasn't picked up

04:32:34:49 - 04:33:06:40

Unknown

as a an action point. But one of the responses you gave in revising the code of construction practice was you made reference to potential funds of human remains. And at the moment your DCO doesn't cover human remains. As far as I'm aware, and previous decoders have had quite lengthy elements within them to cover the eventuality for human

04:33:06:40 - 04:33:32:27

Unknown

remains being found. So it's more of a a pointer really just to consider that, and I'm not certain what the implications would be in the event they were found in that's not then covered. So it's probably worth just just checking that over to see whether there anything in addition needs to be added, a type of the applicant

04:33:32:40 - 04:33:54:18

Unknown

. Yes. So we can certainly give that some further consideration. It was we're aware that it's not specifically covered by the the normal article in the DCO and having had some initial discussions, it was felt that with the detail that's contained in the CSP, which will be updated even further and that may not be necessary, but we'll we'll

04:33:54:18 - 04:34:14:35

Unknown

revisit that. And as Belton braces, it may be something to contemplate. Thank you. Yes, I filled my last and action point under this heading, which was, I think when we would talk about historical landscape character, I think I think you're going to go back to your specialist and respond on that.

04:34:15:00 - 04:34:31:49

Unknown

But by deadline for. Yes, that's correct. Yeah, I've got it. Just a down. Thank you. Great. Okay. So moving on to the next session, which is on design, what I've noted that Kevin's often on behalf of applicants, I think there's a hand up in things.

04:34:32:45 - 04:35:01:37

Unknown

Thank you, Kevin. Thank you. Well spotted. Well spotted. Thank you for that. Yes, go ahead, please. Tim Allen from Historic England on the point about human remains. Normally in discos, there's treatment in the archeological, overarching archeological strategy for how human remains would be approached archeologically in an appropriate manner equivalent to what would be achieved under a burials

04:35:01:37 - 04:35:22:06

Unknown

site license if the DCO doesn't. As I understand it, this would be one third people's legal to check where a DCO addresses that they obviate the need for burials that license. If the DCO doesn't cover human remains, then.

04:35:23:19 - 04:35:51:05

Unknown

You create potentially the situation where additional application of the Burials Act licenses would need to be made by those concerned with the archeological mitigation works or construction. Thank you for that clarification. Anything else to add from applicants? On this note, I hope all of them I press on with design.

04:35:51:04 - 04:36:16:40

Unknown

I can't see more any more hands up. So good. I think under design I think that was a simple, fairly, fairly straightforward list that we'd appreciate some some ongoing review of the wording in the design principles and codes to be more specific, especially around the objectives to explain how the design will be coordinated.

04:36:16:40 - 04:36:45:44

Unknown

If you envisage multiple design champions, which I think you did confirm, that was potentially going to happen. So let us let us know a couple of detail points. We know whether whether the

design review process would be a public or private process and how would conflict be resolved in the event there was the design panel and the

04:36:45:44 - 04:37:04:22

Unknown

applicant or the promoter, if you like, had had some differences of opinion. And ultimately, the the the detailed arrangements of how the design champion and design panel would work would be covered by the statement of Common Ground with North Lincolnshire.

04:37:07:12 - 04:37:32:42

Unknown

Is there anything you and anybody else think of, anything that that's been missed off the bat? I'm not seeing any. Yeah. Yeah. Okay. Yeah. North Lincolnshire. Thank you. So moving on to this afternoon session, biodiversity and so on.

04:37:36:21 - 04:37:54:31

Unknown

The applicant confirmed that they had they were actually had had drafted a statement of common ground with natural England actually that was was a sufficient state of progress to be provided by deadline for. I was obviously quite key will be a key a key focus point.

04:37:56:32 - 04:38:19:43

Unknown

The review of best and most versatile land was underway. I'm trying to remember whether you committed to a particular. Date for when that would be delivered. Kevin Murphy On behalf of the Africans, I think we'll aim for the deadline after next, which is deadline five, three, 21st, 21st of February.

04:38:22:11 - 04:38:55:32

Unknown

Thank you. Oh, yes. And and so and I think most of the following discussion. So moving on to designated sites and impacts must be one trip, less site and so on and so forth. You confirmed, I think, that you were doing what I'm going to describe as this likely central case, air quality assessment, and that will be

04:38:57:09 - 04:39:13:40

Unknown

complete by the 22 February. And then that would feed into the the HIV subsequently. And I think you said 2 to 3 weeks, I think was was so. So can we can we tie that to deadlines that we already have?

04:39:13:40 - 04:39:48:28

Unknown

So we can. Make a note of that. Well, somebody ought to respond to that one. Just checking the subsequent March deadline. DEADLINE six is the 20th of March, so that ought to be achievable. I reference that 2 to 3 weeks following the equality report.

04:39:48:35 - 04:40:04:37

Unknown

Yes. Thank you. I think that's that's the thing that's completed what I have noted down. Clearly, those those the statement of common ground in that update to the assessment that the HIV assessment that will will be quite substantial items that will feed into the examination.

04:40:04:37 - 04:40:27:16

Unknown

So that should cover those areas. I think I just had one other point. The plans that were displayed and went to once live and if you can just provide is the the links to those so that we know where they've come from as part of your submissions in response today.

04:40:28:09 - 04:40:53:20

Unknown

I'll be helpful. Thank you. Okay. And I'll just. In any other business. Yes. Try Brooke on behalf of the applicant. We did note from today's agenda that you were hoping for an update on the status of common ground.

04:40:53:21 - 04:41:09:21

Unknown

We're happy to do that today or tomorrow. Tomorrow's suits you, sir. Let's let's do it today. Who knows how long tomorrow will be. So we had a good time, so let's do it now. So I'll pass over to Laura Tinker, who's going to give the update.

04:41:12:20 - 04:41:26:06

Unknown

Laura Tinker on behalf of the applicant to give an update on statements of common ground. I'll just go through each stakeholder in turn to give an update. So North Lincolnshire Council, a draft statement of Common Ground was submitted at deadline two.

04:41:26:28 - 04:41:43:13

Unknown

Since then, the project has had continued engagement with the Council on the Outstanding Matters and intend on submitting an updated draft deadline for on the 7th of February. For the Environment Agency, a draft statement of common ground was submitted a deadline to.

04:41:43:41 - 04:42:05:37

Unknown

We're working to address the outstanding matters set out in this draft natural England and we've discussed this in more detail already earlier in the day. But is a high level update just to reiterate reiterate natural England has reviewed and commented on the drafting of common ground and we will be submitting an up to date version of this

04:42:05:37 - 04:42:23:35

Unknown

draft design for Network Rail. A draft statement of Common Ground was submitted. It did my one and we're working with the stakeholder to address outstanding matters set out in this draft for National Grid and again address no common ground was submitted at deadline to I.

04:42:23:45 - 04:42:43:44

Unknown

We're continuing to engage with them on the matters set out in this for Scunthorpe and Gainsborough Water Management Board. We submitted a draft statement of Common Ground

to ensure there is a final version signed by the project, which is currently with the Water Management Board for final sign off on their behalf.

04:42:44:40 - 04:43:05:45

Unknown

So we will be submitting a final version of this once we receive it back from the Water Management Board. Anglian Water and Severn Trent, both stakeholders. We submitted a draft in common ground at deadline one, so we're working to progress with both stakeholders to address the matters of concern.

04:43:09:30 - 04:43:26:35

Unknown

For Associated British ports, and we've had ongoing engagement with them. We've shared a draft statement of common ground with them for review just recently and hope to submit a draft or even possibly a final statement of common ground at Dubai before depending on any comments coming from this review.

04:43:30:36 - 04:43:49:35

Unknown

National Highways. We have a segment of common ground that has been shared with national highway highways. They're currently reviewing this. Abbey Agri Ltd. We submitted a draft statement of common ground at deadline to and we're working with Abby.

04:43:49:35 - 04:44:14:42

Unknown

I agree to address outstanding matters within this. Lincolnshire Wildlife Trust. A draft statement of common ground was submitted at deadline one, and we're working with the stakeholder to finalize this document. And then to note that ongoing discussions regarding particular provisions have been underway with a number of stakeholders.

04:44:14:45 - 04:44:38:47

Unknown

That includes British Steel Rainham Steel. Yotam paints, Cadent Gas, Northern Powergrid and British Telecommunications and Openreach Ltd. Once a position is being reached in regards to particular provisions with these parties will incorporate this into a statement of common ground and with each stakeholder where necessary.

04:44:41:43 - 04:44:57:44

Unknown

We also have calls with Bagnall Wind Limited, Humberside Fire and Rescue Authority and UK Wind in the diary for week commencing 30th of January to discuss the issues and will begin progressing this statement of common ground for for each of those following those calls.

04:45:00:26 - 04:45:21:30

Unknown

And then just to conclude, we would be prioritizing contact with the remaining stakeholders over the coming weeks. And updated positions will be recorded in the statement of commonality to be submitted. A deadline for. Thank you. I just clarify one point.

04:45:21:30 - 04:45:38:34

Unknown

You when you were talking about the protective provision, you listed jotun paints. Yes, I have. They're not a statutory undertakers. I'd be surprised if protective provisions. Is it something else that you're dealing with them? Or have I misunderstood?

04:45:39:14 - 04:45:54:34

Unknown

No, I might I might have just written it down wrong. We have been engaging with them and a site visit has taken place. Okay. So you're in discussion with him to resolve any tensions between them? Yeah. Thank you.

04:46:02:00 - 04:46:35:44

Unknown

No, that's that's helpful. UPDATE Thank you. Okay. I'll just then come back to any other business. Is there any other issue that anyone would wish to raise before we closed the hearing? No, I'm not seeing any hands. So just a reminder to everyone.

04:46:35:44 - 04:46:57:09

Unknown

First submissions can be submitted by deadline for which is the. And I've forgotten the date is February 7th of February. And as there are no other matters, anyone wishes to raise and close the hearing. And thank you all for your contributions this afternoon and this morning.

04:46:57:24 - 04:46:57:44

Unknown

Thank you.